



International
Labour
Office
Geneva

Report V (1)

Employment and decent work for peace and resilience

Revision of the Employment (Transition from War to Peace)
Recommendation, 1944 (No. 71)



**International
Labour
Conference**

105th Session, 2016

ATTENTION

This report contains a questionnaire which, in accordance with Article 39 of the Standing Orders of the International Labour Conference, calls for a reply from Governments, after consultation with the most representative organizations of employers and workers. **The replies to this questionnaire must reach the Office no later than 25 September 2015.** They will form the basis of the background report for the ILC discussion.

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Corrigendum

The third sentence of paragraph 30 should read as follows:

This issue is highlighted under Outcome 1 (More and better jobs for inclusive growth and improved youth employment prospects), and three ILO regional offices (those for Africa, Arab States and Asia and the Pacific) indicated that the focus on fragile situations is among their priorities for the Programme and Budget for 2016–17.

International Labour Conference, 105th Session, 2016

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Employment and decent work for peace and resilience: Revision of the Employment (Transition from War to Peace) Recommendation, 1944 (No. 71)

Fifth item on the agenda

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Introduction

At its 320th Session in March 2014, the ILO Governing Body decided to place a standard-setting item on the agenda of the 105th Session (June 2016) of the International Labour Conference on Decent work for peace, security and disaster resilience: Revision of the Employment (Transition from War to Peace) Recommendation, 1944 (No. 71), (standard setting, double discussion) with a view to the elaboration of a Recommendation.¹

This standard-setting item builds on the ILO's experience of the critical role of employment and decent work in situations of crisis over the last three decades, the 2009 United Nations Policy for Post-Conflict Employment Creation, Income Generation and Reintegration (UN Policy),² the outcome of the March 2014 Governing Body discussion on ILO technical cooperation in fragile States,³ and the subsequent ILO High-Level Panel on Decent Work in Fragile States,⁴ among others. It reflects a growing international concern with the situation in fragile and crisis-affected situations, and increasing international consensus over both the need and the means to address situations of fragility and crisis in States, restoring stability and preventing instability. The Governing Body thus decided that it was necessary to adopt an international labour standard in the form of a Recommendation on this subject in order to reflect the increased attention being paid to the matter, which is at the crossroads of developmental, humanitarian and peacebuilding initiatives at the national and international levels. It was deemed necessary through this new instrument to revise and update the guidance provided by Recommendation No. 71 and to focus the action of the ILO and of its constituents on how to deal with crisis situations caused by conflict or disaster.

The present report is divided into six chapters. The first describes how the notion of crisis has evolved beyond the results of international warfare to include also internal conflicts and disasters. The report goes on to describe how the ILO has responded to crises, through international labour standards and operational activities. It also describes how the ILO operates as part of the international system for crisis response, and has helped the broader system adapt to the ILO's own policies. The report concludes by examining what measures need to be included in a new standard, and how Recommendation No. 71 might be revised.

The report is accompanied by a questionnaire, as provided for in article 39 of the Standing Orders of the Conference, which has been drawn up with a view to preparing a

¹ GB.320/INS/2 and Record of Decisions, Mar. 2014.

² UN Policy for Post-Conflict Employment Creation, Income Generation and Reintegration, Geneva and New York, 2009, and GB.306/TC/5, see http://www.ilo.org/employment/Whatwedo/Publications/WCMS_117576/lang--en/index.htm.

³ GB.320/POL/9, entitled "ILO technical cooperation in fragile States", which was put before the Governing Body in March 2014.

⁴ See http://www.ilo.org/pardev/development-cooperation/WCMS_235634/lang--en/index.htm.

Recommendation. The Office is communicating the present report and the questionnaire to governments in accordance with article 39(1) of the Standing Orders.

In accordance with article 39(3) of the Standing Orders of the Conference, the Office will prepare a report on the basis of the replies received indicating the principal questions that require consideration by the Conference. This report shall be communicated to governments as soon as possible and every effort shall be made to ensure that the report shall reach them not less than four months before the opening of the 105th Session (2016) of the Conference.

In order to allow time for the preparation of that report, governments are requested to send their replies to the questionnaire so that they reach the Office *no later than 25 September 2015*. In this respect, the Office draws attention to article 39(1) of the Standing Orders of the Conference, under which governments are asked to consult the most representative organizations of employers and workers before finalizing their replies, which should reflect the results of that consultation, and to indicate which organizations have been so consulted. Countries that have ratified the Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144), are also required by that Convention to undertake such consultations. In accordance with established practice, the most representative organizations of employers and workers may send their replies directly to the Office. In addition, in view of the broad scope of the subject, it would be advisable for ministries of labour to consult other relevant national ministries and institutions that deal with crisis response when preparing their replies to the questionnaire. It might also be desirable to consult other relevant organizations, including organizations that work in the area of crisis response.

The report and the questionnaire are available on the ILO website at the following URL: www.ilo.org/ilc/ILCSessions/105/reports/reports-to-the-conference/lang--en/index.htm. Respondents are encouraged, where possible, to complete the questionnaire in electronic format and to submit their replies electronically to the following email address: RevisionR71@ilo.org.

Chapter 1

The new context of crisis and the broadening scope of response

1. The ILO itself was created to correct the causes that had led to the First World War, and Recommendation No. 71, adopted as the Second World War was drawing to a close, directed the ILO's response to one aspect of the situation arising out of that war. The concept of lasting peace flowing from social justice was the most evocative expression of the ILO's role in contributing to peace, and the ILO received the Nobel Peace Prize in 1969 on the occasion of its 50th anniversary. The Declaration of Philadelphia, and the subsequent declarations, including the ILO Declaration on Fundamental Principles and Rights at Work (1998) and the ILO Declaration on Social Justice for a Fair Globalization (2008), all embody this approach.

2. The situation today, more than 70 years after the adoption of Recommendation No. 71, has grown more complex, with changes in the nature of conflicts themselves as well as in the responses needed. In addition to conflicts, the ILO has also been called upon by its Members to address other kinds of crises, such as disasters, and the experience it has gathered attests to the critical role of job creation and decent work strategies, in particular in States that are in fragile situations, whether because of conflict or because of disasters or catastrophic events.

3. The ILO Declaration on Social Justice for a Fair Globalization recognizes in its Preamble that it is time to address the "major challenges of income inequality, continuing high levels of unemployment and poverty, vulnerability of economies to external shocks and the growth of both unprotected work and the informal economy". It highlights the role of the Employment Policy Convention, 1964 (No. 122), as a governance instrument and the fact that the ILO's "four strategic objectives are inseparable, interrelated and mutually supportive".

4. The 2009 UN Policy, which the ILO took the lead in drafting, together with the United Nations Development Programme (UNDP), states:

Rebuilding a shattered society takes far more than bricks and mortar. Quite often, the deeper challenge is restoring people's sense of opportunity, dignity and hope.

Employment and income generation are fundamental elements of the post-conflict solution. For communities and individuals, job creation and regular income can provide the means for survival and recovery. They are also keys to reaching out to young people and reintegrating ex-combatants and returnees. In short, generating employment is crucial to building peace.¹

5. The notion of state fragility to cope with internal and external shocks has been recently brought to the fore. In 2010, a group of fragile and conflict-affected countries meeting in Dili, Timor-Leste, established the "g7+" to share experiences and to advocate

¹ UN Policy, op. cit.

for reforms to the international community's engagement in conflict-affected States. According to the g7+ "[a] state of fragility can be understood as a period of time during nationhood when sustainable socio-economic development requires greater emphasis on complementary peacebuilding and State-building activities such as building inclusive political settlements, security, justice, jobs, good management of resources, and accountable and fair service delivery".² As the report of the March 2014 High-Level Panel on Decent Work in Fragile States noted:

State fragility is a complex phenomenon with multiple causes, and hinders the achievement of the MDGs. In fragile States, many of which are least developed countries, social institutions are unable to absorb and adapt to internal and external shocks, such as staggering rates of youth unemployment, rapid migration and urbanization, worsening climate disruption, and increasing poverty and inequality.³

6. The focus on obstacles to development that has accompanied the Millennium Development Goals (MDGs) and their follow-up after 2015 has helped to focus this growing awareness. It is not surprising that most countries in fragile situations have faced difficulties in achieving the MDGs. While the MDGs themselves do not take the specificity of fragility effectively into account, it is to be hoped that the post-2015 development agenda will rectify this situation. The negotiations on the post-2015 development agenda have, at the time this report is being drafted, reached the critical intergovernmental stage. The issues that concern the ILO are well covered by the current set of proposals, and the kind of work that it carries out in crisis situations is an important part of the proposals that have been put forward.

7. Estimates indicate that 1.5 billion of the world's 7 billion people live in conflict- and fragility-affected States and that this number is still growing.⁴ The Director-General's Report to the International Labour Conference in 2013, *Towards the ILO centenary*, states:

About 28 per cent of the world's poor live in fragile and conflict-affected States. The threat that their condition poses to the prosperity of others is one compelling reason why the ILO should give priority to them.⁵

8. Furthermore, it is estimated that 100 million people have sought humanitarian assistance in each of the last three years, and that people with humanitarian needs will double between 1990 and 2025 (UN, 2014). Seven million children are refugees, and an estimated 11.2 to 13.7 million children around the globe have been displaced inside their own countries. By the end of 2013, 51.2 million individuals had been forcibly displaced worldwide as a result of persecution, conflict, generalized violence, or human rights violations. Some 16.7 million persons were refugees. The global figure comprised 33.3 million internally displaced persons (IDPs) – including people who had become internally displaced due to disasters – and close to 1.2 million asylum seekers. More such statistics are available, indicating the scale and the dynamic nature of crises, whether arising from conflict or disaster, and the vast numbers of people affected by them.⁶ The world spent US\$13 billion on humanitarian interventions in 2011,⁷ while

² See http://www.ilo.org/wcmsp5/groups/public/---dgreports/---exrel/documents/publication/wcms_239406.pdf.

³ See http://www.ilo.org/pardev/development-cooperation/WCMS_235634/lang--en/index.htm.

⁴ International Dialogue on Peacebuilding and Statebuilding (2011), *A New Deal for engagement in fragile States*, at <http://www.newdeal4peace.org/wp-content/uploads/2013/01/new-deal-for-engagement-in-fragile-states-en.pdf>.

⁵ ILO: *Towards the ILO centenary: Realities, renewal and tripartite commitment*, Report 1(A), International Labour Conference, 102nd Session, Geneva, 2013, para. 41.

⁶ UNHCR: *Global Trends 2013* (Geneva, 2014).

⁷ UN Office for the Coordination of Humanitarian Affairs (OCHA) Financial Tracking Service.

spending on prevention and preparedness is typically at a rate of less than 1 per cent of this amount.⁸ As a result of disasters, over 700,000 lost their lives, 1.4 million were injured and around 23 million were made homeless between 2005 and 2014. Overall, more than 1.5 billion people were affected by disasters in various ways during this period, with women, children and vulnerable groups being disproportionately affected. The total economic loss was more than US\$1.3 trillion. Changes in climate, demographic patterns and access to resources mean that risks over the next 20 to 30 years are likely to be different and more acute than those in the past. In addition, the severity of potential losses is constantly being exacerbated as economies grow.

9. In crisis situations, livelihoods are destroyed, businesses interrupted, workplaces damaged and millions of workers lose their jobs and the social protection that often goes with them. Moreover, the institutions that provide for social protection, basic needs and law and order are often compromised or destroyed. Lack of respect for core labour standards, inequality and social exclusion are often common characteristics of these situations. The responses, including by the ILO, to this evolving context, clearly show the continued relevance, and the vital and pivotal role, of the creation of decent employment and income-generation opportunities in the transition to peace, the recovery from crisis and in building resilience. In addition, experience also shows the need to make available basic social services and social protection, to uphold rights, to build institutions and to promote social dialogue for the establishment or re-establishment of stable and democratic societies.

10. The scope of responses has also evolved, from assisting in crisis response and recovery to working on the whole cycle from prevention to preparedness and to embracing a broad-based approach to development and resilience that includes immediate as well as long-term responses. Prevention and preparedness in order to minimize the risks and impact of crises, as well as action to address them, can and must begin at the very early stages of a crisis, and even before it arises, in order to help the countries and communities concerned to move towards a sustainable development path. Recovery from crisis requires immediate as well as long-term responses, and involves considering development goals as an integral part of the response.

11. The appropriate responses have to be adapted to respond to specific crisis situations. Conflicts remain an important focus and responses are being adapted to the changing character and frequency of armed struggles and their repercussions on neighbouring countries. Crises may arise from internal conflict, such as a civil war or protracted civil unrest, or from foreign interventions. These often follow real or perceived internal divisions along religious or ethnic lines, economic deprivation and frustrated aspirations for democracy. They often involve damage to the concept of the State itself, and part of the work of restoration is the rebuilding of a sense of shared nationhood and building up a State's capacity to fulfil the needs and expectations of its people. There may have been significant violations of human rights during a conflict, including deaths, large-scale rape of women and girls, children forced to participate in armed conflict, and forced labour. Government institutions have often been weakened or destroyed. Institutions such as employers' and workers' organizations may have been damaged or destroyed during the conflict, and public and private sources of employment destroyed. In short, international assistance responses to conflict situations are likely to have to be different and of longer duration than responses to other disasters, and to be oriented towards

⁸ J. Kellet and H. Sweeney: *Synthesis report: Analysis of financing mechanisms and funding streams to enhance emergency preparedness*, Development Initiatives (2011).

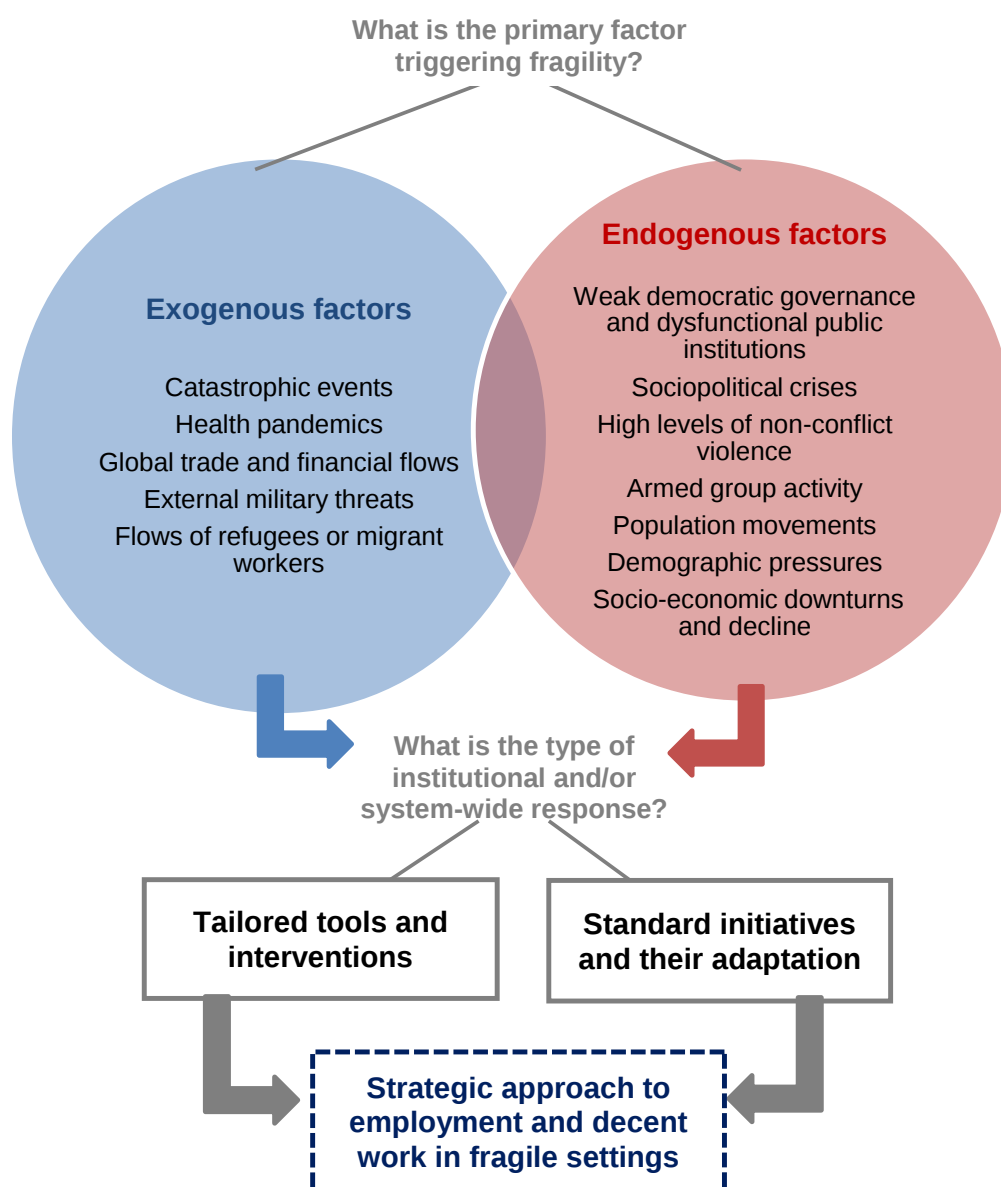
building stable societies and government institutions, and towards promoting national reconciliation, beyond just immediate and short-term reconstruction.

12. The other main generator of situations of fragility is either “sudden onset” disasters, such as an earthquake, tsunami or hurricane, “slow onset” phenomena, such as droughts, or catastrophic health emergencies. These situations often occur with little or no warning, but their impact may be made worse by poor governance resulting from the weakness of institutions. Countries that are fragile for whatever reason are much less able to cope with disasters than are others. Advance planning and preparation can nevertheless be put into place to limit the impact of crises and shorten their duration. While immediate humanitarian relief is always the most urgent need – to rescue survivors and provide food and medical relief, as well as housing and other necessities – it is vital not to limit the response to such assistance and to construct this response in such a way as to facilitate longer term recovery and to avoid aid dependency, while immediately restoring access to essential public services, including making the public sector operational as quickly as possible. Recovery from such situations may take years and go through a number of stages. While the impact of such disasters is in many ways similar to the devastation caused by conflict, and many of the responses are similar, there are also specificities to responding to each of these situations that need to be considered. This has become a growing part of the response of the international system to crises, and is one of the reasons why Recommendation No. 71 needs to be updated.

13. The rebuilding of an enabling environment for employment and income-generation opportunities and functioning national systems is a vital part of the work of restoration in both situations, and is often the focus of ILO and other international contributions. This is necessary above all for the poorest and most vulnerable, who may never have had access to such schemes in the first place, as well as to ensure that most of society has the means to prevent the descent into poverty. Figure 1 is taken from the early results of an ILO research project. It illustrates the factors that trigger and/or exacerbate fragility, and the possible responses to these situations in the area of employment and decent work. While this understanding may develop further as the study is pursued, it does illustrate the complexity of both causes and responses.⁹

⁹ This figure was developed in the context of a joint initiative of the ILO and the Centre on Conflict, Development & Peacebuilding of the Graduate Institute of International and Development Studies, Geneva.

Figure 1. Factors triggering and/or exacerbating fragility and possible responses



14. The evolving nature and context of crises and the broadening scope of responses have led to the decision to revise and update Recommendation No. 71 and have guided the preparation of this report and the questionnaire.

15. The new instrument to be discussed at the International Labour Conference will have to be sufficiently flexible to apply to a broad range of crisis-related problems and solutions.¹⁰ However, it is proposed that in this context the use of the term “crisis” should refer to situations of conflict and disaster only, excluding other crises, such as the global economic and financial crisis, for which the ILO has developed other responses and instruments.

¹⁰ The proposed Recommendation is not intended to address crises that may have been occasioned by a collapse of institutions, such as those in the financial system, as has been seen during the worldwide financial crisis in recent years, but lessons might be drawn from the financial crisis to guide recovery in the future.

16. Similarly, while it is current usage to speak of fragile States – the ILO has used this terminology itself – in view of the fact that there is no internationally agreed definition of the term “fragile State”, that forms of fragility may vary according to the type of crisis and, moreover, that fragility does not necessarily define a category of States (it can also refer to pockets of fragility within or across borders),¹¹ the present report and the proposals made below for the revision of Recommendation No. 71 do not refer directly to “fragile States”, but rather to fragile situations and settings arising from conflict or disasters and situations of instability and insecurity which, if not properly addressed, are likely to deteriorate into turmoil, conflict or disasters.

17. A range of new terminology and concepts has developed through the work of the international multilateral system and dedicated platforms dealing with conflict and/or disaster. While there are no settled international definitions of some of the terms, box 1 provides some clarifications of the most frequently used terms in this report and the questionnaire attached to it.

Box 1

Some clarifications regarding terms used in Report V(1)

Conflict

A prolonged struggle between two or more parties, including international armed conflict (opposing two or more States) and non-international armed conflict (between governmental forces and non-governmental armed groups, or between such groups only), as well as other situations of violence that destabilize societies and economies.

Disaster

A serious disruption of the functioning of a community or a society involving widespread human, material, economic or environmental losses and impacts, which exceeds the ability of the affected community or society to cope using its own resources. Disasters may arise from natural hazards (geological, hydro-meteorological and biological) or be induced by human processes (environmental degradation and technological hazards).

Disasters are often described as a result of the combination of: the exposure to a hazard, the conditions of vulnerability that are present, and insufficient capacity or measures to reduce or cope with the potential negative consequences. Disaster impacts may include loss of life, injury, disease and other negative effects on human physical, mental and social well-being, together with damage to property, destruction of assets, loss of services, social and economic disruption, and environmental degradation.

Prevention

Prevention refers to measures to eliminate, reduce, mitigate and transfer the negative impact of a disaster to prevent it from becoming a major crisis.

Mitigation

Mitigation is the lessening or limitation of the adverse impacts of hazards and related disasters.

Preparedness

Preparedness includes contingency planning, risk management planning, including adequate insurance cover, emergency response and evaluation of the threats to human, physical, economic and social capacities at national and local levels that cause vulnerability.

¹¹ g7+: *The Fragility Spectrum: Note on the g7+ Fragility Spectrum* (2013, Kinshasa) at <http://www.g7plus.org/s/06112013-English-Fragility-Spectrum-Note.pdf>.

18. The report and the questionnaire reflect the evolving approach to response being taken by the international system and the ILO. The ILO advocates a rights-based approach that focuses on employment generation, expanded in recent years to include institution-building for all the ILO's constituents, social dialogue, social protection, the construction of a viable infrastructure for access to basic services, with a special focus on population groups made particularly vulnerable in the context of conflict or disaster, such as women, children and young people.

19. Over the years the ILO has constructed a response capacity that is coherent and focused, and on which a large number of States have relied. Through its international labour standards, policy advice and technical cooperation, the ILO has been able to put its values and knowledge at the service of some of the poorest and most vulnerable populations in the world. In cooperation with other international organizations and in synergy with other strategic objectives of the Decent Work Agenda, it has been leading the development of employment-based responses. The adoption of a new standard revising the guidance of Recommendation No. 71 will substantively strengthen action by the ILO and its constituents in this new context.

Chapter 2

International labour standards and responses to crisis

20. As indicated in the previous chapter, the ILO was itself founded as a crisis response mechanism, and its Constitution reflects this orientation. The most concrete expression of these goals and principles is found in ILO standards which, together with tripartism and social dialogue, are the ILO's major tools for achieving social and economic stability and development. Most ILO standards do not refer directly to the concept of crisis or disaster, but nevertheless provide indispensable legal and moral underpinning to the way the ILO approaches these situations. Almost all the standards that are crucial to crisis response, except the Forced Labour Convention, 1930 (No. 29), were adopted after the adoption of Recommendation No. 71 and the Second World War, but the Recommendation signalled the approach the ILO would take through its standards to guiding national economic and social development. Early expressions of a number of later ILO standards can be found in the Recommendation.

21. As the UN Policy stated, referring to some of the most relevant standards:

Where consistent with national peacebuilding priorities, possible legal reforms and development plans – including Interim PRSPs and PRSPs – should reflect the MDGs and the ILO Declaration on Fundamental Principles and Rights at Work. These principles can also be used to initiate dialogue among stakeholders, especially among social groups separated by conflict. These universal values and goals may facilitate consensus building. Particularly relevant to post-conflict settings are MDG 1 (eradicate extreme poverty and hunger), MDG 3 (promote gender equality and empower women) and MDG 8 (develop a global partnership for development). Relevant ILO core conventions include freedom of association (C87) and the right to collective bargaining (C98); the elimination of forced and compulsory labour (C29); the abolition of child labour (C138, C182); the elimination of inequalities in remuneration (C100) and other forms of discrimination in the workplace (C111); as well as the ILO Convention 169 concerning the rights of indigenous and tribal peoples.¹

22. The fundamental human rights Conventions, on freedom of association and collective bargaining, and freedom from forced labour, child labour and discrimination, were declared to be at the centre of ILO policies in the ILO Declaration on Fundamental Principles and Rights at Work. The role of employers' and workers' organizations, whose right to freedom of association is cemented in ILO Conventions and procedures intended to ensure their role at the national level, is an inherent part of all of the ILO's work and will be cited repeatedly in the proposals that follow. The fight against discrimination is an essential preventive approach to the kind of ethnic, religious and other conflicts that can turn to armed clashes and civil war, and the implementation of a policy of equality is an important part of healing national wounds after conflicts and of ensuring the fair distribution of programmes and protections following national crises. Child labour and forced labour are frequent consequences of conflict and other crises,

¹ UN Policy, op. cit., p. 38.

especially in situations where law enforcement and labour administrative services have collapsed or are stretched too thin.

23. When the ILO Declaration on Social Justice for a Fair Globalization was adopted in 2008, it reaffirmed the central role of the fundamental human rights instruments, and added the ILO's main governance instruments as being integral to ILO policy. Convention No. 122, which expresses the underlying message of the central role of full, productive and freely chosen employment that is the basis for the decent work approach, was a translation of the message of Recommendation No. 71 to the broader context of national social and economic development. Convention No. 144 is another manifestation of the concept of tripartite involvement in national development that has been broadly embraced. The Labour Inspection Convention, 1947 (No. 81), the Labour Inspection (Agriculture) Convention, 1969 (No. 129), and the Labour Administration Convention, 1978 (No. 150), provide the basis for sound labour administration, without which the rights and principles enunciated in the entire range of ILO standards cannot be realized. The role of public employment services that was emphasized heavily in Recommendation No. 71, and later consecrated in the Employment Service Convention, 1948 (No. 88), remains equally important today in connecting prospective workers with employers. The pivotal role of employment services should be recognized in any crisis response and should invariably be an integral part of such a response. The initial design and implementation of emergency employment services and their integration into the institutional structures of the State during the recovery process should be carefully planned and executed throughout all the stages of the crisis response programme as envisaged in the UN Policy. The Social Protection Floors Recommendation, 2012 (No. 202), provides an essential framework for ensuring that at least the crucial minimum guarantees for access to health and income security for all people of all ages are in place, with a view to prevention and greater preparedness in the event of future catastrophes. The need to rely on these standards in dealing with crises is set forth in the standards themselves, and is frequently expressed by the ILO supervisory bodies and in the ILO programme and budget. There are extensive references to the limits on emergency powers, typically invoked after internal conflicts and other crises, in the areas of freedom of association and the imposition of forced and compulsory labour in particular. The Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), was the basis of many of the negotiations involved in major political changes in Europe at the end of the Cold War, and has continued to be invoked in more recent conflicts. The Indigenous and Tribal Peoples Convention, 1989 (No. 169), has been the foundation of peace negotiations in at least two long-running civil wars, in Guatemala and Nepal, and the situation of these peoples in internal conflicts is a frequent subject of ILO comments and assistance. A number of other examples can be cited from the ILO's supervisory work. The Committee of Experts on the Application of Conventions and Recommendations, the Conference Committee on the Application of Standards and the ILO's various complaints mechanisms deal regularly with restrictions on freedom of association, discrimination, forced labour and child labour in conflict and other emergency situations, though the standards themselves usually do not refer directly to such crises.

24. Reference will be found throughout the report, and in the questionnaire, to a number of ILO standards most relevant to the crisis response.

Chapter 3

The ILO's response to conflict and disaster: Employment and decent work for building peace and resilience

25. The ILO has responded to crisis situations since its foundation, and ever since it has highlighted the role of socio-economic policies and programmes in peacebuilding and recovery. Recommendation No. 71, adopted in 1944, proposed a pioneering approach to promoting peace and social justice in the aftermath of the Second World War, through employment-based recovery and reconstruction. This approach continues to be highly pertinent in similar contexts, as international aid and guidance are increasingly solicited to help countries respond to crises, although the majority of conflicts are now taking place within, instead of between, States, and ILO action has also been extended to respond to crises triggered by problems other than armed conflicts.

26. Since the 1980s, the ILO has progressively adopted a specific focus on peacebuilding and disaster-response reconstruction. The ILO Programme for Crisis Response and Reconstruction (ILO/CRISIS) has been succeeded by the Fragile States and Disaster Response Group (FSDR) in the Development and Investment Branch (DEVINVEST), Employment Policy Department, to ensure Office-wide coordination of the ILO's engagement in post-conflict and disaster settings. The work is carried out by many parts of the Office, with country responses being coordinated mainly by regional and country offices. The ILO has increasingly become part of the international architecture for crisis response, in situations ranging from post-tsunami reconstruction to recovery after conflicts, and extending to relief from the Ebola outbreak.

27. Post-conflict, fragile and disaster-affected environments are characterized by instability, insecurity, poverty and inequality. This results in the destruction of livelihoods, sources of income, workplaces and businesses, all of which is aggravated when it occurs in low-income and poverty-stricken areas, often resulting in the weakening or even destruction of the institutions that foster justice and good governance in the world of work. There may also be a lack of employment opportunities and livelihoods, loss of income and assets, unemployment and underemployment among both adult and young populations, and unequal and limited access to quality incomes and decent jobs. Another problem is often an absence of social participation or repression of freely chosen representative organizations, resulting in the exclusion of segments of the population from decision-making. All these elements can be catalysts for turmoil and conflict. Conflict, disasters and other crises in turn aggravate poverty, unemployment and informality, creating a vicious cycle leading to even greater fragility. The resulting deterioration in social conditions in these States can also destabilize the neighbouring States into which problems overflow, in the form of refugees, cross-border armed forces and related manifestations.

28. The ILO operates a combination of downstream and upstream activities to address such situation. Downstream activities are projects that address the immediate needs of crisis-affected populations and spread the “peace dividends” or other resources at community level. Such efforts then serve as an entry point and give the ILO the credibility to facilitate upstream activities for mid- and long-term programming at national and regional levels. The ILO’s engagement in crisis situations is based on the principle of national leadership and ownership through collaboration with tripartite constituents and UN partners. The ILO’s projects and programmes help to build the capacities of governments, social partners and communities to create institutions responsive to the needs of their citizens. The key to consolidating peace and stability in these situations is to position democratic institutions to lead the State and manage the delivery of services to its citizens. Furthermore, the ILO supports its constituents in their engagement to promote policy coherence around the concept of decent work at national, bilateral or multilateral level.

29. Decent work and the multifaceted set of policies the ILO helps to put into place to support it are a critical factor in breaking this vicious cycle and can lay the foundations for the construction of sustainable economies and communities. Social dialogue involving employers’ and workers’ organizations is a key component in restoring the situation. Consistent with the decent work approach, ILO action in situations of crisis addresses gender-specific needs. Women are driving forces for crisis recovery and their inclusion in State-building activities provides the foundation for inclusive development strategies. The International Programme on the Elimination of Child Labour (IPEC) focuses considerable attention on children affected by conflicts, and the ILO also helps to relieve the forced labour that often arises when social institutions are weakened or destroyed. The Employment-Intensive Investment Programme (EIIP) has for the last four decades worked on emergency employment-intensive crisis response through the reconstruction of infrastructure and assets as a means to restore the livelihoods of those most affected, which also supports the restoration of social dialogue. The ILO’s work with people with disabilities also deals extensively with those who have been injured and disabled in conflicts and disasters. The ILO’s promotion of governance in the world of work, through the support or strengthening of the necessary laws, institutions and processes, is indispensable for rebuilding fragile countries and their economies.

30. The ILO’s Strategic Policy Framework 2010–15 identifies crisis response as a priority.¹ During this five-year period, the ILO has worked in all 20 of the g7+ fragile States, and Decent Work Country Programmes (DWCPs) have been developed for 17 of them.² This issue is highlighted under Outcome 1 (More and better jobs for inclusive growth and improved youth employment prospects), and three ILO regional offices (those for Africa, the Americas and Asia and the Pacific) indicated that the focus on fragile situations is among their priorities for the Programme and Budget for 2016–17. The ILO is in the process of developing a flagship technical cooperation programme on jobs for peace and resilience.

31. A 2014 analysis of the ILO’s technical cooperation indicated that the ILO has implemented 159 projects in fragile situations since 2004 and increased its extra-budgetary technical cooperation expenditure nearly tenfold in these countries since then.

¹ GB.304/PFA/2(Rev.).

² DWCP by country as of 31 December 2014: Afghanistan, Burundi, Chad, Comoros, Côte d’Ivoire, Democratic Republic of the Congo, Guinea-Bissau, Haiti, Papua New Guinea, Sao Tome and Principe, Sierra Leone, Solomon Islands, Timor-Leste, Togo; and draft versions in Central African Republic, Guinea, Somalia (DWP). Accessible at <http://www.ilo.org/public/english/bureau/program/dwcp/countries>.

Chapter 4

The international system and the ILO

32. As indicated above, the ILO does not work alone in helping to resolve post-crisis situations. It is an active partner in a variety of inter-agency initiatives and international forums related to crisis/conflict and disaster prevention, preparedness, response and recovery.

33. In the last 15 years, the ILO has significantly expanded its role in crisis-affected countries, putting in place recovery and reconstruction programmes in more than 60 emergency situations. These are intended primarily to influence the design and implementation of internationally supported crisis response and reconstruction programmes in line with decent work concerns and in response to constituents' requests. Many operational activities, geared to employment generation, reintegration, skills training, cash transfers and enterprise development are set up in partnership with the Inter-Agency Standing Committee (IASC) ¹ members, in particular with the UNDP, the Food and Agriculture Organization (FAO), the World Food Programme (WFP), the Office of the United Nations High Commissioner for Refugees (UNHCR), UN-HABITAT and the World Bank.

34. In 2004, the ILO launched a new operational partnership with the UNHCR to enhance the protection and reintegration of, and durable solutions for, displaced people in host communities and countries of origin. The two agencies have jointly executed over 17 operations, harnessing synergies through close inter-agency cooperation at both the headquarters and national levels.

35. The ILO is active in the subsidiary bodies of the IASC and at the sub-working group level, dealing with issues such as Consolidated Appeal Processes (CAPs), preparedness and transition. It is a full member of the Global Cluster on Early Recovery (GCER) ² and is co-leader on livelihood issues at country level in post-emergency situations. There are also a number of other international initiatives and programmes in which the ILO is involved, on child labour, peacebuilding and State-building, and most recently on confronting the Ebola epidemic. Through its participation on selected global coordination platforms and through its membership of the United Nations International Strategy for Disaster Reduction (UNISDR), ³ the ILO promotes the establishment of

¹ The IASC is a unique inter-agency forum for coordination, policy development and decision-making involving the key UN and non-UN humanitarian partners.

² The Global Cluster on Early Recovery, formerly the global Inter-Agency Standing Committee Cluster Working Group on Early Recovery (CWGER), was created as one of nine (now 11) clusters as part of the Emergency Relief Coordinator's Humanitarian Reform in 2005. The GCER is chaired by the UNDP and has 31 global partners from the humanitarian and development communities.

³ The UNISDR, the UN Office for Disaster Risk Reduction, was established by the UN General Assembly to ensure the implementation of the International Strategy for Disaster Reduction, adopted in December 1999. The

networks among disaster and livelihood experts and shares its knowledge on good practices, cost-effective livelihood risk reduction measures, and lessons learned in the field, with all actors involved in disaster risk reduction. The ILO has also contributed to the development of joint Post-Disaster Needs Assessment (PDNA)⁴ guidelines in collaboration with the UNDP, the World Bank and the European Union (EU), drafting the chapter on employment, livelihoods and social protection. The ILO also participates in regional strategies and policies.

36. As part of the response to the December 2004 Indian Ocean tsunami the ILO contributed its technical knowledge and resources in humanitarian settings and leveraged its own programme funding requirements through the CAP (for both Sri Lanka and Indonesia). Furthermore the “cluster approach” (and the affirmation of early recovery as a link between relief and full recovery) adopted by the IASC in 2005 gave the ILO an important role to play as joint coordinator of the livelihoods sub-cluster with the FAO. This model has also been replicated in recent instances, such as the response to Super Typhoon Haiyan/Yolanda in the Philippines, where the early recovery and livelihoods cluster is co-led by the UNDP and the ILO. In parallel with the adoption of the IASC Transformative Agenda and the need to improve the quality of emergency response, the debate around what defines “humanitarian response” has expanded considerably and the ILO’s critical role for both peacebuilding and socio-economic recovery has gained international recognition. Today, the centrality of employment and decent work for promoting peace and resilience is recognized unequivocally by the international community.

37. As one of its major efforts, the ILO has been successful in focusing attention on the importance of employment and jobs creation in the UN system as a whole. In 2009, the ILO and the UNDP jointly spearheaded the development of the UN Policy to maximize the impact, coherence and efficiency of employment and reintegration support provided by UN agencies for fragile States. This policy is consistent with and complements other inter-agency processes aiming to strengthen support to countries in post-conflict transition settings, such as those currently being implemented through the IASC Global Cluster on Early Recovery, the UN Working Group on Transitions of the United Nations Development Group, the United Nations Inter-Agency Working Group on Disarmament, Demobilization and Reintegration, and the other UN policy inter-agency task forces dealing with peacebuilding issues. The policy seeks to address gaps that were also identified in these forums, in particular those related to employment and reintegration.⁵ As the UN Policy document states:

In post-conflict situations, employment is vital to short-term stability, reintegration, economic growth and sustainable peace. This United Nations policy paper contributes to a common understanding and provides a United Nations approach to employment and reintegration, built around a set of guiding principles and programming guidelines designed to support programming at country level. The policy aims to help scale up and to maximize the impact, coherence and efficiency of support provided to post-conflict countries by United Nations programmes, funds and specialized agencies. Specific attention is given to the needs

UNISDR is also the focal point in the UN system for the coordination of disaster risk reduction and the implementation of the ten-year international disaster risk reduction plan.

⁴ The PDNA guidelines represent a harmonized and coordinated approach, providing for a coherent, comprehensive and government-led assessment of post-disaster damages, losses and recovery needs, and paving the way for a consolidated recovery framework. The assessment methodology is multi-sectorial, addresses recovery needs related to infrastructure, shelter, livelihoods, and social and community services, and seeks to maintain a balance between different aspects of recovery. The overarching purpose of the guidelines is to provide technical support to practitioners as they plan for and undertake the PDNA and design the recovery framework.

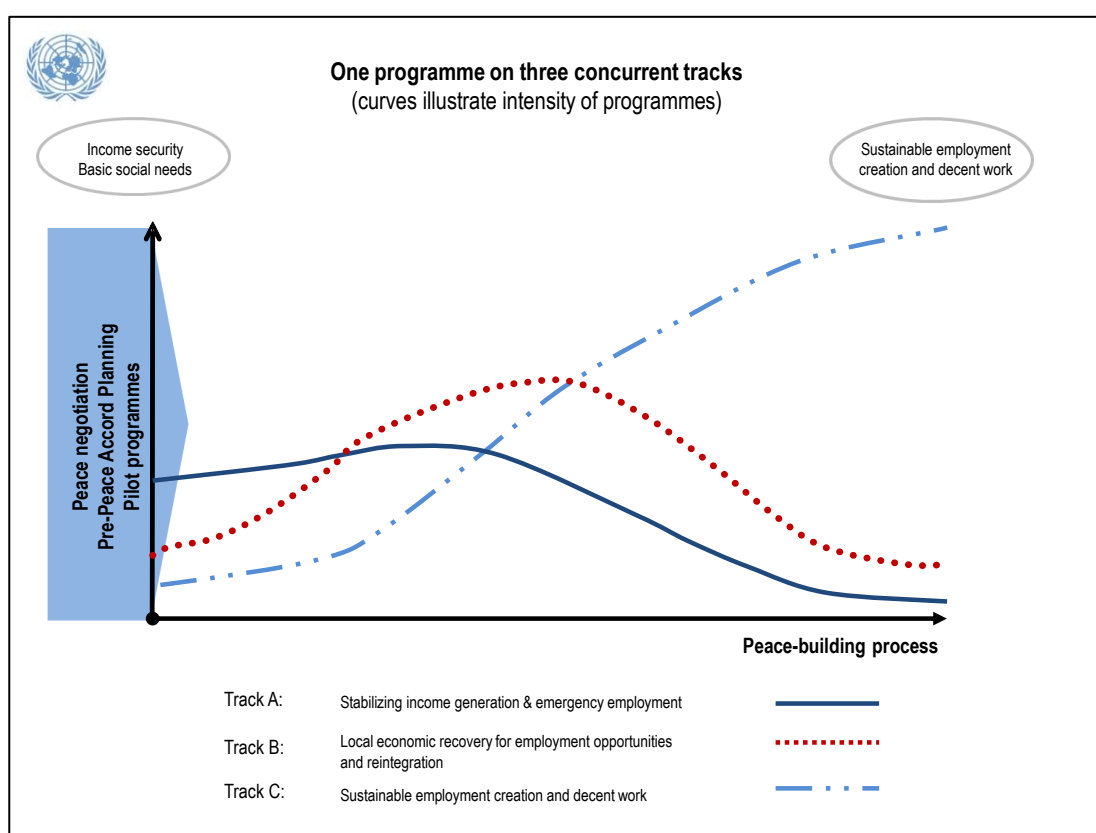
⁵ See UN Policy, op. cit., p. 14.

and capacities of conflict-affected groups, with particular emphasis to issues relating to unemployed women and youth. An operational guidance note sets out the implementation and institutional arrangements among the different United Nations bodies in this field.

The UN Policy enunciates five guiding principles⁶ that are relevant to the standard-setting exercise being undertaken here: (a) be coherent and comprehensive; (b) do no harm; (c) be conflict sensitive; (d) aim for sustainability; and; (e) promote gender equality. It is synthesized by the three tracks approach (see figure 2).⁷

- A. Stabilizing income generation and emergency employment;
- B. Local economic recovery for employment opportunities and reintegration;
- C. Sustainable employment creation and decent work.

Figure 2. One programme on three concurrent tracks



All programming tracks are simultaneous. Tracks A and B are geared towards addressing the most urgent peacebuilding issues, whereas track C aims to support national capacities, strategies and policies for sustainable solutions to influence national development frameworks, such as the United Nations Development Assistance Framework (UNDAF) and the DWCP.

⁶ See UN Policy, op. cit., p. 10.

⁷ See UN Policy, op. cit., p. 11.

Chapter 5

Key policy areas in crisis response

38. In examining key policy areas that should be included in a new standard on crisis response, this section highlights the Office's experience in assisting its constituents in this area, and in its work with the international system generally.

A. Employment generation for recovery and resilience

39. The basic approach the ILO uses in crisis situations is the creation of employment opportunities for income security and longer term development, in a way that respects international labour standards and social dialogue and creates decent work. All the interventions mentioned below are ways of achieving this central set of goals. At all stages of the process of preparation and recovery, it is productive to look ahead to the longer term development needs, centred on the generation and maintenance of employment. This is the approach that distinguishes the ILO's work in this area from that of other organizations. A comprehensive employment strategy that aims to promote full, productive, freely chosen and decent employment, taking into account Convention No. 122 and guidance provided in relevant resolutions of the International Labour Conference, is not only a basic priority for the ILO and its constituents, but is also indispensable in preparing for and responding to crises. The ILO's main contribution to the joint work of the international community in response to crises has been to mainstream this concept into the programmes and work of the international community as a whole, and to ensure that the ILO is not alone in following this path.

40. Different approaches to employment creation in crisis situations are mutually reinforcing: employment-intensive investment programmes with infrastructure investments and public employment programmes, private micro-, small and medium-sized enterprise and cooperative development, corporate social responsibility of multinational enterprises, vocational skills and entrepreneurial training, employment services, creating an enabling environment for employment generation through local economic recovery paving the way for local economic and development initiatives, value chain development schemes, financial support, among others. In the case of conflict, the provision of employment to the disenfranchised organized around outcomes providing mutual benefits to different parties can contribute to defusing tension in volatile communities and lower the risk of future incidents. Equally, in societies where warring parties have recently brokered a ceasefire or signed a peace agreement, there are strong expectations of peace dividends, such as immediate livelihood development through increased job opportunities.

41. Generating employment in the aftermath of crisis may go through several stages, though these stages are not always sequential and sometimes take place simultaneously

due to the uneven impact of crises and the fact that they may have different effects in different parts of the country. One of the initial measures to be taken is a market needs assessment that includes the aid economy, to find out about employment demand and to ease recovery work by helping to create jobs that respond to the situation.

42. The relief and development efforts carried out do not always examine the impact of these programmes on employment and on the need of the population for income generation. This is one of the contributions of the ILO to these efforts, especially in working with governments and with other international bodies providing aid. Unless an employment impact assessment of all national recovery programmes is carried out at an early stage, the programmes that are put into place may miss an important opportunity to contribute to the longer term goal of development and the need to prioritize the creation of jobs that facilitate rapid attainment of full, productive, freely chosen and decent employment.

43. The EIIP¹ approach focuses on orienting infrastructure investments towards creating higher levels of productive employment and improved access to basic goods and services. The EIIP offers an important dividend on the distributional effects of such investments and provides an opportunity to offer immediate income security to vulnerable populations directly affected by crises. Substantial financial investments help countries recover from crises, and it is important to examine and promote the employment generation aspects of these investments. The EIIP approach has proven that infrastructure investments can create quality jobs while creating or restoring weakened or destroyed infrastructure and services. Most employment-intensive crisis response programmes involve reconstruction of infrastructure facilities, including private property and public facilities such as irrigation systems, flood control and drainage, water supply, public buildings (to be used for such purposes as health and education) and transport access. The use of local resource-based technology – which requires an inclusive and participatory approach using local enterprises, knowledge, people and materials to enhance local access to productive and social services and to expand the local market – is an effective approach for mobilizing communities and adding to the capacity of workers and enterprises in their efforts to restore their livelihoods after a crisis. Investments and public–private partnerships to set up entrepreneurship and vocational training facilities for the infrastructure sectors have proven particularly useful to build lasting capabilities facilitating graduation from conflict and disaster situations.

44. Much of the employment-intensive investment is carried out by private entities, both local and international, which has an important effect on helping to rebuild businesses and enterprises, and there are also programmes carried out by public authorities directly. The EIIP's public employment programmes complement other investment efforts, and can help direct activities to where they are most needed through public works and social services. These public employment programmes complement monetary transfers made to those who cannot work (children, older people, people with disabilities, among others), and constitute another essential element in the construction and reinforcement of social protection floors. Public employment programmes can include important responses to climate change as part of a sustainable development approach, thus putting the environment and adaptation to climate change at the heart of recovery. While some programmes are temporary in nature and respond to sudden crises, the capacity to implement them must be built up properly, preferably, and if possible, in times when there are no crises, to be promptly engaged when the crisis strikes. Furthermore, some countries have resolved to bring a rights-based approach to

¹ Additional information is available at www.ilo.org/eiip.

employment through the establishment of national systems of social protection with minimum guarantees of employment to reduce the vulnerability of their population.

45. Among the examples of ILO responses that can be cited, the President of Liberia addressed the International Labour Conference in 2006, calling for robust ILO assistance in revitalizing employment through quick and massive job creation as a critical priority to ensure human security, social progress and economic growth after the political crisis. Within six weeks of the President's call, the Government of Liberia, with ILO technical assistance, formulated the Liberia Employment Emergency Programme and Liberia Employment Action Programme (LEEP/LEAP), a decent work employment strategy administered by the Government. This programme provided a vision for immediate employment creation, while at the same time laying the foundation for a longer term sustainable and comprehensive employment policy and implementation strategy. One key initiative brings together a number of programmes, essentially from the African Development Bank, the World Bank, the EU, the UNDP and bilateral financing partners, all creating jobs through labour-based projects. The ILO's programme in Liberia created a labour-based development model for constructing and maintaining roads for agricultural and rural development through financial support from the African Development Bank and the World Bank. This programme has resulted in employment and income generation for enterprises and local communities. It has demonstrated that communities are willing and able to mobilize local resources as long as they see the value of project activities for their livelihood needs. Stakeholder consultation and involvement during project design and implementation play a critical role in fostering ownership of interventions and enhance the possibility of sustainability beyond the project cycle.

46. Another example of these approaches occurred in the Philippines. Around 800,000 workers were affected by Typhoon Hagupit, locally known as Ruby, with their sources of livelihood damaged or disrupted overnight. About 370,000 of these workers were already in vulnerable employment, living in poverty and accepting whatever work was available to them. Over 350,000 workers, or roughly 20 per cent of the total workforce in Eastern Visayas, were affected by the typhoon. With an average of 20 typhoons a year, the Philippines is extremely disaster-prone, and in recent years storms have become stronger and more deadly. In 2013, the ILO emergency employment programme implemented in areas affected by Super Typhoon Haiyan supplemented funds allocated by the Philippines Department of Labor and Employment (DOLE) and contributed to massive efforts to clear debris and repair critical community facilities and infrastructure. Emergency employment programmes guarantee minimum wages, extend social security, health and accident insurance coverage, and ensure safety at work through the presence of on-site medical support and the provision of personal protective equipment. This also helps affected workers to develop new skills, to earn a decent wage and to access better working conditions. Emergency employment has now transitioned to medium-term labour-based community work, skills training and enterprise development. Working closely with the Government, employers' and workers' organizations, and the humanitarian country team, the ILO is supporting its partners and assisting affected regions to ensure that decent work and livelihoods are at the forefront of recovery.

47. Climate change and the increase in both sudden onset and slow onset disasters pose massive challenges to governments both in developed and developing countries. Some of these challenges relate to the sustainable provision of climate-resilient infrastructure. The development and rehabilitation of appropriate infrastructure can contribute to preserving the environment, conserving land and restoring the productive capacities of natural resources at large, with a positive impact on disaster risk management, and can

contribute to a transition to a low-carbon economy. The effects of climate change are having negative impacts on economic and social development in general and on enterprises and workers in particular, by disrupting businesses, destroying workplaces and undermining income opportunities. The EIIP has been developing “green works”, which create decent green jobs that improve energy and raw materials efficiency, limit greenhouse gas emissions, minimize waste and pollution, protect and restore ecosystems and support adaptation to the effects of climate change, while at the same time concentrating on improving the social aspects of jobs. In order to transition to a low-carbon economy, it is important to consider a “Just Transition”,² which will be inclusive of all stakeholders, since there are inevitable employment and social costs in the transition. Some will gain jobs, others will need to diversify. The EIIP approach has been developing investment solutions that address these challenges based on the “building back better” principles.

48. In the process of linking reconstruction to decent work, the ILO applies the local economic recovery (LER) approach,³ aiming to move gradually to the local economic development (LED) approach. The LER approach is an area-based approach stimulating both the demand and supply sides of crisis-affected markets. It is a time-bound and outcome-oriented process that takes advantage of the incoming flows of financial resources for increasing security, building state authority and stabilizing the socio-economic context. In the short run, LER aims to maximize the impact of the aid economy on affected areas through the creation of temporary job opportunities. In the long run, LER aims to create the conditions for the reactivation of local economies and the creation of job opportunities. It promotes reconciliation, social inclusion and participation within the targeted communities. The LER approach seeks to support the increase of local business capacity and to stimulate business through consensus-based action. This approach, used in crisis operations since the early 1990s, combines tailored tools and methodologies in such areas as business promotion, rapid market and labour force analysis, value chain approaches, employability training, social finance schemes, employment-intensive investments and social dialogue.

49. Private enterprises and businesses constitute one of the most important factors in employment generation, whether in times of crisis or not. A recent technical report⁴ has pointed out that in the Asia and the Pacific region about 90 per cent of the private sector is made up of small and medium-sized enterprises (SMEs). Analysis of the effects of recent disasters (mostly sudden onset disasters such as tsunamis, typhoons and flooding) has shown that SMEs were likely to lose more in relation to assets or capital base than larger companies when hit by disasters. In addition, they find it more difficult to recover because of their limited resources. The ILO therefore works to ensure the creation or restoration of an enabling environment for sustainable enterprises, including the promotion of SMEs and cooperatives. It is such enterprises that usually contribute most to economic and social stability. However, SMEs may be fragile and their limited resource base makes them particularly vulnerable to disasters. In addition, very few smaller enterprises have business continuity plans (BCPs) or are even aware of the concept. These BCPs relate to keeping key business activities going during and after an

² See ILO: “Climate change and labour: The need for a ‘just transition’”, in *International Journal of Labour Research* (Geneva, 2010, Vol. 2, Issue 2).

³ See ILO: *Local economic recovery in post-conflict: Guidelines*, ILO Programme for Crisis Response and Reconstruction (ILO/CRISIS) (Geneva, 2010).

⁴ *Needs assessment on private-sector disaster preparedness, response and recovery*, Nov. 2014.

adverse event. Business continuity management (BCM)⁵ is the managerial process whereby an enterprise can counteract the negative impact of possible threats to the continuity of its activities. Through its work on multi-hazard business continuity management, the ILO assists SMEs in preparing for crises by reducing their weaknesses and identifying ways to mitigate the consequences of potential hazards. Ultimately, SMEs become more resilient and capable of staying in business as well as of protecting their workforce.

50. In most countries, national disaster risk reduction and management programmes do not have clear and specific guidelines on supporting SMEs affected by disasters and it is likely that SMEs will be left alone to fend for themselves. Ensuring the quick recovery of SMEs to resume operations minimizes the economic displacement of employees, thus guaranteeing minimal disruption in market activity. While this is critical in low-income countries, it is not restricted to them, and disasters may also destroy SMEs in developed countries when they strike. In a number of cases, the business community – in particular larger companies and employers’ organizations in regions repeatedly affected by weather-related disasters – undertakes disaster preparation and relief operations more readily than do SMEs. The activities undertaken have included livelihood assistance, including the replacement of materials needed to continue business activities, and housing and resettlement assistance. However, governments themselves frequently do not plan for such relief operations, and they often have to be undertaken in the absence of coherent government plans and encounter obstacles such as lack of coordination among relief efforts, lack of readily available funding and lack of preparedness to allocate needed land for resettlement and recovery.

51. SMEs and cooperatives may be promoted, for instance through capacity building based on the EIIP approach to investments or different types of microfinance schemes, including microinsurance. These small amounts of investment can have a large and long-term impact, assisting in the creation of enterprises and the employment that flows from them. One of the generators of development in situations of recovery is the remittances of migrant workers who have gone abroad and who repatriate part of their earnings to build local capacity, which generates employment, business opportunities and stability. The role of foreign direct investment and the contribution of multinational enterprises can be very beneficial to rebuilding societies. They can bring much needed capital and provide jobs in fragile situations – and in addition these investments are often long-term generators of revenue for the companies themselves.

52. Business linkages between multinational enterprises and local SMEs contribute to building skills and stimulating economic growth. Through corporate social responsibility they contribute to recovery and stability by promoting decent and productive work at many levels. The Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy provides guidance in this regard through its principles in the field of employment, training, conditions of work and life, and industrial relations, which governments, employers’ and workers’ organizations and multinational enterprises are recommended to observe. It aims to encourage the positive contribution multinational enterprises can make to economic and social progress and to minimize and resolve the difficulties to which their various operations may give rise. It is important for SMEs and cooperatives, as well as for companies of other sizes, especially in the extractive and construction sectors, to work to incorporate an occupational safety and health focus, creating both wider protection and better inclusion of social dialogue (for

⁵ See ILO: *Multi-hazard Business Continuity Management: Guide for small and medium enterprises*, ILO Programme for Crisis Response and Reconstruction (ILO/CRISIS) (Geneva, 2012).

example, through the establishment or reinforcement of occupational safety and health committees).

53. Any employment schemes in disaster relief and reconstruction should take into consideration the “do no harm” principle. While new jobs need to be provided, it is equally important in a longer term perspective to protect existing businesses so that they may resume or continue operations. It is important to engage local enterprises in the response programmes, but not all types of enterprises can benefit directly from this opportunity, and some may even be threatened. Assistance from abroad, whether from international organizations or from bilateral aid, often provides larger amounts of money than have been available in the pre-crisis situation. If markedly higher wages are available from these sources during this period, local businesses may be excluded from the labour market and find it harder to engage the workers necessary to allow them to continue operations.

54. It should be emphasized that both rural and urban areas and both the formal and informal economies should be covered when responding to crises through employment generation. In many of the countries hardest hit by conflicts and disasters, the informal economy remains a major generator of jobs and incomes. In crisis situations employment generation must therefore take place throughout all areas of the country and of the economy, taking care, whenever possible, to ensure that the way in which employment is generated to counter the crisis favours the transition to formality over time.

55. Armed conflicts leave behind large numbers of ex-combatants, from regular armies or from rebel and paramilitary groups, whose disarmament, demobilization and reintegration into civilian life is critical for a successful transition from war to peace. For ex-combatants, including former child soldiers, demobilization often entails immediate loss of income and social status. Rapidly providing assistance to support the transition from military to civilian life is a central component of the ILO’s work in facilitating disarmament, demobilization and reintegration processes in post-conflict situations and enables ex-combatants and host communities to find alternative livelihoods and to rebuild their communities. The ILO has been supporting post-conflict recovery through the socio-economic reintegration of ex-combatants, including children, for the past 15 years in the Democratic Republic of the Congo. The ILO promotes reintegration through enterprise creation, including micro- and small enterprises, enhancing employability, providing education and vocational training, especially for former child soldiers and for girls, and cooperatives development. The latter, in particular, strengthens social cohesion and improves community collaboration. Other activities have included job creation through labour-intensive reconstruction works, short-cycle business-management training, cash grants, access to microfinance and health insurance schemes, and coaching.

56. The ILO undertakes comprehensive programmes to promote youth employment in post-conflict contexts. The youth employment project in Katanga in the Democratic Republic of the Congo aims to provide employment and income-generation opportunities within an integrated policy framework. It provides a set of coordinated measures in five policy areas: (i) entrepreneurship capacity building for young women and men; (ii) access of young entrepreneurs to microfinance and other financial products and services; (iii) enhanced vocational training and professional education systems that better match the needs of the labour market; (iv) improved capacity in the governance of the local labour market; and (v) greater impact on job creation and local suppliers of multinationals operating in the province. The project is based on the hypothesis that adaptive capacity is a vector of resources and assets, a base from which adaptations and transformations can be made in post-conflict contexts. Hence this sustainable

development project supports and strengthens local adaptive capacities, contracts local suppliers and partners, and develops networks of local trainers and new tools for youth entrepreneurship. It promotes a multi-stakeholder approach with national and provincial ownership, incorporating the important role of local actors, community arrangements, associative dynamics and social dialogue.

B. Education, vocational training and guidance

57. One of the major effects of extended crisis situations is the loss of opportunity of large parts of the national population to attend schools and training courses, and years of preparation for entry into employment can be lost.

58. The work in this area needs to be multifaceted and to address different kinds of education and training throughout the economy and the society. The first is basic education, from primary to higher education levels, which is often disrupted in conflicts or disasters. It is therefore important to ensure to the extent possible that the provision of education is not disrupted, or is restored, and that children have access to free, quality education at all stages of the crisis and recovery. There may also be a need to ensure that “second chance” programmes are available for children and young people in order to allow them to resume earlier education and training, and that they address key needs arising from the interruption of their education and training. The restoration or establishment of free public primary and secondary educational institutions can be important for building new democratic processes after conflicts. Underlying risks and vulnerabilities in the society can be addressed by adapting curricula to both peacebuilding and to the future needs of a changing national economy.

59. The continuity or re-establishment of vocational education is essential in preparing for and coping with crises. Urgent measures need to be taken to ensure access to and the availability of vocational education and training. In addition, a post-crisis economy may require different skills than the pre-crisis economy, and measures need to be put into place to retrain workers to adapt to new situations and to participate in recovery and reconstruction. Collaboration among training institutions, employment services (both public and private, where available) and developers of various active labour market policies must be encouraged and strengthened progressively through the stages of the recovery process in order to enhance coherence between the labour market and the available skills and promote faster integration of the unemployed, particularly those from vulnerable groups, into the labour market.

60. In addition, these services should be widely available throughout the country and to all parts of society, so the importance of providing these services on the basis of equal opportunity must be stressed. They need to be coordinated at national, regional and local levels, and all relevant public and private stakeholders and training institutions should be involved. They should, to the degree possible, be planned and implemented in consultation with employers’ and workers’ organizations so that they meet the needs of both the workers themselves and of the economy. Public vocational guidance and training services that assess and respond to the emerging skills needs in relation to recovery and reconstruction need to be established.

61. Apprenticeship programmes are often an important part of vocational training at the national level, especially when formal educational programmes are either weak or absent. In many cases a conflict or disaster will have interrupted training at all levels, including higher education, vocational training and apprenticeships. As the crisis comes to an end, resumption of training should be facilitated, training should be adapted to new

needs that may emerge in the recovery period, and training opportunities available before a crisis should be reviewed and extended, if the demands for a trained workforce expand with reconstruction. Part of the national plan that needs to be put into place, taking into account the Human Resources Development Recommendation, 2004 (No. 195), should address the need to establish, continue or resume apprenticeship programmes, in close cooperation with employers and their organizations in particular, but also with the participation of workers' organizations.

62. One of the needs that emerges in these cases is to ensure the availability of teachers and trainers who, like others, may have been displaced or lost their employment. It may be necessary to retrain them, either because of a long interruption or to help them adapt to new training needs. It may also be helpful if neighbouring countries, or others providing assistance from abroad, furnish training and retraining for instructors.

63. There are a number of examples in which these principles have been put into practice in the ILO's work. As concerns vocational training in post-earthquake Haiti, the ILO programme included the promotion of quality jobs in enterprises and the enhancement of entrepreneurship skills. Enterprise service centres were opened to provide practical technical and managerial training in recycling the debris material resulting from the 2010 earthquake into pavement blocks, and in road and public space rehabilitation. Trainers were provided with business development skills, workers were trained and small enterprises acquired the capacity to restore or build improved local access, such as paths and tracks.

64. Between 2009 and the end of 2012 the ILO was the lead agency for a joint programme with a number of other UN agencies on a project for creating opportunities for youth employment in South Sudan.⁶ The programme was implemented in a unique period for South Sudan and in a very complex and difficult environment. The magnitude of the challenges in the new nation of South Sudan is enormous, and includes poor access to free public education and training opportunities. The project addressed challenges in the enabling environment to mainstream young people into national and state-level development policies and action plans. It developed and implemented specific interventions to demonstrate the possible empowerment of young people at the local level and in their specific labour markets. The most significant result of the project was to raise awareness and focus attention on the strategic importance of addressing youth empowerment for economic development and long-term stability. It contributed notably to results at the policy level, including the development of the draft youth policy, support for conducting an urban labour market survey, the development of the technical vocational education and training for employment policy, and the development of the national cooperative strategy. Youth issues were embedded into all four pillars of the country's first national development plan – South Sudan Development Plan (SSDP) 2011–13, the UNDAF 2012–13, and the UN Peacebuilding Support Plan.

C. Social protection

65. The loss of social protection, which usually relies on governmental support, is one of the most important effects of crisis situations, whether they arise from conflict or disaster, although the mechanism for restoring social protection may differ in these two cases. Some groups among national populations demonstrate particular vulnerability to the loss of social protection in crisis situations. The ILO works with all these groups in the course of its regular work, but this can take on a particular intensity when they

⁶ See MDG Achievement Fund, Final Evaluation, South Sudan: Youth, Employment and Migration, Dec. 2012.

encounter crises. Social needs, including in-kind support, access to essential health services and minimum income security for survival and life in conditions of dignity are key to the crisis response in the immediate and longer term. Persons with vulnerabilities that existed prior to the crisis, such as older people, people with disabilities, people with chronic diseases and those living with HIV and AIDS, are most severely affected when crises occur as their special needs for medical attention are unattended resulting in increased vulnerability. Many end up begging when their families and communities are faced with food insecurity and are unable to meet the most basic needs of their households.

66. In such situations, it is necessary to take action to restore these services as soon as possible. This should include early action to ensure basic income, including by means of cash transfer, for disadvantaged and marginalized groups of the population as well as for others whose jobs or livelihoods have been disrupted by the crisis.

67. Smaller local social protection schemes that began early on in the transition phase may need to be scaled up to address unemployment and social protection needs. In this phase, the ILO may also need to broaden the categories of workers who are the targets of immediate employment generation to include other groups that require specific attention. Beneficiary groups might shift from ex-combatants, IDPs and child soldiers to young people, female heads of households (and even in some cases to men who have been left as single parents by the effects of the crisis), people with disabilities and children affected by conflict. Experience also demonstrates that employment and livelihoods need to be included early on in the assessment, planning and design processes. Early entry points include peace agreements, post-disaster assessments and the early recovery cluster planning and fund mobilization process as the scope for funding must be strengthened.

68. When government support is disrupted, complex operations are among the first to be lost. The restoration or reinforcement of the system of paying social security benefits needs to be among the early priorities. This covers in particular all the aspects of social security that are intended to restore basic income for those who have lost it, including retired persons, and those who have been injured or contracted diseases at work. It will be equally necessary to ensure that these systems are effective in coping with the aftermath of crises, for those who have lost their jobs, or who have been injured or disabled during the crisis.

69. Social services are also delivered through other kinds of infrastructure, such as those that provide basic care and other services. The loss of hospitals and health clinics, for example, not only deprives the population of the services they furnish, but also means the loss of jobs for those working in them.

70. The reconstruction phase may be a propitious time to consider longer range action, such as the restoration, creation or strengthening of a system of social protection floors, taking into account Recommendation No. 202. This is also a very important aspect of preparation and preparedness. When social protection floors are in place, the effects of crisis are mostly less severe and shorter than when the population has nothing to fall back on when they lose jobs and other sources of income and protection.

71. As one example of ILO assistance in this area, the ILO's programmes on influenza prevention and pandemic preparedness, implemented mainly in Thailand and Indonesia between 2006 and 2009, produced and disseminated a set of tools to help its constituents improve resilience, mitigate risk and lay the foundations for fast recovery. The ILO's work targeted SMEs, which by nature are less equipped to face unexpected events such as the spread of a pandemic, especially in developing countries. The ILO assisted its constituents in developing and adopting a multi-sector pandemic prevention and

preparedness approach, including a contingency plan to sustain business and support the most affected through dedicated policies and compensation schemes. The ILO also promoted collective good practices, provided advice to workers on ways to improve safety and health standards, and helped conduct awareness-raising and advocacy activities at enterprise level. A particularly fruitful cooperation was established with the International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Associations (IUF), which collaborated in organizing workshops for workers, and building the capacity of occupational safety and health committees in Thailand.

72. In Niger, following repeated droughts, floods and famine, the Government is receiving large-scale humanitarian assistance and intends to rationalize and better use resources to define how best to scale up its social protection system. The initiative "*les Nigériens nourrissent les Nigériens*" is a flagship programme throughout Africa for the FAO, the WFP and other parts of the UN system. The ILO national dialogue for Niger's social protection floor is contributing to a coordinated policy planning platform for the numerous development partners working in the country, to support national institutions in defining practical reforms of a legal, budgetary and institutional nature to produce tangible results in social and economic terms. The ILO is leading the general coordination framework, and is co-leading the programmes for social protection for working-age persons through public works programmes, and reforms to guarantee access to health and income security for older people. Other crisis-affected States of sub-Saharan Africa are engaging in similar efforts to prompt national dialogue for the establishment of national floors of social protection, including Mozambique, Namibia, the United Republic of Tanzania and Togo.

D. Social dialogue and the role of employers' and workers' organizations

73. Social dialogue is, of course, a guiding principle of the ILO's work in all fields, including in disaster preparedness, relief and recovery. To help these actions to meet the needs of the entire population, social and economic stability, recovery and resilience should be promoted through social dialogue. The involvement of employers' and workers' organizations is one of the advantages the ILO brings to this work, as it involves those on the frontline of crisis situations and allows the ILO to bring out their experiences and the unique contribution they can make to crises response. When the ILO's constituents have been weakened, early action needs to be taken to create an enabling environment for the establishment, restoration or strengthening of employers' and workers' organizations.

74. Encouraging the inclusion of disaster preparedness in collective bargaining is one of the principal measures that can be taken. Collective bargaining can also help to ensure that measures being taken during the recovery phase are beneficial both to workers and to employers.

75. This also requires encouraging close cooperation with other civil society organizations in these situations. While employers' and workers' organizations have the main responsibility for social dialogue when the world of work is concerned, there are many situations that span the distance between work and the general society, in which these organizations reinforce each other's efforts.

76. The role of employers' and workers' organizations goes to the very foundations of the ILO, when involving employers and workers in consolidating the peace at the end of

the First World War provided the model for the ILO itself and for resolving economic and social conflicts in its constituency.

77. One of the situations that must be addressed is that employers' and workers' organizations may simply not exist or may be very weak, either because of the political and economic atmosphere that often leads to conflicts, or as a result of a social or economic collapse. ILO programmes can help establish or re-establish these organizations, as has been the case, for instance, in Somali for workers' organizations, and in Timor-Leste for employers' organizations.

78. Employers and their organizations often play an important role in coping with disaster. Employers' organizations in Japan and New Zealand have experience in disaster recovery assistance programmes and practices. The Employers' Confederation of the Philippines is currently engaged in disaster preparedness and business continuity plans. Employers' organizations in Bosnia and Herzegovina have cooperated with the Government in the recovery from the 2014 flood disaster. Experience from Bosnia shows that the involvement of effective employers' organizations is needed because governments and international organizations focus their assistance on basic needs for victims, housing, elimination of mines, water, and sanitation, while the damages to the economy and to enterprises are often neglected. Employers' organizations can make sure that these damages are also quickly and accurately assessed. Employers' organizations in Lebanon and Jordan have been engaged in the management of the refugee issues caused by the conflict in the Syrian Arab Republic. Crisis and disaster can also prompt a re-organization of the representation of business. In Haiti, for instance, following the earthquake, employers set up an "Economic Forum of the Private Sector" through which they coordinated their representation action and proposals vis-à-vis the Government and international institutions. In this context, the Haitian employers have started a campaign to create 300,000 new jobs in the textile sector within an eight-year period.

79. The ILO has also worked with employers' organizations in the very difficult situation in Afghanistan, among others. They benefit from a stronger organizational set-up and tend to receive more development funding than workers' organizations. They have a key role to play in support of private sector development, which is of course one of the key ways of contributing to job creation and stability in countries affected by conflict and disaster. Employers have a significant role to play in the development of the economy of these States, including in the provision of technical advisory services to their members, contributing to formalizing the informal economy, providing information on labour law, rights and obligations, and supporting local economic development and the development of SMEs.

80. The role of workers' organizations in crisis situations is equally important, though it usually takes a different form. In many countries in crisis, especially in conflict situations, the trade unions may be the only national institution besides the armed forces to survive a crisis, especially after extended conflicts. In such cases their participation in social dialogue is vital to provide a contribution to national recovery deliberations and to ensure that the needs of working people are not overlooked in the context of economic and social recovery. They also act in some cases to provide immediate relief. One example of this is the efforts made by the Japanese Trade Union Confederation (RENGO) in response to the Great East Japan Earthquake. It set up the RENGO Disaster Relief Task Force in March 2011, and for the following six months carried out support activities that included collection of disaster relief donations and calls within the RENGO organization for the supply of relief materials and the dispatch of volunteers

(about 35,000 people over six months).⁷ In a similar situation following the earthquake in Haiti, the International Trade Union Confederation (ITUC) supported and augmented immediate assistance provided by its affiliates in the Dominican Republic. As was detailed in an ITUC communiqué:

Starting in the first few hours after the earthquake, the Dominican organisations sent food, water and medicines to Port-au-Prince. The contribution dispatched immediately by the ITUC has been added to the donations that they and their professional federations managed to collect.

...

The trade union delegation was met and assisted at the border by Haitian trade unionists, before travelling on to Port-au-Prince. This convoy was closely followed by another, containing medical personnel and volunteers.⁸

81. One of the main challenges for trade unions in these situations is that they often have organizational and structural weaknesses. ILO interventions in Afghanistan have demonstrated that trade unions need, and seek, capacity building in understanding better the role of trade unions and in strengthening the democratic mechanisms as well as the administrative and management mechanisms of unions. Workers' organizations in Afghanistan have participated in tripartite dialogue on labour law reform, in the development and establishment of dispute mechanisms and in the development of a hazardous sectors list. They were also involved in the identification of child labour in brick kilns and helped organize field visits to sites.

82. Recent experience in Guinea has demonstrated that trade unions can make a positive contribution to preventing and resolving armed violent conflicts, because they understand the local context. The unions in Guinea played a major role between 2006 and 2008 during a period when there were widespread strikes and street demonstrations in the country that resulted in dozens of deaths. These demonstrations and strikes resulted from erosions in purchasing power and a failure to respect the rule of law and democracy. One union contribution in this case was to carry out a diagnosis of the situation through an evaluation of training and skill gaps, to ensure that the solutions proposed to prevent crises took account of the fundamental reasons for the crisis. The National Confederation of Guinean Workers afterwards requested that the ILO help to train national trade union leaders in countries that were either in conflict situations or were close to such countries, resulting in the elaboration of a training manual for trade unions.

E. Labour law, labour administration, employment services and labour market information

83. One of the casualties of crisis situations is often the system of labour law and labour administration, but without this legal and administrative support employment in decent conditions can be neither generated nor maintained. This is therefore among the most urgent priorities in restoring the rule of law and in ensuring protection both for workers and for employers.

84. One of the necessary actions in crisis recovery is to ensure that labour legislation is in force and that it is being applied, in order to reinforce the right to decent work. This also allows employers to function in a climate that is orderly, and in which they are aware of their own rights and duties. There are cases in which the effect of laws is

⁷ Japanese International Labour Foundation, at <http://www.jilaf.or.jp/eng/mbn/2012/093.html>.

⁸ ITUC at <http://www.ituc-csi.org/haiti-trade-union-assistance>.

suspended because of emergency situations, and this may unnecessarily include labour law. In a number of countries, the process of recovery may offer an opportunity to review and to update the existing labour law so that it will correspond better to a new and developing situation. In addition, when labour law is not being enforced it may allow those who profit from conflict or disaster to act with impunity, especially in such matters as forced labour, child labour and trafficking of children or workers – an all too frequent occurrence in these situations with possible long-term effects on how fundamental principles are observed by countries.

85. Labour administration, including labour inspection, is already weak in many countries undergoing conflicts or disasters. Relief and recovery efforts will often need to review existing and previous arrangements, and ensure that the necessary measures are in place even when much of the national effort and international assistance will not focus on labour administration as a priority. This is exacerbated because labour interests are often overlooked in emergency situations.

86. There is a vital need for a robust labour administration system, especially in times of crisis, to bring together those seeking work and those seeking workers, to provide for social security benefits and to collect necessary information to make the world of work function. For instance, following the Comprehensive Peace Agreement, the ILO supported the Ministry of Labour in South Sudan before its independence, since 2007, through a project aimed at enhancing the efficiency of public service institutions and systems (including communications and information systems) and personnel. The project has facilitated the revision of the Sudan Labour Act through a series of stakeholder consultations that included the Ministry of Labour, the trade union and the chamber of commerce, as well as civil society and faith-based organizations. In Nepal, at the end of a decade characterized by armed insurgency and profound political instability, the ILO helped the employers' and workers' representatives to improve the industrial relations environment, which had been under tremendous pressure during the prolonged armed conflict. The conflict had severely affected business and industrial sectors and had consequently slowed down economic growth dramatically. Nevertheless, the employers' and the workers' representatives have been actively involved in social dialogue to reform the labour law. At the request of the Government of Nepal and the social partners, the ILO initiated its technical support for labour market governance reform in Nepal around 2003 when the country was ravaged by war. In October 2014, setting an example of unequivocal endurance, the ILO constituents in Nepal finally agreed on a common draft of a new labour Act to be submitted to the Parliament. The stakeholders are now highly optimistic that the new labour legislation, once it is enacted, will create conditions for more investments and economic growth, and that it will ensure fundamental principles and rights at work.

87. Labour administration is a major source of information in its fields of competence for government, employers and workers; and it is an active intermediary in the prevention and settlement of labour disputes. It is also a provider of effective solutions to the evolving needs of its users, and in many countries there has been a renewed appreciation of its value. Both employers and workers are also calling in general for better resources for ministries of labour and inspectorates, to promote fairness and a "level playing field", and to make decent work a reality. As the International Labour Conference noted in the discussion on labour administration in 2011, the functions of labour administration include labour protection generally, employment, industrial relations and services for the social partners. It also covers areas such as occupational safety and health, social security, minimum wage fixing machinery and human resources

development. These systems should be established taking into account the ILO's Convention No. 150 and the Labour Administration Recommendation, 1978 (No. 158).

88. A vital component of labour administration is labour inspection, which in the ILO is governed by Conventions Nos 81 and 129. Once laws are in place, this specialized arm of government can facilitate law enforcement and provide assistance to SMEs that need advice on how to set up and run their businesses productively while respecting the law.

89. Employment services, which are covered by Convention No. 88 and the Employment Service Recommendation, 1948 (No. 83), need particular attention in crisis recovery. One of the first actions to take for relief is often to establish emergency employment services to allow local populations to take advantage of job opportunities created by recovery investment. In seeking quick solutions to assistance priorities, governments and aid agencies may turn to non-local and foreign workers, leaving those populations that have been most affected by crisis without the means to gain access to what may be a strong and robust source of recovery jobs. Regular employment services also need to be re-established and reinforced, in particular because economies are often transformed by the effects of crises, and new needs and possibilities will occur. Attention must be paid to the coherence between public and private employment services, especially where the placement of refugees and migrants is concerned, and attention should therefore be paid to the regulation of private employment agencies, taking into account the Private Employment Agencies Convention, 1997 (No. 181), and Recommendation (No. 188), 1997.

90. Without a functioning system of collection and collation of labour market information, governments cannot take informed decisions on how and where to allocate resources and efforts in the recovery process.

F. Rights, equality and non-discrimination

91. The role of human rights and of respect for international labour standards is a vital part of the ILO's work in preparing for and responding to crises. In crisis situations human rights become extremely vulnerable, and loss of protection may range from basic notions of equality, to respect for the rights of workers and employers to organize and to bargain, to forced and compulsory labour and child labour. The rights that are most vulnerable will vary depending on the kind and duration of the crisis, and crisis responses should always include the important component of ensuring that rights are respected and, where necessary, restored. While different categories of rights are discussed separately below, it should not be forgotten that the rights are mutually reinforcing and mutually coherent, and that all of them should be kept in mind.

92. The principal concerns in times of crisis are to ensure equal treatment for, and to focus special attention on, the segments of the national population that have been rendered particularly vulnerable by the crisis.

93. *Gender and crisis.*⁹ As noted in the UN Policy:

Conflict and violence impacts both women and men, but affects them differently. The social changes brought about by war – including displacement – disrupt normative gender roles and can profoundly affect women's and men's livelihoods strategies in the aftermath. Armed conflict may mean that an individual's ability to make a living is compromised, but it can also

⁹ See T. Tutnjevich: *Gender in Crisis Response: A Guide to the Gender–Poverty–Employment Link* (Geneva, ILO, 2003).

have the effect of forcing people to learn new skills. Evidence from the field shows that, while conflict can allow women to take on work that was formerly considered to be exclusively reserved for men, men generally show less flexibility in post-conflict settings about accepting work that is usually done by women.¹⁰

94. The special situation of women in crisis is part of the emphasis placed by the ILO – and indeed by the international system in general – on restoring national situations to normal and on promoting improved future development. Women face multiple disadvantages in crises. The gendered division of labour in households and the economy means that in crisis situations in particular many women are less able to control the resources and processes relevant to tackling crises. In disasters, women without land rights or who farm small plots are most vulnerable and may be forced off the land entirely. Since land and labour arrangements are usually negotiated through men, women in many societies lose access to both without a man representing them. Women's working conditions plummet in all crises. Their workload increases tremendously due to damaged infrastructure, housing and workplaces; the need to compensate for declining family income and social services; and the care they provide for orphaned children, older people and people with disabilities. This also limits their mobility and time for income generation. Demographic patterns and household structure change, particularly after conflicts, and women often become the sole providers and caregivers of the household. These female-headed households have been the focus of many of the recovery activities at national level in various countries.¹¹ In times of crisis, education declines most for girls due to tighter family budgets and increased demands on their time, and women's opportunities are further diminished by their declining political participation and the re-emergence of traditional patriarchal attitudes.

95. Women also particularly fall prey to violence linked to the deterioration of law and order that accompanies crisis, and to mass rape and abduction being used as a weapon of war. Crisis-related hardships combine and compound old disadvantages.

96. Crises may go on for years without resolution, cementing the deterioration of the situation of women. To cite an example, women in the Occupied Palestinian Territory suffer from high levels of poverty and unemployment, with women refugees being particularly vulnerable. A joint programme¹² of six UN agencies, including the ILO, worked from 2009 to 2013 with partners from civil society, the private sector and governmental institutions, using a rights-based approach and operating on three strategic levels: grass-roots and sub-central and central government. The project promoted Palestinian women's social, economic and political empowerment, and worked to reduce gender-based violence by encouraging women's political voice, increasing their opportunities to obtain decent and productive work, and improving their access to protection and justice. Outcomes included the establishment of governmental mechanisms to empower women and promote income-generating activities for them, and the training of judges, lawyers and civil servants to protect and promote their rights. Despite such efforts, the rate of female participation in the labour market in the West Bank and Gaza stood at 17.3 per cent in 2013, much lower than the average rate in Arab countries and one of the lowest in the world.¹³

¹⁰ UN Policy, op. cit., Annex 2, p. 43.

¹¹ Note that many problems befall households that in a post-crisis situation are headed by men alone, but they tend to be different.

¹² See detailed description at <http://www.mdgfund.org/program/genderequalitysocialpoliticalandeconomicopt>.

¹³ Palestinian Central Bureau of Statistics: http://pcbs.gov.ps/site/lang__en/881/default.aspx#Labour.

97. Women are also engines of recovery. They display resilience and resourcefulness in extreme conditions, self-reliance and willingness to undertake proactive community work. They are typically society's last safety net. Crises may prove a window of opportunity to break down gender barriers as recovery proceeds. Unequal pre-crisis gender roles often change in crises, as women and men step outside their socially ascribed roles in their coping strategies. Engaging in typically "male" occupations, creating small enterprises, contributing to reconstruction discussions, acquiring more education while displaced, empower women in terms of economic independence, ability as family providers, decision-making and social position. Positive changes in gender roles need and deserve support through truly empowering recovery assistance. Training provided to women should not reinforce traditional functions – sewing, cooking, among others – but should instead reflect opportunities in the emerging labour market and build on the changes that have occurred. Support should also target women working at home or in the informal economy in times of crises, who are often invisible. Women's presence is needed in peace negotiations, planning and implementation of reconstruction and other recovery processes, decision-making structures and transitional governments. It helps develop a women-enabling economy, labour market, and social and legal environment. Longer term recovery should capitalize on those changes and avoid returning to pre-crisis or worse patterns so as to allow both women's and men's advancement, and reduce their vulnerability to crises.

98. There is a need to contain the negative repercussions of new gender roles. In some instances, the reaction to women taking on previously male-dominated activities in agriculture has resulted in increased domestic violence and divorce when their husbands returned from war. In other cases there have been examples, when a conflict is over, of men who have been in the armed forces returning to their homes and wishing to resume their previous work, meaning that women risk being expelled from newly acquired responsibilities.

99. *Disabilities.* One of the major challenges to full reintegration after conflicts, in particular, is the retraining of those who have been injured and consequently partially disabled. The ILO has carried out projects in this area, focused particularly on disabled ex-combatants in a number of countries and territories, including Afghanistan, Angola, Bosnia and Herzegovina, Cambodia, Ethiopia, Mozambique, Namibia, the Occupied Palestinian Territory and Zimbabwe. Projects in these countries have assisted governments, agencies, local non-governmental organizations and organizations of people with disabilities in providing vocational skills training, mostly in mainstream vocational training centres, but also in special rehabilitation centres. In some cases, programmes are combined with counselling and rehabilitation, particularly critical for those with more severe disabilities or suffering deep psychological trauma. Whenever possible, projects seize the opportunity of infrastructure rebuilding to provide adapted jobs for people with disabilities and encourage measures to make physical structures more accessible to people with disabilities and to provide them with the greatest possible access to labour market opportunities to build their self-reliance, self-esteem and income generation capacity. In some cases the ILO has worked to develop and secure prosthetic devices to enable people to get back to work, and to help them retrain to make the best use of these devices. This involves also working with employers to ensure that these workers are not discriminated against either in the hiring process or in their conditions of work.¹⁴

¹⁴ As concerns disabilities, see ILO: *The informal economy and decent work: A policy resource guide supporting transitions to formality*, Chapter 6.3 "Disability: Inclusive approaches for productive work" (Geneva, 2013), and ILO: *Empowering people with disabilities for rural development* (2011).

100. In addition, people with vulnerabilities that existed prior to crises, such as those living with HIV and AIDS, disabilities and chronic diseases, are severely affected when crises occur, as their special needs for medical attention are unattended and their vulnerability increases. In many cases their families and communities are faced with food insecurity and are unable to meet the most basic needs of their households.

101. The principal ILO standards on workers with disabilities are the Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983 (No. 159), and Recommendation (No. 168), 1983, which are supplemented by the United Nations Convention on the Rights of Persons with Disabilities.

102. *Minorities and indigenous and tribal peoples.* It is important to cover all parts of the national population by way of measures to prevent and overcome crises. However, minority populations and indigenous and tribal peoples are often excluded from planning and preparation for crises, and often suffer the worst consequences of crises arising from conflicts and disasters.

103. Discrimination and the resulting exclusion can be one of the main causes of the social unrest that leads to internal conflict, and the broader programmes intended to overcome these situations are therefore important both in prevention and reintegration. This is an inherent part of the ILO's programmes on the elimination of discrimination, which apply in particular to rural and agricultural populations and to isolated areas that are often not fully integrated into national educational and training networks and the supervision of labour standards. It is also covered by the ILO's special programmes on indigenous and tribal peoples, carried out in collaboration with many other parts of the UN system.

104. Indigenous and tribal peoples may be caught up in more localized conflicts because of non-indigenous incursions into their traditional territories, such as drug-driven or guerrilla wars, or they may be affected by development projects. One example among many others appears in an observation in the 2013 report of the Committee of Experts on the Application of Conventions and Recommendations, to Colombia concerning the implementation of Convention No. 169, indicating positive action by the Government to respond to such a situation:

The Committee notes that a special mechanism was defined for the protection of the territorial rights of ethnic groups which had been violated through violence and/or the negative impact of construction and/or operation of economic mega-projects involving monocultures, mining exploitation, tourism and dock work. Furthermore, following the instructions issued by the Constitutional Court in Order No. 004 of January 2009, the Ministry of the Interior also drew up a roadmap for the formulation of an ethnic protection plan.

105. A recent report by the Economic Commission for Latin America and the Caribbean¹⁵ noted that:

Local conflicts related to the control and use of territory and natural resources are becoming common in all regions of the world, including the countries of Latin America. The emergence of conflict may be a symptom of the lack of recognition of indigenous territorial rights and of the persistent gaps in implementing them. ... [T]here are still many obstacles to the full enjoyment of the rights of indigenous peoples, particularly limitations on the exercise of the rights to traditional territories and resources, serious acts of violence and forced displacement resulting from large-scale economic projects, and the suppression of indigenous organizations and traditional forms of government.

¹⁵ ECLAC: *Guaranteeing indigenous people's rights in Latin America: Progress in the past decade and remaining challenges*, Executive summary, 2014, p. 48.

All of the countries of Latin America have, in the past few years, seen escalating conflict related to the control and use of territory and natural resources. Expansion of the primary and export sectors in the region has had serious environmental impacts, involved reclassification of spaces and been detrimental to the rights, interests, territories and resources of indigenous peoples. Disputes associated with control over territories and natural resources easily lend themselves to violent conflict but can be exacerbated in contexts of political exclusion, social discrimination and economic marginalization.

106. Inequality and discrimination in access to water and sanitation is a potentially destabilizing factor, as the human rights to water and sanitation often conflict with the legal and political status quo. The same is true for the potential benefits from these rights, such as the rights to work and education, among others. If this is the case, the status quo would contradict state obligations and infringe these human rights. The ILO offers assistance to find solutions, often in the context of the implementation of Convention No. 169; to increase consultations, involving these peoples in peace negotiations; to train indigenous leaders and national administrations in how to work together; and to carry out such activities as land registration to eliminate sources of future conflict.

107. One such example concerns Guatemala. In 1996, the United Nations agreed to broker peace negotiations between the warring parties on the condition that any final peace agreement would conform to internationally recognized human rights standards. One of the first priorities of the peace process was to reach agreement on the identity and rights of the indigenous people of Guatemala. ILO Convention No. 169 became a critical legal tool in the negotiations, due in particular to its requirement that indigenous and tribal peoples should be consulted about and participate in the development of policies and programmes that concern their lives and the organization of their communities.

108. *Children.* The available information indicates that massive numbers of children suffer from crises. A total of 1 billion children live in conflict-affected areas, and 7 million children are refugees. An estimated 11.2 to 13.7 million children around the globe have been displaced in their own countries. There were 28.5 million conflict-affected children out of primary school in 2013.¹⁶

109. Crises provide an enabling environment and a fertile ground for child labour, especially its worst forms, due to the loss of livelihoods, lack of access to education, displacement, separation from families and other causes. They may also trigger new forms of child labour (including child soldiers, smuggling in tunnels and scavenging debris), increase the hazards that children already face at work, for instance when work in agriculture becomes more hazardous due to unexploded mines, and increase the overall incidence of child labour. In some situations, humanitarian relief responses may prompt child labour, especially if young people above the generally applicable legal working age are engaged in hazardous reconstruction work. This may happen, in particular, if the urgency of the need for workers overcomes the national and international standards in place for the protection of children and young workers – an impulse that should be resisted even if there is a temporary suspension of the labour law.¹⁷

¹⁶ European Commission Humanitarian Aid and Civil Protection: *ECHO Factsheet: Children in conflict*, 2014, at http://ec.europa.eu/echo/files/aid/countries/factsheets/thematic/children_conflict_en.pdf.

¹⁷ See in particular: *The worst forms of child labour in conflict and post conflict settings*, at http://www.ilo.org/ipecc/Informationresources/WCMS_IPEC_PUB_24338/lang--en/index.htm, and *Responding to the worst forms of child labour in emergencies*, at http://cpwg.net/wp-content/uploads/sites/2/2014/12/Review_Responding_to_WFCL_in_Emergencies_final.pdf.

110. A major component of the ILO's work for children is assisting those who have been affected by conflict. Tens of thousands of girls and boys are associated with armed forces and groups in conflicts in at least 17 countries in different regions around the world, as fighters or in supportive roles that are often in themselves forced labour and involve sexual and other abuse. Armed conflict is one of the major challenges to meeting the target of eliminating all the worst forms of child labour by 2016. The use of children in armed conflict is a worst form of child labour, a violation of human rights and may be a war crime. The Worst Forms of Child Labour Convention, 1999 (No. 182), designates forced or compulsory recruitment of children for use in armed conflict as a worst form of child labour. The Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict prohibits all recruitment – voluntary or compulsory – of children under 18 by armed forces and groups. The Rome Statute of the International Criminal Court makes it a war crime, leading to individual prosecution, to conscript or enlist children under the age of 15 years or use them to participate actively in hostilities. Efforts to put an end to child recruitment and to release children from armed forces and groups have intensified in the last decade in a number of international organizations and beyond. Addressing this violation of fundamental rights has been a concern and an obligation for the ILO ever since the coming into force of Convention No. 182 in 2000.

111. Upon their release and return to their families and communities, former child soldiers face numerous challenges of a physical, social, psychosocial, educational and economic nature. The programmes put in place to support children's reintegration into civilian life and to prevent recruitment are successful in fostering community acceptance, providing health and psychosocial services, and supporting education; however, they are facing many challenges in providing training and long-lasting employment opportunities to older children. The possible inadequacy of programmes to fully respond to young people's needs may limit their potential, reinforce a vicious cycle of poverty and social exclusion, and expose them to exploitation, criminality, violence and re-recruitment. This economic gap in prevention and reintegration efforts is a result, inter alia, of the lack of adequate attention and funding as well as of the lack of know-how in designing and implementing effective interventions.

112. The approach of IPEC to prevent recruitment of children at risk and ensure the sustainable reintegration of children formerly associated with armed forces and groups is to focus on providing sustainable work opportunities for children of legal working age. This is intended to optimize the ILO value added in the field of skills development and employment support. In this way, the ILO complements the interventions of other agencies that are involved in the release of children and other aspects of their reintegration. The ILO has implemented projects to support the economic reintegration of children released from armed forces and groups and to prevent the recruitment of children at risk in Burundi, Colombia, Congo, Democratic Republic of the Congo, Philippines, Rwanda, Somalia and Sri Lanka. Through these projects, the ILO has developed and field-tested a sound approach for the economic reintegration of children, which has been documented in the form of a strategic framework and in a "how-to" guide.¹⁸

¹⁸ ILO–IPEC: *Prevention of child recruitment and reintegration of children associated with armed forces and groups. Strategic framework for addressing the economic gap*, Geneva, 2007. ITC–ILO and IPEC: *Children formerly associated with armed forces and armed groups: "How-to" guide on economic reintegration*, Turin, 2010.

113. The recovery and reconstruction phase may provide a unique opportunity to develop and strengthen national systems to prevent and respond to child labour. The ILO's strategy is to strengthen the humanitarian response to child labour in emergencies. The Child Protection Working Group (CPWG) is the global level forum for coordination and collaboration on child protection in humanitarian settings. The group brings together non-governmental organizations, UN agencies, academics and other partners under the shared objective of ensuring more predictable, accountable and effective child protection responses in emergencies. Since it became a member, the ILO has been able to introduce work against child labour into the operations of this group.

114. *Forced and compulsory labour.* Crisis situations, and in particular armed conflict or repression of minorities and indigenous and tribal peoples, often gives rise to the imposition of forced and compulsory labour. Mention has already been made of the increase in trafficking of children that may occur in these situations, and of the need to prevent it, but adults are vulnerable as well. The ILO's long-standing attention to Myanmar in the context of the supervision of Convention No. 29 concern, among other things, the conscription of civilian populations for forced sexual services, portage and other "support" to the armed forces. In the former Yugoslavia, between 1993 and 1996, forced labour was used by all sides, but most systematically in the Serb-controlled areas of northern Bosnia, where non-Serb minorities under Bosnian Serb control were subject to a "work obligation". Forced labour details were assigned to the front line of conflict; they were also put to work in factories and mines. A 2013 observation by the Committee of Experts on the Application of Conventions and Recommendations refers to allegations by trade unions, and findings by the United Nations High Commissioner for Human Rights, of sexual slavery and of forced labour imposed on workers, in the context of the armed conflicts in one African country, to extract natural resources in mines. In the latter case the Committee stated that while it was "aware of the complexity of the situation and the efforts made by the Government to re-establish peace and security, the Committee recalls that failure to respect the rule of law, the climate of impunity and the difficulty of victims in gaining access to justice contribute to the continued perpetration of these serious violations of the Convention". A number of other such situations are cited in the supervisory work of the ILO and of the United Nations.

115. *Migrant workers* and members of their families are often overlooked in crisis situations. Numerous situations of this kind have arisen (and have been dealt with in the ILO's supervisory work) in recent years, affecting both documented and – more often – undocumented workers who may be expelled with little notice, often without being able to collect outstanding wages, social security benefits that have been earned, and on occasion even their household goods and occupational tools. States have the right to determine whether migrants may enter the national territory, but once they are there migrants have the right to remain and to live without discrimination as compared to nationals. There are conditions for the revocation of migrants' rights to live and work in host countries, which are protected under the ILO's Migration for Employment Convention (Revised), 1949 (No. 97), and the Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143), as well as the UN International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

116. *Refugees, IDPs and returnees are important elements of crisis situations.* People may have to leave their homes and go either to neighbouring States as refugees, or elsewhere in the country as IDPs, in conditions that do not facilitate their finding work or continuing their previous occupations. In some cases they spend extended periods in camps, or trying to survive in areas where opportunities for work are scarce. In addition,

they may compete for local jobs and occupations in their areas of settlement. These situations may arise both in conflict or disaster settings.

117. When large numbers of refugees or IDPs come into an area, it is necessary to assist the local population. They may find that there is suddenly far greater competition for jobs, and that there are fewer resources available for economic development. It is therefore important to provide assistance to these host communities to build resilience, particularly through measures to promote employment and training opportunities for them, as well as for displaced populations.

118. When a crisis is over, it is important that refugees and IDPs have an opportunity to return voluntarily to their homes or to other areas in their regions or countries of origin.

119. When they return, crisis recovery measures are particularly important so that they do not fall into extended poverty and unemployment. Particular attention should be paid to employment creation and to their socio-economic reintegration. It is likely to be necessary to ensure that there are training opportunities to assist them either to recover lost skills – especially in the case of protracted displacement and related extended unemployment – or to gain new skills when the post-crisis economic environment presents new opportunities. ILO experience with some other organizations in facilitating the return of displaced and refugee populations suggests that the creation of sustainable economic solutions, such as retraining and employment creation, has not always been sufficiently emphasized in situations of return.

G. Prevention, mitigation and preparedness

120. A basic focus of the ILO's approach to crisis management is based on the notions of prevention, mitigation and preparedness¹⁹ (see also box 1).

121. *Prevention* refers to measures to eliminate, reduce, mitigate and transfer the negative impact of a disaster to prevent it from becoming a major crisis. One of the most important preventive measures is early warning, which is a continuous process of collecting and analysing information that will help each country, including employers' and workers' organizations and others in the world of work, to identify actual or potential crises and to determine ahead of time the appropriate type and timing of response.

122. *Mitigation* is the lessening or limitation of the adverse impacts of hazards and related disasters. As a consequence of mitigation measures, damages and losses caused by a disaster are reduced or minimized, and there is a significant reduction of social stress and suffering of the population. Mitigation measures include engineering techniques and hazard-resistant construction as well as improved environmental policies and public awareness.

123. *Preparedness* includes contingency planning, risk management planning, including adequate insurance cover, emergency response, and evaluation of the threats to human, physical, economic and social capacities at national and local levels that cause vulnerability. Preparedness includes the capacity of institutions, communities, local organizations, resources and knowledge to facilitate the process of recovery.

124. *Risk management* is the overall concept that encompasses the closely related ideas of prevention, mitigation and preparedness. It implies, in particular, investments in the

¹⁹ See UNISDR terminology on disaster risk reduction at: http://www.unisdr.org/files/7817_UNISDRTerminologyEnglish.pdf.

right policies, warning systems, sustainable infrastructure, and productive assets and services to protect the country from, or reduce the impacts of, crises in order to reduce vulnerability and exposure on a long-term basis, and to mitigate damages and losses. If the recovery is conducted on the basis of previous mitigation actions or pre-disaster plans it will be more efficient. This entails building up national systems capable of anticipating and reacting rapidly to crises, and reaching out at the community level to efficiently supply the needs arising during crises.

125. Strengthened *resilience* can be described as the ability of households, communities and systems to anticipate, withstand, adapt to, and recover from the aftermath of shocks, stresses and threats (such as natural disasters, epidemics, socio-economic instability or conflict) in ways that support economic and social development and reduce vulnerability. Resilience is particularly important as a focus for humanitarian and development programming in contexts of recurrent, complex and dynamic shocks. Resilience is built before, during and after crisis, and focuses on the ability to overcome crises rather than to prevent them.

126. These capacities need to be developed at the national level as much as possible, so that States do not simply rely on external assistance to cope with crises. Strengthening resilience involves planning for the long term, embedding a culture of sharing, learning and testing, taking a more integrated approach to managing risks, and considering the weakest parts of the whole system. Adopting a resilience approach in the world of work requires the involvement of all actors from the public and private sectors, in particular employers' and workers' organizations, governments, communities, businesses, cooperatives and agents of local economic development. Adequate and wide coverage of labour protection and social protection, creation of quality jobs and sources of income, and respect for fundamental rights at work are key to providing for socio-economic resilience in the face of multiple hazards, and can be ensured only through higher preparedness, and the ability to respond and to recover.

H. International cooperation

127. While States bear a great responsibility for preparing themselves for crises, especially in cases where the eventual eruption of crisis is foreseeable, the role of international assistance in both preparation and response is critical in most cases. This was the basic reason for the adoption of Recommendation No. 71 in 1944, and it is even more necessary in the different climate today.

128. It is therefore important to provide for Members to take appropriate steps to assist one another. This may occur through bilateral arrangements, but multilateral arrangements are increasingly important in view of the frequency and scale of the need to respond. Members can therefore channel their assistance through their support of the platforms and mechanisms of coordinated response that have been adopted by the UN system.

129. The role of coordination between and among Members, and with relevant international organizations, needs to be emphasized to reduce overlapping aid packages that may focus on the priorities of donor countries rather than on the needs of the countries that require assistance. It is important that cooperation and coordination include the systematic exchange of knowledge, technology and information on all measures taken to prevent and respond to conflict and disasters and to build resilience, so that knowledge of good practices can inform and enhance crisis preparedness and response measures.

130. It is also important that the revised Recommendation should reiterate and emphasize the growing awareness of the need for close coordination between humanitarian relief and development responses, including through the generation of decent employment for stability and economic recovery. As has been indicated above, the urgency of humanitarian responses can focus on short-term and immediate solutions, and overlook the need and the opportunity to take account of other priorities, such as the need to respect human rights and to include the creation of quality employment in the responses.

Chapter 6

Concluding remarks: Revising Recommendation No. 71¹

131. In deciding upon the revision of Recommendation No. 71, the Governing Body concluded that while the basic objectives of that instrument remained valid, there should be a change of emphasis from the aftermath of inter-State conflict to the adoption of measures to address the problems encountered in the context of recovery from disasters and conflict. The United Nations and other authorities predict that this form of crisis event is likely to be the predominant focus of both national and international development efforts in coming years. While the emphasis should remain on the generation of employment and the re-establishment of a functioning national economy, the kinds of crises now prevalent have different causes and call for different solutions, with an emphasis on the creation of economic security and decent work, recalling the admonition in the ILO Constitution that “universal and lasting peace can be established only if it is based upon social justice”.

132. In addition, it should be recalled that at the time of the adoption of Recommendation No. 71, there was only one functioning intergovernmental organization of what was soon to become the UN system, and the broad reach of measures adopted by the various parts of the international system that now exist, and the arrangements for mutual reinforcement and support among them, could not have been envisaged. It is therefore necessary to place the measures to be taken in the context of the efforts for crisis response being carried out jointly and severally in the international system. This will sometimes call for measures to be contemplated that go beyond the usual scope of the ILO, but with which ILO action must be coordinated.

133. There are also certain principles, including a focus on human rights and on decent work, that now form the basis for all ILO work, including crisis response. These have been included in standards, in the Declarations of 1998 and 2008, and in the programme of work of the Organization, and these orientations should be reflected in the revised instrument.

134. When Recommendation No. 71 was adopted in 1944, it was with the prospect of the end of the global conflict in sight, when it was still possible to plan ahead for the conversion of industry from wartime to peacetime purposes, and when the demobilization of very large numbers of persons in the armed forces could be planned for. As stated in its Preamble, its purpose was:

... facilitating the re-employment of demobilised members of the armed forces, discharged war workers, and all persons whose usual employment has been interrupted as a

¹ Due to limitations of space the text of Recommendation No. 71 is not included in the present report. It can be consulted on the ILO website at http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_INSTRUMENT_ID:312409.

result of the war, enemy action, or resistance to the enemy or enemy-dominated authorities, by assisting the persons concerned to find without delay the most suitable employment.

135. While many of the basic approaches and concepts in Recommendation No. 71 remain valid, the proposed revised instrument will necessarily deal with conflicts and disasters that arise from other problems than armed conflicts between States.

136. The first proposed change is therefore the omission or amendment of the provisions of Recommendation No. 71 that refer exclusively to the transition from a global inter-State conflict, and in a number of cases their replacement by references to different kinds of crisis, arising either from internal conflict or from natural or man-made disasters. The possibility of such crises arising from inter-State warfare should nevertheless not be excluded from the revised instrument.

137. There are also a number of issues that should be taken into consideration that do not arise directly from Recommendation No. 71, and which are outlined in the previous chapter. These are needed to take account of the changed climate and structure of the international system, the different sources and effects of the situations confronted compared to the end of the Second World War, and the adoption of various standards by the ILO and the United Nations since the adoption of Recommendation No. 71 and the establishment of the United Nations. They also result from greater experience of the effects of crisis, and from a number of international programmes and practices that have developed as the nature of crisis has changed. International policy frameworks and coordinated programmes of action are now in place, and are likely to be adapted further after the expected adoption in 2015 of the post-2015 development agenda.

138. Respect for human rights is also an essential aspect of the approach that should be followed. When Recommendation No. 71 was adopted the ILO had not yet described itself as a human rights organization, and the adoption of the fundamental human rights instruments by the ILO and the United Nations had not yet begun (except for Convention No. 29 in 1930).

139. The reorientation of the ILO on human rights as well as their inclusion need to be even more carefully considered, as concepts have been adopted and have evolved. For example, Part VIII of Recommendation No. 71 entitled Employment of Young Workers envisaged the resumption of pre-war life for young people, including interrupted schooling and training. These problems remain entirely relevant, but to them should be added concerns over child labour, including child trafficking, with a specific focus on the forced integration of children into the fighting forces in civil wars as a worst form of child labour, contemplated in Convention No. 182, as well as the child labour that may arise as a survival strategy for children and their families in emergency situations, or because of a collapse of law enforcement.

140. Similarly, Part IX of Recommendation No. 71 entitled Employment of Women was concerned mainly with the fair treatment of women who had been obliged to assume traditional male roles in the economy because of the absence of large numbers of men. It did not address the more modern concerns over gender equality that would be dealt with comprehensively in the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), and various UN instruments (although Recommendation No. 71 did anticipate the adoption of the Equal Remuneration Convention, 1951 (No. 100)).

141. In addition, Recommendation No. 71 did not address the broader concepts of equality to which attention needs to be paid in a post-conflict situation in particular, related to ethnic and religious divisions and the ways they should be addressed in both prevention and reintegration. There should therefore be reference to restoring conditions

of stability and economic development, in particular the creation of employment and of other income-generating activities, with particular attention to ethnic minorities, indigenous and tribal peoples, and other population groups, who may have been rendered particularly vulnerable by situations of fragility or instability.

142. Two of the fundamental human rights subjects covered by the Declaration on Fundamental Principles and Rights at Work and the Declaration on Social Justice for a Fair Globalization, are almost entirely missing from Recommendation No. 71. The first is the need to promote freedom of association and collective bargaining, first dealt with comprehensively in Convention No. 87 and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), the first human rights instruments adopted by the ILO immediately after the Second World War. While there are references to cooperation with employers' and workers' organizations in the "General Principles" of Recommendation No. 71, there is no reference to the more active promotion of the establishment and functioning of these organizations, or to social dialogue as a measure of participation for reconciliation, peace consolidation, conflict prevention and strengthening of national economies, which is now considered a basic concept in the ILO. This needs to be emphasized as a measure of protection and promotion of fundamental rights, as well as being conducive to good governance.

143. Finally, no mention is made in Recommendation No. 71 of forced and compulsory labour. Convention No. 29 was considered at the time of the adoption of Recommendation No. 71 to apply to forced labour imposed by the State (though the ILO's understanding of this instrument later expanded to cover non-state imposed forced labour as well). However, aside from the fact that this is a fundamental human rights principle, situations of internal conflict are often known to involve forced recruitment and integration into fighting or support forces by non-governmental entities in particular, and even outright slavery. Forced labour may also arise in other post-catastrophe scenarios, especially during periods of absence of law enforcement and labour administration. The Abolition of Forced Labour Convention, 1957 (No. 105), was adopted to apply in particular to imprisonment arising from conflict and totalitarianism, and is also highly relevant to the scenario to be envisaged in the proposed new instrument.

144. Also to be taken into consideration are the effects of a globalized economy, including the existence of multinational enterprises and their potential contribution to the creation of more and better jobs in periods of recovery and to building resilience to crises.

145. All these considerations point to the need for a comprehensive review of Recommendation No. 71, retaining the focus on employment generation as the engine of the ILO's approach to resolving crises.

Questionnaire

At its 320th Session in March 2014, the ILO Governing Body decided to place a standard-setting item (double discussion) on the agenda of the 105th Session (June 2016) of the International Labour Conference on decent work for peace, security and disaster resilience: Revision of the Employment (Transition from War to Peace) Recommendation, 1944 (No. 71), with a view to the elaboration of a Recommendation.

Recommendation No. 71, adopted at the end of the Second World War as the conflict approached, provided a visionary perspective, identifying a range of employment measures that member States should take in order to facilitate the transition from war to peace. The nature of conflicts, their contexts and responses to post-conflict recovery have evolved significantly since. Over the last few decades, the international system, with the active participation of the ILO, has developed new ways to tackle the growing frequency and diverse aspects of crises, including of those caused by disasters. While employment-based recovery remains the cornerstone of the ILO approach to crisis response, a broader set of decent work issues and institution-building have completed this approach.

In the light of the above, it was decided that it was necessary to adopt an international labour standard in the form of a Recommendation on this subject in order to reflect the increased attention to the matter at the crossroads of developmental, humanitarian and peacebuilding initiatives, at the national and international levels. It was deemed necessary through this new instrument to revise and update the guidance provided by Recommendation No. 71 and to focus the action of the ILO and of its constituents on how to deal with crisis situations caused by conflict or disaster.

The purpose of this questionnaire is to request the views of member States on the scope and content of the proposed instrument. As set out in article 39(1) of the Standing Orders of the Conference, governments are requested to consult the most representative organizations of employers and workers before finalizing their replies, which should reflect the results of that consultation, and to indicate which organizations have been so consulted. Such consultations are mandatory in the case of Members that have ratified the Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144).

Due to the broad scope of the subject, it would be advisable for governments to consult all relevant ministries and institutions dealing with recovery from crises caused by conflict or disaster,¹ such as ministries and other authorities responsible for social affairs, health, education, justice, gender, youth, environment, public works, finance and planning, for the preparation of the replies.

In drafting the questionnaire, account was taken of information available to the ILO from its work, particularly in the areas of crisis and disaster responses and related

¹ For a description of conflicts and disasters, see box 1.

matters, and of the experience it has acquired. It also takes account of the ILO's work with other international organizations dealing with these questions. In addition, references are made to a number of ILO instruments that deal with aspects of these situations.

In accordance with article 39(3) of the Standing Orders of the Conference, the Office will prepare a report on the basis of the replies received, indicating the principal questions that require consideration by the Conference. This report shall be communicated to the governments as soon as possible and every effort shall be made to ensure that the report reaches them not less than four months before the opening of the 105th Session (2016) of the Conference. In order to be taken into account by the Office in its analysis of replies, completed questionnaires must be received no later than 25 September 2015. In accordance with established practice, the most representative organizations of employers and workers may send their replies directly to the Office.

The report and the questionnaire are available on the ILO website at the following URL: www.ilo.org/ilc/ILCSessions/105/reports/reports-to-the-conference/lang--en/index.htm. Respondents are encouraged, where possible, to complete the questionnaire in electronic format and to submit their replies electronically to the following email address: RevisionR71@ilo.org.

Form of the instrument

1. *Should the International Labour Conference adopt a Recommendation concerning employment and decent work for peace and resilience that revises and replaces the Employment (Transition from War to Peace) Recommendation, 1944 (No. 71)?*

☐ Yes ☐ No

Comments:

Preamble

2. *Should the Preamble of the Recommendation refer to:*
 - (a) *the principle in the ILO Constitution that universal and lasting peace can be established only if it is based upon social justice?*

☐ Yes ☐ No

Comments:

(b) *the need for full, productive, freely chosen and decent employment as a means of preventing crises, enabling recovery and building resilience?*

☐ Yes ☐ No

Comments:

(c) *the need to develop and strengthen measures of social protection as a means of preventing crises, enabling recovery and building resilience?*

☐ Yes ☐ No

Comments:

(d) *the need to ensure respect for labour standards, including fundamental principles and rights at work, other human rights and the rule of law?*

☐ Yes ☐ No

Comments:

(e) *the importance of developing adequate responses to crisis situations through social dialogue, taking into account the role of employers' and workers' organizations?*

☐ Yes ☐ No

Comments:

(f) *the importance of re-establishing an enabling environment for sustainable enterprises to stimulate economic recovery and development?*

☐ Yes ☐ No

Comments:

(g) *the value of cooperation and partnerships among international organizations to ensure joint and coordinated efforts for preventing crises, enabling recovery and building resilience?*

☐ Yes ☐ No

Comments:

(h) *ILO and other international instruments that are relevant to employment and decent work as a means for preventing crises, promoting recovery and building resilience?*

☐ Yes ☐ No

Comments:

3. *Should other considerations be included in the Preamble?*

☐ Yes ☐ No

Comments:

I. Purpose and scope

4. *Should the Recommendation expand the purpose and scope of the Employment (Transition from War to Peace) Recommendation, 1944 (No. 71), which focused on the role of employment in the transition from war to peace, to provide broader guidance on employment and decent work in prevention, recovery and resilience with respect to crisis situations arising from conflicts and disasters that destabilize societies and economies?*

☐ Yes ☐ No

Comments:

5. *Should the Recommendation provide that for the purposes of this instrument the term “conflict” should be understood as including international and non-international armed conflicts, as well as other situations of violence that destabilize societies and economies?*

☐ Yes ☐ No

Comments:

6. *Should the Recommendation provide that for the purposes of this instrument the term “disaster” should be understood as including serious disruptions of the functioning of a community or a society, involving widespread human, material, economic or environmental losses or impact, arising from natural or man-made causes, including technological and biological phenomena?*

☐ Yes ☐ No

Comments:

7. *Should the Recommendation apply to all crisis situations arising from conflict and disaster that destabilize societies and economies and to all workers and sectors of the economy affected by such situations, and provide for employment and decent work measures for prevention, recovery and resilience?*

☐ Yes ☐ No

Comments:

II. General principles

8. *Should the Recommendation provide that full, productive, freely chosen and decent employment is indispensable for promoting peace, preventing crises, enabling recovery and building resilience?*

☐ Yes ☐ No

Comments:

9. *Should the Recommendation provide that in taking measures to prevent crises, enable recovery and build resilience, Members should take into account the relevant international labour standards and respect, promote and realize the fundamental principles and rights at work?*

☐ Yes ☐ No

Comments:

10. *Should the Recommendation provide that the objectives of post-conflict and post-disaster response should include, as appropriate, taking into account the particular vulnerability of certain groups of the population:*

(a) *stabilizing livelihood and income generation, and providing social protection and emergency employment?*

☐ Yes ☐ No

Comments:

(b) *promoting local economic recovery for employment opportunities and reintegration?*

☐ Yes ☐ No

Comments:

(c) *promoting sustainable employment creation, social protection systems and decent work?*

☐ Yes ☐ No

Comments:

(d) *building or restoring labour market institutions and social dialogue?*

☐ Yes ☐ No

Comments:

11. *Should the Recommendation provide that measures to be taken in the immediate aftermath of a conflict or disaster should include:*

(a) *an urgent response to satisfy basic needs and provide care for the population, taking into account the particular vulnerability of certain groups of the population?*

☐ Yes ☐ No

Comments:

(b) *emergency assistance, to the extent possible by national authorities, supported by the international community, engaging civil society and community organizations?*

☐ Yes ☐ No

Comments:

(c) *close coordination between humanitarian relief efforts and the promotion of employment and decent work?*

☐ Yes ☐ No

Comments:

(d) *a coordinated needs assessment to be carried out as quickly as possible?*

☐ Yes ☐ No

Comments:

- (e) *a guarantee of decent working conditions for workers engaged in rescue and rehabilitation activities, including the provision of personal protective equipment and medical assistance?*

☐ Yes ☐ No

Comments:

- (f) *crisis response programmes that avoid harmful spillover effects on individuals, communities, the environment and the economy?*

☐ Yes ☐ No

Comments:

- (g) *the re-establishment of organs of government, the reintegration into employment of civil servants, and the re-establishment of employers' and workers' organizations and other civil society organizations, whenever necessary?*

☐ Yes ☐ No

Comments:

12. *Should the Recommendation provide that Members should adopt coherent and comprehensive strategies for preventing crises, enabling recovery and building resilience that include:*

(a) *employment-intensive investment programmes and other active labour market programmes and employment services for stabilization and recovery?*

☐ Yes ☐ No

Comments:

(b) *employment impact assessment of all national recovery programmes in order to prioritize those that facilitate rapid attainment of full, productive, freely chosen and decent employment?*

☐ Yes ☐ No

Comments:

(c) *measures to support the employment and social protection of those in the informal economy and to encourage the transition to the formal economy, in a manner consistent with the Recommendation expected to be adopted on this subject in 2015?*

☐ Yes ☐ No

Comments:

- (d) *the creation at the national level of an economic, social and legal framework to encourage lasting and sustainable peace and development, with respect for rights at work?*

☐ Yes ☐ No

Comments:

- (e) *special measures to combat discrimination, prejudice and hatred on the basis of ethnicity, religion or other grounds, and to promote national reconciliation?*

☐ Yes ☐ No

Comments:

- (f) *urgent measures for the social and economic reinsertion and reintegration of persons who had taken an active part in hostilities?*

☐ Yes ☐ No

Comments:

- (g) *full and active collaboration of employers' and workers' organizations, and of other civil society organizations, as appropriate, in planning and monitoring recovery measures?*

☐ Yes ☐ No

Comments:

(h) *the creation of an enabling environment to enhance the capacity of governments and of employers' and workers' organizations for crisis prevention and preparedness and for resilience?*

☐ Yes ☐ No

Comments:

III. Employment generation for recovery and resilience

13. *Should the Recommendation provide that Members should promote employment and income-generation opportunities through:*

(a) *employment-intensive investment programmes and other public employment programmes?*

☐ Yes ☐ No

Comments:

(b) *local economic development, with a special focus on livelihoods in both rural and urban areas?*

☐ Yes ☐ No

Comments:

(c) *measures to support enterprises to ensure business continuity?*

☐ Yes ☐ No

Comments:

(d) *the creation or restoration of an enabling environment for sustainable enterprises, including the promotion of small and medium-sized enterprises?*

☐ Yes ☐ No

Comments:

(e) *cooperatives and other social economy initiatives?*

☐ Yes ☐ No

Comments:

(f) *support to workers, enterprises and other economic units in the informal economy, encouraging transition to the formal economy?*

☐ Yes ☐ No

Comments:

(g) *public–private partnerships for skills development and employment-generation schemes?*

☐ Yes ☐ No

Comments:

(h) *stronger linkages of multinational enterprises with national enterprises and implementation of responsible workplace practices, taking into account the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy?*

☐ Yes ☐ No

Comments:

14. *Should the Recommendation provide that in enabling recovery, Members should develop and apply active labour market policies that address disadvantaged and marginalized groups and others particularly affected by crises?*

☐ Yes ☐ No

Comments:

15. *Should the Recommendation provide that Members should give special attention to socio-economic reintegration measures that provide young people with stable employment and income-generation opportunities, including through:*

(a) *integrated packages of employment and labour market programmes that address the specific situations of young people entering the world of work?*

☐ Yes ☐ No

Comments:

(b) *specific youth employment components in conflict and disaster response, such as in disarmament, demobilization and reintegration programmes, including psychosocial counselling and other interventions to address anti-social behaviour and violence?*

☐ Yes ☐ No

Comments:

16. *Should the Recommendation provide that, in building resilience, Members should promote and implement a comprehensive employment strategy to promote full, productive, freely chosen and decent employment, taking into account the Employment Policy Convention, 1964 (No. 122), and guidance provided in relevant resolutions of the International Labour Conference?*

☐ Yes ☐ No

Comments:

IV. Education, vocational training and guidance

17. *Should the Recommendation provide that in responding to crisis situations Members should:*

- (a) *ensure that the provision of education is not disrupted, or is restored, and that children have access to free quality education at all stages of the crisis and recovery?*

☐ Yes ☐ No

Comments:

- (b) *ensure that second chance programmes for children and youth are available and that they address key needs arising from the interruption of education and training?*

☐ Yes ☐ No

Comments:

- (c) *take urgent measures to ensure access to and the availability of vocational education and training, on the basis of the principle of equal opportunity?*

☐ Yes ☐ No

Comments:

(d) *coordinate training and retraining services at national, regional and local levels and engage fully all relevant public and private stakeholders?*

☐ Yes ☐ No

Comments:

(e) *provide public vocational guidance and training services that assess and respond to the emerging skills needs in relation to recovery and reconstruction?*

☐ Yes ☐ No

Comments:

(f) *enable men and women whose education and training (including higher education, vocational training and apprenticeship) have been prevented or interrupted to enter or resume and complete their education and training?*

☐ Yes ☐ No

Comments:

(g) *extend and adapt training and retraining programmes to meet the needs of all persons whose employment has been interrupted?*

☐ Yes ☐ No

Comments:

(h) *encourage the establishment of apprenticeship programmes in the context of recovery and reconstruction?*

☐ Yes ☐ No

Comments:

(i) *adapt curricula in order to promote peaceful coexistence and peacebuilding?*

☐ Yes ☐ No

Comments:

(j) *train teachers and instructors to deliver training programmes that contribute to recovery and reconstruction?*

☐ Yes ☐ No

Comments:

(k) *give special attention to the training and economic empowerment of affected populations in rural areas and the informal economy?*

☐ Yes ☐ No

Comments:

- (l) *formulate, in consultation with employers' and workers' organizations, a national training and retraining programme, taking into account the Human Resources Development Recommendation, 2004 (No. 195)?*

☐ Yes ☐ No

Comments:

V. Social protection

18. *Should the Recommendation provide that in responding to crisis situations Members should as quickly as possible:*

- (a) *ensure basic income, including by means of cash transfer, for disadvantaged and marginalized groups of the population whose jobs or livelihoods have been disrupted by the crisis?*

☐ Yes ☐ No

Comments:

- (b) *restore social security benefits?*

☐ Yes ☐ No

Comments:

(c) *provide basic care and services for groups of the population in particularly vulnerable situations?*

☐ Yes ☐ No

Comments:

(d) *create or restore systems of social protection?*

☐ Yes ☐ No

Comments:

19. *Should the Recommendation provide that Members should establish or maintain social protection floors taking into account the Social Protection Floors Recommendation, 2012 (No. 202)?*

☐ Yes ☐ No

Comments:

VI. Social dialogue

20. *Should the Recommendation provide that in responding to crisis situations Members should:*

(a) *ensure that social and economic stability, recovery and resilience are promoted through social dialogue?*

☐ Yes ☐ No

Comments:

(b) *create an enabling environment for the establishment, restoration or strengthening of employers' and workers' organizations?*

☐ Yes ☐ No

Comments:

(c) *encourage close cooperation with other civil society organizations?*

☐ Yes ☐ No

Comments:

21. *Should the Recommendation provide that Members should recognize the vital role of employers' and workers' organizations in crisis response, in particular:*

(a) *helping enterprises to recover through advice and material assistance?*

☐ Yes ☐ No

Comments:

(b) *helping workers, especially the most vulnerable, to recover through advice and material assistance?*

☐ Yes ☐ No

Comments:

(c) *encouraging and assisting enterprises, particularly small and medium-sized enterprises, to undertake business continuity planning?*

☐ Yes ☐ No

Comments:

(d) *taking measures for these purposes through the collective bargaining process as well as by other methods?*

☐ Yes ☐ No

Comments:

VII. Labour law, labour administration and labour market information

22. *Should the Recommendation provide that in recovering from crisis situations Members should:*

(a) *review and, if necessary, establish, re-establish or reinforce, labour legislation?*

☐ Yes ☐ No

Comments:

(b) *establish, re-establish or reinforce, as necessary, the system of labour administration, including labour inspection?*

☐ Yes ☐ No

Comments:

(c) *establish or restore systems for the collection and analysis of labour market information, in particular focusing on the groups of the population most affected by the crisis?*

☐ Yes ☐ No

Comments:

23. *Should the Recommendation provide that Members should facilitate recovery from crisis through:*

(a) *establishing emergency employment services to allow local populations to take advantage of job opportunities created by recovery investment?*

☐ Yes ☐ No

Comments:

- (b) *establishing or restoring employment services and strengthening their capacity, taking into account the Employment Service Convention, 1948 (No. 88), and Recommendation (No. 83), 1948?*

☐ Yes ☐ No

Comments:

- (c) *ensuring close collaboration between public and private employment agencies in these efforts, and the regulation of private employment agencies, taking into account the Private Employment Agencies Convention, 1997 (No. 181), and Recommendation (No. 188), 1997?*

☐ Yes ☐ No

Comments:

VIII. Rights, equality and non-discrimination

24. *Should the Recommendation provide that in responding to crisis situations Members should ensure that:*

- (a) *a gender-sensitive assessment is conducted and gender-responsive measures and policies are applied?*

☐ Yes ☐ No

Comments:

- (b) *all measures taken for recovery and resilience promote equality of opportunity and treatment for women and men without discrimination of any kind, taking into account the Equal Remuneration Convention, 1951 (No. 100), and the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), and Recommendation (No. 111), 1958?*

☐ Yes ☐ No

Comments:

- (c) *special attention is given to women who are heads of households?*

☐ Yes ☐ No

Comments:

- (d) *women have access to training and employment programmes developed for recovery and resilience?*

☐ Yes ☐ No

Comments:

- (e) *measures are taken to ensure that women who have been employed during the crisis and have assumed expanded responsibilities are not replaced when the male workforce returns?*

☐ Yes ☐ No

Comments:

(f) *measures are taken to prevent and punish rape and sexual exploitation and harassment?*

☐ Yes ☐ No

Comments:

25. *Should the Recommendation provide that in responding to crisis situations Members should ensure that persons who became disabled as a result of conflict or disaster are provided with full opportunities for rehabilitation, education, specialized vocational guidance, training and retraining, and employment, taking into account the Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983 (No. 159), and Recommendation (No. 168), 1983, as well as the United Nations Convention on the Rights of Persons with Disabilities?*

☐ Yes ☐ No

Comments:

26. *Should the Recommendation provide that in responding to crisis situations Members should ensure that:*

(a) *particular attention is paid to establishing or restoring conditions of stability and socio-economic development for minorities, indigenous and tribal peoples and other population groups that have been particularly affected, taking into account the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), and Recommendation (No. 111), 1958, and the Indigenous and Tribal Peoples Convention, 1989 (No. 169)?*

☐ Yes ☐ No

Comments:

(b) *minorities and indigenous and tribal peoples are fully consulted and participate directly in the decision-making process, in particular if their territories and environment are affected by recovery and stability measures?*

☐ Yes ☐ No

Comments:

27. *Should the Recommendation provide that in combating child labour arising from or exacerbated by conflicts or disasters Members should:*

(a) *take urgent action to identify and eliminate all child labour practices, taking into account the Minimum Age Convention, 1973 (No. 138), and Recommendation (No. 146), 1973, and the Worst Forms of Child Labour Convention, 1999 (No. 182), and Recommendation (No. 190), 1999?*

☐ Yes ☐ No

Comments:

(b) *take all necessary measures to prevent, identify and address cases of child trafficking?*

☐ Yes ☐ No

Comments:

(c) *integrate crisis response measures into national policies and programmes to eliminate child labour?*

☐ Yes ☐ No

Comments:

(d) *provide social protection services to support families' capacity to protect their children, for instance through cash or in-kind transfers?*

☐ Yes ☐ No

Comments:

(e) *provide special reintegration and retraining programmes for children and young persons who had been engaged in armed forces or groups to help them readjust to a normal existence?*

☐ Yes ☐ No

Comments:

28. *Should the Recommendation provide that in combating forced or compulsory labour arising from or exacerbated by conflicts or disasters Members should:*

- (a) *take urgent action to identify and eliminate all forms of forced or compulsory labour taking into account the Forced Labour Convention, 1930 (No. 29), and its Protocol of 2014, the Abolition of Forced Labour Convention, 1957 (No. 105), and the Forced Labour (Supplementary Measures) Recommendation, 2014 (No. 203)?*

☐ Yes ☐ No

Comments:

- (b) *take all necessary measures to prevent, identify and address cases of trafficking in persons for the purposes of forced or compulsory labour?*

☐ Yes ☐ No

Comments:

29. *Should the Recommendation provide that in responding to crisis situations Members should ensure that migrants who are in the territory are treated on a basis of equality with national populations, taking into account the Migration for Employment Convention (Revised), 1949 (No. 97), and Recommendation (No. 86), 1949, the Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143), and Recommendation (No. 151), 1975, as well as the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families?*

☐ Yes ☐ No

Comments:

IX. Internally displaced persons, refugees and returnees

30. *Should the Recommendation provide that following a crisis Members should:*

- (a) *pay special attention to the training, employment promotion and integration into the labour market of internally displaced persons and refugees, whether they are in their countries of origin, in host communities or in countries of asylum and settlement, as relevant?*

☐ Yes ☐ No

Comments:

- (b) *build resilience and strengthen the capacity of host communities and countries of asylum and settlement to promote employment and training opportunities for local populations?*

☐ Yes ☐ No

Comments:

31. *Should the Recommendation provide that following a crisis Members should take measures to facilitate the voluntary return of internally displaced persons and of refugees to their homes, or to other suitable locations, and to provide for their socio-economic reintegration?*

☐ Yes ☐ No

Comments:

X. Prevention, mitigation and preparedness

32. *Should the Recommendation provide that, in particular in countries in which there are foreseeable risks of conflict or disaster, Members should take measures, in consultation with employers' and workers' organizations and other concerned groups, to prevent, mitigate and prepare for crises, through actions such as:*

(a) evaluation of threats to and vulnerabilities of human, physical, economic, institutional and social capacity at local, national and regional levels?

☐ Yes ☐ No

Comments:

(b) risk management planning, including early warning and risk reduction measures?

☐ Yes ☐ No

Comments:

(c) contingency planning?

☐ Yes ☐ No

Comments:

(d) *preparation of emergency responses?*

☐ Yes ☐ No

Comments:

(e) *impact mitigation, including through business continuity management in both public and private institutions?*

☐ Yes ☐ No

Comments:

XI. International cooperation

33. *Should the Recommendation provide that Members should take appropriate steps to assist one another, through bilateral or multilateral arrangements, including through the United Nations system, international financial institutions and other international or regional mechanisms of coordinated response?*

☐ Yes ☐ No

Comments:

34. *Should the Recommendation provide that crisis responses, including support by international organizations, should be coherent with applicable international labour standards?*

☐ Yes ☐ No

Comments:

35. *Should the Recommendation provide that crisis responses should be coherent with United Nations policy frameworks and mechanisms for peacebuilding?*

☐ Yes ☐ No

Comments:

36. *Should the Recommendation provide that Members should systematically exchange information, knowledge, good practices and technology for preventing crises, enabling recovery and building resilience?*

☐ Yes ☐ No

Comments:

37. *Should the Recommendation provide for close coordination of and complementarity among all crisis responses, in particular between humanitarian relief and development responses, including through the generation of employment and decent work for peace and resilience?*

☐ Yes ☐ No

Comments:

XII. Other issues

38. *Should the Recommendation include other elements not mentioned in this questionnaire?*

☐ Yes ☐ No

Comments:
