International Labour Organization

Workers' Guide to Employment and Decent Work for Peace and Resilience Recommendation (No. 205)

ACTRAV

Bureau for Workers' Activities

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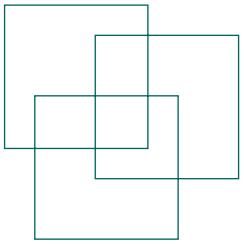

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Foreword

Trade unions need no reminder that one of the single most important factors in economies development strategies is a state of peace and tranquillity. Indeed, trade unions know that peace and tranquillity must be nurtured. Based on this observation, trade unions believe they can help to reduce the causes of conflict, manage situations of disaster and assist post-conflict countries to return to normality. Trade unions have valuable experience in resolving conflict at the workplace and bridging divided communities. This is an asset that can be employed to resolve conflicts at local, national, and regional levels.

The role of trade unions (as well as employers and governments) in the generation of employment and decent work for the purpose of prevention, recovery, peace, and resilience with respect to fragile environments gained renewed impetus following the adoption of the *Employment and Decent Work for Peace and Resilience Recommendation (No. 205)* by the International Labour Conference in 2017. This Recommendation replaces the *Employment (Transition from War to Peace) Recommendation (No. 71),* adopted in 1944, expanding its scope to crisis situations arising from all conflicts and disasters and extending action to prevention, preparedness, reconstruction and recovery.

Through this Workers' Guide, the ILO's Bureau for Workers' Activities (ACTRAV) provides information and guidance on how trade unions can ensure the implementation of this new global tool to their advantage. It is intended to serve as a valuable reference to workers' organizations on the provisions of Recommendation No. 205. It offers many examples and concrete suggestions on how workers' organizations can support the generation of employment and decent work for the purpose of prevention, recovery, peace, and resilience with respect to crisis situations arising from conflicts and disasters. The Workers' Guide will be supplemented by a Training Manual on Recommendation No. 205. It also complements the ACTRAV Policy Brief on Recommendation No. 205 and the role of trade unions which was published in October 2017.

This Guide was tested at several sub-regional and regional activities throughout 2018, as well as at the Global Workers' Academy on the Employment and Decent Work for Peace and Resilience Recommendation held in Turin, Italy, from 1 to 5 October 2018. ACTRAV is grateful to all the participants at all these events who provided valuable insight on its content and structure.

The drafting of this Workers' Guide was led by Oliver Jütersonke from the Centre on Conflict, Development and Peacebuilding (CCDP) at the Graduate Institute, Geneva, with input from Janine Bressmer, Muriel Esposito, Kathryn Gichini, Kazushige Kobayashi, Darine Atwa and Emilio Rodriguez. Many thanks also go to ACTRAV – notably Claire La Hovary and Mohammed Mwamadzingo – who coordinated the follow-up to Recommendation No. 205. Feedback was moreover gratefully received from Donato Kiniger-Passigli and his colleagues at the ILO's Coordination Support unit for Peace and Resilience (CSPR), from Stephen Benedict at the International Trade Union Confederation (ITUC), Brussels, and from Evelin Toth, Henry Cunningham, Inviolata Chinyangarara and Rafael Mapalo at the ITC-ILO, Turin.

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Introduction to the guide

Since its creation in 1919, the ILO has operated on the principle that universal and lasting peace cannot be established or maintained if it is not based on social justice. Every working woman and man can freely claim this aspiration, along with their fair share of the wealth they have helped to generate based on the notion of equal opportunities. However, these aspirations are critically affected by conflicts and disasters. Recommendation No. 205 on Employment and Decent Work for Peace and Resilience was adopted by the International Labour Conference in June 2017 and is concerned with crisis situations arising from conflicts and disasters. Both conflicts and disasters are considered to have commonalities in terms of the impact and consequences on the world of work and beyond.

Crisis situations around the world destroy livelihoods, interrupt business activities, and damage workplaces. Societal institutions stop functioning effectively, countless workers lose their jobs and the rights and social protection they are entitled to. As a result, inequalities and social exclusion are worsened, which leads to a lack of respect for labour standards. Certain population groups, including minorities, children, women, the disabled and the elderly, are particularly affected as well as migrants and populations experiencing forced displacement.

The world of work clearly suffers from the negative consequences of conflicts and disasters. However, it also plays an important role in preventing and responding to such circumstances, contributing to build peace and resilience – for example by creating decent employment and income-generating opportunities, making basic social services and social protection available, upholding labour rights, building representative and accountable institutions, and promoting social dialogue. This is the focus of Recommendation No. 205, and the purpose of this Workers' Guide is to familiarize readers with its contents.

Objectives of this Workers' Guide

- ✓ Introduce union leaders and professional staff with ILO Recommendation No. 205, focusing on the content of each section and how it relates to existing international labour standards.
- ✓ Provide examples of the activities pursued by workers' organizations in crisis situations arising from conflicts and disasters.
- ✓ Offer a number of action points for workers' organizations on specific aspects and sections of ILO Recommendation No. 205, including suggestions on how to familiarize workers and union staff to the recommendation, and how to include some of its key messages in communication materials and awareness-raising campaigns.
- ✓ Support the development of effective strategies and policies for trade union action.

Request for feedback

If your organization has discussed or used any of the action points provided or developed its own activities to deal with specific crisis situations related to conflicts and disasters, ILO-ACTRAV would be very grateful for your comments and feedback. This will enable the ILO and its partners to know what concrete steps are being taken in the field to further the implementation of Recommendation No. 205, and to inform revisions for future editions of this guide.

LAFARGE

An overview of conflicts and disasters

According to the Geneva Academy's *War Report*, there were at least 55 armed conflicts in 29 countries in 2017. In some places, there are several conflicts occurring at the same time, involving not just internal forces but a variety of external armed actors and foreign support.[1] Whilst conventional "war" between states may have become rarer, armed confrontation among military forces (including non-state armed groups in civil wars and insurgencies) continues to be part of our global concerns.

"Armed conflict", a term used in international law, has severe and lasting effects on civilians and disrupts societal life. Many people live in societies that are not categorized as armed conflict in the strict sense, but witness comparable levels of violence and death. Indeed, the so-called "non-conflict settings" feature levels of deadly violence that compare with, if not exceed, those found in war zones.[2]

Much of this violence in non-conflict settings is between individuals rather than military forces or organized armed groups, but the overall effects on society and the labour market are similar. Countries such as El Salvador, Mexico, or South Africa continue to experience criminal violence on an alarming scale. At the same time, Brazil, a powerful regional economic player, witnesses over 50,000 violent deaths in its cities every year. This means that we need to change our thinking: instead of "war" and "peace", we are facing a world in which violence and conflict can take on many forms and occur in many different settings.

Beyond violent conflict, societies worldwide are also struggling to cope with natural disasters and other forms of catastrophic events. Disasters range from earthquakes and landslides to wildfires and destructive storms and epidemics, to name but a few. Many of these natural hazards may also be caused – or at least exacerbated – by human involvement, and the distinction between natural and human-made disasters is not always clear. Landslides, for example, are often the result of deforestation or unsafe construction practices. Global warming and its effects (rising sea levels and extreme weather patterns, for instance) are also attributed to human action.

Callout: In 2017 alone, there were at least 183 natural and 118 human-made disasters globally.

At times, conflicts and disasters coincide. Haiti, Somalia and the Philippines are recent examples of countries where civil war, armed insurgency, or communal violence are coupled with earthquakes, hurricanes or periods of draught and famine. In December 2004, a tsunami hit the conflict-ridden Aceh Province of Indonesia, following almost 30 years of armed violence between the Free Aceh Movement (GAM) and the Indonesian government. The tsunami left at least 170,000 deaths and more than 500,000 people displaced. This disaster served as a catalyst for starting peace negotiations and the formulation of an agreement signed in August 2005.

The combined effects of conflicts and disasters are complicated to analyse. Affected populations often struggle with extreme poverty, marginalization, and exclusion, with societies as a whole suffering from a loss of economic productivity and unmet growth potential. Crises also displace large numbers of people, both internally and across borders. Not least from a public health perspective, conflicts and disasters affect vulnerable populations in many ways – particularly children who, according to the World Health Organization (WHO), suffer most from the negative health effects of crises.

1 For example in Syria and Sudan.

2 For example in Latin America and the Caribbean, as well as some parts of Sub-Saharan Africa and Asia.

Background to the Recommendation

ILO Recommendation No. 71 concerning Employment Organization in the Transition from War to Peace was adopted in 1944. ILO Recommendation No. 71 was about the pursuit of full employment in the post-World War II period. It reflected the times it was adopted in and it was focused on international wars, it emphasized the demobilization of combatants and their reintegration into the job market, industrial demobilization and reconversion, and training/ retraining schemes to further reconstruction efforts.

The revision of Recommendation No. 71 was discussed several times within the ILO – including in 1998, 2002, and 2012. But it was in 2014 that the decision to go ahead with this revision was finally taken. In March 2014, the ILO Governing Body placed a standard-setting item on the agenda of the 105th (June 2016) and 106th (June 2017) Sessions of the International Labour Conference to revise the Recommendation No. 71.

Recommendation No. 205 expands on Recommendation No. 71 to:

- ✓ Include all conflicts, whether international, non-international, armed or not-armed.
- ✓ Focus on all crisis situations from recovery to reconstruction but also on prevention, preparedness and resilience.
- ✓ Address disasters settings and climate change adaptation. Today, conflict and societal violence take on many forms. They also combine with natural disasters and human-made catastrophes in complex ways.
- ✓ Place the emphasis on crisis and risk management: on the "resilience" of societies and institutions, and on the capacities of the world of work in the areas of prevention/mitigation, preparedness, response, and recovery.
- ✓ Mainstream gender perspective in conflict and disaster settings.
- ✓ Devote special attention to population groups that have been made particularly vulnerable by crisis: children, persons belonging to minorities, indigenous and tribal peoples, internally displaced persons, persons with disabilities, migrants and refugees.
- ✓ Apply the latest internationally agreed terminology in conflict and disaster settings.

In terms of content, R205 expands the original guidance concerning employment promotion measures for the transition to peace taking into account:

a. New approaches to promote full, productive and freely chosen employment and livelihoods opportunities and other elements of the Decent Work Agenda that are especially relevant in crisis contexts, such as rights, social protection and social dialogue;

b. The complexity of the contemporary global context and the multidimensional nature of crises;

c. The experience gained by the ILO and the international community in crisis response and the new strategies and approaches developed since 1944.

Recommendation No. 205 therefore goes beyond reconstruction and recovery, which was dealt with in Recommendation No. 71, and focuses also on prevention, preparedness and resilience in order to anticipate and mitigate the impact of crises. Furthermore, Recommendation No. 205 expands the original guidance concerning employment promotion measures for the transition from war to peace by covering the full spectrum of the Decent Work Agenda.

In the face of many global challenges related to conflicts and disasters, it is difficult to formulate priorities for the world of work. The process leading to the adoption of ILO Recommendation No. 205 was thus a sensitive and at times controversial exercise. During the first round of discussions in 2016, disagreements arose around the nature of vulnerable groups that were to be specifically highlighted in the recommendation. The group of African states insisted on a separate section on migrants, while others, notably European states, demanded the focus to be on the issue of refugees instead. In the end, migrants and refugees were both included in separate chapters of the recommendation (see Sections XI and XII below).

ILO Recommendation No. 205 is amongst the latest of 402 international labour standards of the ILO and it is the only International normative framework providing guidance for building peace and resilience through employment and Decent Work.

It is a self-standing recommendation, in that – unlike Recommendation No. 203 (2014) on forced labour, for instance – it does not complement an already existing convention or protocol (in the case of Recommendation No. 203, the Forced Labour Convention No. 29 (1930) and its 2014 Protocol).

An overview of international labour standards of the ILO

Conventions (current total: 190)

- International treaties that are legally binding when ratified by member States

Recommendations (current total: 206)

- Not open to ratification and not legally binding
- Can be stand-alone texts or complement specific conventions

Protocols (current total: 6)

- Additions to existing conventions that need to be ratified by member States

Distinction between recommendations and conventions

Whereas conventions (and protocols) are legally binding when ratified by member States, recommendations are non-binding. They may remind us of legal obligations contained in conventions or protocols and provide detailed guidance.

All international labour standards (ILS), whether conventions, protocols or recommendations, are adopted following the same procedure involving the ILO's constituents.

All ILS may set examples of good conduct for states, influence the adoption of national legislation, influence policy, influence international treaties or agreements adopted outside the ILO framework, and serve as reference points in other settings (e.g. within the UN, other international and regional organizations). They may be used by, for example, courts, policy makers, lawyers, or activists.

Callout: Recommendation No. 205 is very clear: crisis response should be consistent with applicable international labour standards (paragraph 43).

Recommendation No. 205 emphasizes the need to ensure respect for international labour standards. It also refers to several standards explicitly – although many others are of course relevant (these are listed throughout this guide). This offers the opportunity for workers' organizations to demand the application of ratified standards, or to lobby for the ratification of relevant standards, including those explicitly mentioned in this Recommendation.

→ Recommendation No. 205 was adopted with overwhelming support at the ILC, including from the Employers' Groups. Workers' organizations can thus request Governments and Employers' organizations to take it into full consideration.

Preamble

The General Conference of the International Labour Organization,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its 106th Session on 5 June 2017, and

Reaffirming the principle in the Constitution of the International Labour Organisation (ILO) that universal and lasting peace can be established only if it is based upon social justice, and

Recalling the Declaration of Philadelphia (1944), the Universal Declaration of Human Rights (1948), the ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up (1998) and the ILO Declaration on Social Justice for a Fair Globalization (2008), and

Taking into account the need to revise the Employment (Transition from War to Peace) Recommendation, 1944 (No. 71), with a view to broadening its scope and providing up-to-date guidance on the role of employment and decent work in prevention, recovery, peace and resilience with respect to crisis situations arising from conflicts and disasters, and

Considering the impact and consequences of conflicts and disasters for poverty and development, human rights and dignity, decent work and sustainable enterprises, and

Recognizing the importance of employment and decent work for promoting peace, preventing crisis situations arising from conflicts and disasters, enabling recovery and building resilience, and

Recognizing that the countries receiving refugees may not be in situations of conflicts and disasters, and

Emphasizing the need to ensure respect for all human rights and the rule of law, including respect for fundamental principles and rights at work and for international labour standards, in particular those rights and principles relevant to employment and decent work, and

Considering the need to recognize that crises affect women and men differently, and the critical importance of gender equality and the empowerment of women and girls in promoting peace, preventing crises, enabling recovery and building resilience, and

Recognizing the importance of developing responses, through social dialogue, to crisis situations arising from conflicts and disasters, in consultation with the most representative employers' and workers' organizations and, as appropriate, with relevant civil society organizations, and

Noting the importance of creating or restoring an enabling environment for sustainable enterprises, taking into account the resolution and Conclusions concerning the promotion of sustainable enterprises adopted by the International Labour Conference at its 96th Session (2007), and in particular for small and medium-sized enterprises, to stimulate employment generation, economic recovery and development, and

Affirming the need to develop and strengthen measures of social protection, as a means of preventing crises, enabling recovery and building resilience, and

Recognizing the role of accessible and quality public services in economic recovery, development, reconstruction efforts, prevention and resilience, and

Stressing the need for international cooperation and partnerships among regional and international organizations to ensure joint and coordinated efforts, and

Having decided upon the adoption of certain proposals with regard to employment and decent work for peace and resilience, which is the fifth item on the agenda of the session, and

Having determined that these proposals shall take the form of a Recommendation,

adopts this sixteenth day of June of the year two thousand and seventeen the following Recommendation, which may be cited as the Employment and Decent Work for Peace and Resilience Recommendation, 2017.

The Preamble to ILO Recommendation No. 205 recalls some of the foundational documents and principles on which the Recommendation builds, while also giving a flavour of the main themes to be addressed in its subsequent sections. It reaffirms that lasting peace requires social justice and reminds us of some of the key documents of the 1940s – notably the Universal Declaration of Human Rights (1948) and the ILO's Declaration of Philadelphia (1944) – that sought to promote the role of the organization on the international scene following the failure of the League of Nations system. With World War II nearing an end, the Declaration of Philadelphia – and Recommendation No. 71 on transitions from war to peace that accompanied it – clearly stated the ILO's ambitions to place its activities and those of the world of work centre stage in the post-war era.

At the outset, it is worth highlighting the important paragraph stressing how conflicts and disasters affect women and men differently, and how aspirations of gender equality and women empowerment need to be at the heart of efforts to prevent, be prepared for, and respond to crises. While not explicitly mentioned, the preamble echoes the implementation agenda of UN Security Council Resolution 1325 on Women, Peace and Security (2000), as well as the Convention on the Elimination of all Forms of Discrimination against Women (1979).

Callout: Adopting a gender lens is a key transversal theme running right through all sections of ILO Recommendation No. 205, and workers' organizations are invited to explore and clarify gender dynamics further with their members and union staff.

Finally, the preamble stresses the importance of consulting the most representative employers' and workers' organizations to develop responses, through social dialogue, to crisis situations arising from conflicts and disasters.

Relevant international law

- Declaration of Philadelphia (1944), appended to the ILO Constitution
- Universal Declaration of Human Rights (1948)
- ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up (1998)
- ILO Declaration on Social Justice for a Fair Globalization (2008)

Action points for workers' organizations

- ✓ Raise awareness amongst workers and union staff about the existence of Recommendation No. 205, through discussions, training and knowledge-sharing events, and campaign materials.
- ✓ Ensure that concrete activities are inclusive and gender responsive, thereby developing actions that support and reinforce gender equality.
- ✓ Have you discussed the role of your organization in the context of conflicts and disasters and how this role could be improved?
- ✓ Assess the need for capacity building of trade unions to empower them and support their role in crisis settings.
- ✓ Explore ways to advance a national policy for preparedness with employers as well as with Governments.

I. Objectives and scope

1. This Recommendation provides guidance to Members on the measures to be taken to generate employment and decent work for the purposes of prevention, recovery, peace and resilience with respect to crisis situations arising from conflicts and disasters.
2. For the purposes of this Recommendation and based upon internationally agreed terminology:
   (a) the term "disaster" means a serious disruption of the functioning of a community or a society at any scale due to hazardous events interacting with conditions of exposure, vulnerability and capacity, leading to one or more of the following: human, material, economic and environmental losses and impacts; and
   (b) the term "resilience" means the ability of a system, community or society exposed to hazards to resist, absorb, accommodate, adapt to, transform and recover from the effects of a hazard in a timely and efficient manner, including through the preservation and restoration of its essential basic structures and functions through risk management.
3. For the purposes of this Recommendation, the term "crisis response" refers to all measures on employment and decent work taken in response to crisis situations arising from conflicts and disasters.
4. This Recommendation applies to all workers and jobseekers, and to all employers, in all sectors of the economy affected by crisis situations arising from conflicts and disasters.
5. The references in this Recommendation to fundamental principles and rights at work, to safety and health and to working conditions apply also to workers engaged in crisis response, including in the immediate response. The references in this Recommendation to human rights and to safety and health apply equally to persons in volunteer work participating in crisis response.
6. The provisions of this Recommendation are without prejudice to the rights and obligations of Members under international law, in particular international humanitarian law, international refugee law and international human rights law.

This first substantive section of Recommendation No. 205 addresses the vocabulary of "crisis situations arising from conflict and disasters". It is important to note that the focus is not only on "*post*-conflict" and "*post*-disaster" contexts, but on the entire "crisis response" cycle. This is reflected in the language of "prevention" and "recovery" used in Paragraph 1 and throughout the Recommendation.

Callout: At its most basic, Recommendation No. 205 seeks to move away from activities that are initiated only when a conflict or disaster has occurred. Instead, the focus is also on the role of the world of work in preventing such crises from happening in the first place – or at least mitigating their effects by being better prepared from their onset.

Paragraph 2 offers definitions of "disaster" and "resilience". While Recommendation No. 71 focused on transitions from "war" to "peace," Recommendation No. 205 now echoes changing times and circumstances that require a rethink of how to achieve and maintain sustainable, "positive" peace for people to pursue their socio-economic potential. In this context, the term "resilience," refers to coping with, adapting to, and ultimately transforming societal systems in the face of crisis situations, especially from the perspective of communities and societal institutions.

Recommendation No. 205 does not define the term "conflict". In effect, this gives us an opportunity to interpret conflict more broadly to cover not just "armed conflict", but also other settings experiencing high levels of violence and political upheaval. Political crises come in many shapes and sizes, from social conflicts at the workplace to communal tensions, gang violence, state repression, large-scale criminal operations, and armed insurgency, to name but a few. What all these circumstances have in common is that they require a focus on peace, and in particular, building peace, and resilience – and Recommendation No. 205 is all about the potential of employment and decent work activities to prevent and respond to such crises[3].

3 For further information on definition and to contextualise the role of workers' organisation: ILO, 2016, Employment and decent work in situations of fragility, conflict and disaster.

Action points for workers' organizations

- ✓ Discuss the applicability of the notion of "conflict" to situations beyond "armed conflict" or "war," to a variety of settings marked by chronic violence or political instability.
- ✓ Introduce workers, union leaders, and professional staff to the notion of "resilience" – what it means with respect to communities and societal institutions, when to use it, and how. A starting point is Module 2 of the new ILO Training Manual on *Dealing with Crisis Settings arising from Conflicts and Disasters*, issued in parallel to this Workers' Guide.

II. Guiding principles

7. In taking measures on employment and decent work in response to crisis situations arising from conflicts and disasters, and with a view to prevention, Members should take into account the following:

   (a) the promotion of full, productive, freely chosen employment and decent work which are vital to promoting peace, preventing crises, enabling recovery and building resilience;

   (b) the need to respect, promote and realize the fundamental principles and rights at work, other human rights and other relevant international labour standards, and to take into account other international instruments and documents, as appropriate and applicable;

   (c) the importance of good governance and combating corruption and clientelism;

   (d) the need to respect national laws and policies and use local knowledge, capacity and resources;

   (e) the nature of the crisis and the extent of its impact on the capacity of governments, including regional and local government, employers' and workers' organizations, and other national and relevant institutions, to provide effective responses, with the necessary international cooperation and assistance, as required;

   (f) the need to combat discrimination, prejudice and hatred on the basis of race, colour, sex, religion, political opinion, national extraction, social origin, disability, age or sexual orientation or any other grounds;

   (g) the need to respect, promote and realize equality of opportunity and treatment for women and men without discrimination of any kind;

   (h) the need to pay special attention to population groups and individuals who have been made particularly vulnerable by the crisis, including, but not limited to, children, young persons, persons belonging to minorities, indigenous and tribal peoples, persons with disabilities, internally displaced persons, migrants, refugees and other persons forcibly displaced across borders;

   (i) the importance of identifying and monitoring any negative and unintended consequences and avoiding harmful spillover effects on individuals, communities, the environment and the economy;

   (j) the need for a just transition towards an environmentally sustainable economy as a means for sustainable economic growth and social progress;

   (k) the importance of social dialogue;

   (l) the importance of national reconciliation, where applicable;

   (m) the need for international solidarity, burden- and responsibility-sharing and cooperation in accordance with international law; and

   (n) the need for close coordination and synergies between humanitarian and development assistance, including for the promotion of full, productive, freely chosen employment and decent work and incomegeneration opportunities, avoiding the duplication of efforts and mandates.

This section addresses some of the ILO's key texts, including the 1998 Declaration on Fundamental Principles and Rights at Work (FPRW) and the 2008 Declaration on Social Justice for a Fair Globalization. Overall, Recommendation No. 205 is firmly embedded within the ILO's focus on productive employment and the four pillars of the decent work agenda (job creation, rights at work, social protection, and social dialogue) – with an emphasis on how elements of these ambitions need to be tailored to specific conflict and disaster contexts. The section also highlights the importance of respecting minorities and vulnerable groups, and again emphasizes the need to place gender concerns centre-stage throughout all programming activities. Furthermore, the section makes multiple references to the environment.

Callout: There are clear linkages between Recommendation No. 205 and the climate change debate, environmental sustainability, and the effects of environmental degradation such as deforestation and pollution, as well as just transitions.

Worth noting in particular is clause 7(f) which confirms the role of trade unions by stressing the importance of social dialogue in taking measures on employment and decent work in response to, and in preventing, crisis situations arising from conflicts and disasters.

Clause 7(n) deals with the need for close coordination and synergies between humanitarian assistance and development cooperation. This is an important theme that relates Recommendation No. 205 to on-going debates amongst humanitarian, development, and peacebuilding practitioners. These debates revolve around the observation that aid delivery is not just a short-term intervention during the onset of conflicts or disasters, but increasingly also a long-term activity in so-called "protracted crises". These are contexts in which humanitarian action spans years if not decades, and where many conflicts and disasters happen over time – and sometimes even simultaneously. Colombia, Haiti, Somalia, and South Sudan are just some of the countries that can be analysed in this way.

Protracted crisis in Haiti

Haiti, in the Caribbean, has been suffering from decades of political upheaval, high rates of violence, and major natural disasters which occur every two years on average. In January 2010, a terrible earthquake hit the island, killing over 230,000 people and destroying parts of the capital, Port-au-Prince.

In the immediate aftermath of the earthquake, the ILO and its local partners from the world of work contributed to *humanitarian activities* through a labour-intensive debris management strategy. This involved a system of community planning, demolition of damaged buildings, and the removal, transportation, recycling, and reutilization of debris for the rehabilitation of community infrastructures. Almost 25,000 paid working days for temporary jobs were created in the process.

A *longer-term development strategy* then involved training programmes in enterprise creation and management, strengthening national institutions, occupational safety and health concerns, and entrepreneurship skills – including how to construct earthquake- and hurricane-resistant housing.

It is through such a combination of short- and long-term interventions that the world of work can actively engage in providing immediate relief, reactivating the local economy, and ultimately rebuilding the country's societal institutions and social fabric.

Action points for workers' organizations

- ✓ Ensure workers, union leaders, and professional staff are familiar with the ILO's 1998 Declaration on Fundamental Principles and Rights at Work and the 2008 Declaration on Social Justice for a Fair Globalization.
- ✓ Discuss the linkages between crisis situations arising from conflicts and disasters and the four pillars of the decent work agenda.
- ✓ Understand the relationship between humanitarian relief, development cooperation and peacebuilding (also in view of the 2030 Agenda for Sustainable Development), and how the two combine in so-called "protracted crises".
- ✓ Linked to the above, consider emerging opportunities for trade unions at country level in the context of the UN reform
- ✓ Have you discussed these issues with employer organizations, and/or in tripartite structures in your country?

III. Strategic approaches

8. Members should adopt a phased multi-track approach implementing coherent and comprehensive strategies for promoting peace, preventing crises, enabling recovery and building resilience that include:

   (a) stabilizing livelihoods and income through immediate social protection and employment measures;

   (b) promoting local economic recovery for employment and decent work opportunities and socio-economic reintegration;

   (c) promoting sustainable employment and decent work, social protection and social inclusion, sustainable development, the creation of sustainable enterprises, in particular small and medium-sized enterprises, the transition from the informal to the formal economy, a just transition towards an environmentally sustainable economy and access to public services;

   (d) ensuring consultation and encouraging active participation of employers' and workers' organizations in planning, implementing and monitoring measures for recovery and resilience, taking into account, as appropriate, the views of the relevant civil society organizations;

   (e) conducting employment impact assessments of national recovery programmes implemented through public and private investment in order to promote full, productive, freely chosen employment and decent work for all women and men, in particular for young persons and persons with disabilities;

   (f) providing guidance and support to employers to enable them to take effective measures to identify, prevent, mitigate and account for how they address the risks of adverse impacts on human and labour rights in their operations, or in products, services or operations to which they may be directly linked;

   (g) applying a gender perspective in all crisis prevention and response design, implementation, monitoring and evaluation activities;

   (h) creating economic, social and legal frameworks at the national level to encourage lasting and sustainable peace and development, while respecting rights at work;

   (i) promoting social dialogue and collective bargaining;

   (j) building or restoring labour market institutions, including employment services, for stabilization and recovery;

   (k) developing the capacity of governments, including regional and local authorities, and of employers' and workers' organizations; and

   (l) taking measures, as appropriate, for the socio-economic reintegration of persons who have been affected by a crisis, in particular those formerly associated with armed forces and groups, including through training programmes that aim to improve their employability.

9. Crisis response in the immediate aftermath of a conflict or disaster should include, as appropriate:

   (a) a coordinated and inclusive needs assessment with a clear gender perspective;

   (b) an urgent response to satisfy basic needs and provide services, including social protection, support to livelihoods, immediate employment measures and income-generation opportunities for population groups and individuals who have been made particularly vulnerable by the crisis;

   (c) assistance, provided to the extent possible by public authorities with the support of the international community, engaging social partners and, where appropriate, relevant civil society and community-based organizations;

   (d) safe and decent working conditions, including the provision of personal protective equipment and medical assistance for all workers, including those engaged in rescue and rehabilitation activities; and

   (e) the re-establishment, whenever necessary, of government institutions and of employers' and workers' organizations, as well as of relevant civil society organizations.

Section III of Recommendation No. 205 is divided into two paragraphs. Paragraph 8 calls for a "phased multi-track approach" to promoting peace, preventing crises, enabling recovery, and building resilience. Paragraph 9 then adds specific elements for the "immediate aftermath" of a conflict or disaster.

The idea of a multi-track approach is important here. On this topic, the *UN Policy for Post-Conflict Employment Creation, Income Generation and Reintegration* (2009) addresses three specific challenges:

- ✓ Consolidating security and stability with short-term programmes targeting specific groups;
- ✓ Promoting employment opportunities at the local level and rebuilding communities;
- ✓ Promoting long-term sustainable employment creation at the national level.

Depending on the specific nature of the crisis, the emphasis may be more on one stream than the other, and priorities will shift over time. But it is unlikely that there is only one line of action to take – from the perspective of the world of work – at any one moment, which is why strategic thinking is necessary. Workers' organizations may remind their government however that one of the strategic approaches suggested in clause 8 (i) is to promote social dialogue and collective bargaining, that clause 8(d) states that Member States should ensure consultation and encourage active participation of employers' and workers' organizations in planning, implementing and monitoring measures for recovery and resilience, and that clause (k) stresses the need to develop the capacity of several actors, including workers' organizations.

A strategic approach in the Philippines

When Super Typhoon Haiyan struck the Philippines in November 2013, the ILO and the United Nations Development Programme (UNDP) implemented a comprehensive strategy that included a range of interventions. It began with an emergency employment programme that offered not just an immediate income source, but also social protection and health coverage as well as an orientation on occupational health and safety.

Once the national response had taken shape, the focus shifted to the capacity building of local governments in enhancing their systems and support services for job creation. Assistance was offered to communities in developing value chain-based enterprises, and efforts were made to establish a convergence mechanism among national government agencies, local governments, and private sector groups to avoid a duplication of efforts, maximize coverage of assistance to affected communities, and share best practices in livelihood recovery.

Strategy is not just about programming decisions; workers' organizations also need to be strategic in the way they position themselves within the tripartite social dialogue - a dialogue that may be weak or at risk of breakdown in settings marked by conflict or disasters. Or worse: in parts of Central and Latin America, labour activists are regularly the target of kidnappings, extortion, killings, and persecutions. In Colombia alone, more than 3,100 union members have been killed since the early 1970s. A combination of civil war, organized crime, drug cartels, and corrupted state officials has made the activities of workers' organizations a potentially lethal occupation – in some areas of Mexico, for instance, workers require police protection in order to reach their workplace.

Callout: In El Salvador, a recent agreement between the government and youth gangs (so-called *maras*) has not led to a visible decrease in threats and extortion towards workers and small-business owners.

From the perspective of workers' organizations, therefore, adopting a strategic approach to conflicts and disasters also involves ensuring the safety and security of members. It is also about finding ways to operate within a very confined bargaining space – this, indeed, is another important aspect of "resilience".

Action points for workers' organizations

- ✓ Generate an inventory of past and current activities related to conflicts and disasters in order to discuss the ways in which they possibly reinforce or complement each other.
- ✓ What policies do you have regarding training and learning? Are they adapted to crises and disaster situations?
- ✓ Understand how activities can aim for immediate impact or long-term capacity building, focusing either on the quantity and/or the quality of work opportunities (see also the ILO Training Manual on *Dealing with Crisis Situations arising from Conflicts and Disasters*).
- ✓ Strengthen media capacities wherever possible in order to continue to communicate with members and the general public during periods of crisis.

IV. Employment and income-generating opportunities

10. In enabling recovery and building resilience, Members should adopt and implement a comprehensive and sustainable employment strategy to promote full, productive, freely chosen employment and decent work for women and men, taking into account the Employment Policy Convention, 1964 (No. 122), and guidance provided in relevant resolutions of the International Labour Conference.

11. Members should, in consultation with the most representative employers' and workers' organizations, adopt inclusive measures in order to promote full, productive, freely chosen employment and decent work and income-generation opportunities through, as appropriate:

    (a) employment-intensive investment strategies and programmes, including public employment programmes;

    (b) local economic recovery and development initiatives, with a special focus on livelihoods in both rural and urban areas;

    (c) the creation or restoration of an enabling environment for sustainable enterprises, including the promotion of small and medium-sized enterprises as well as of cooperatives and other social economy initiatives, with particular emphasis on initiatives to facilitate access to finance;

    (d) supporting sustainable enterprises to ensure business continuity in order to maintain and expand the level of employment and enable the creation of new jobs and income-generation opportunities;

    (e) facilitating a just transition towards an environmentally sustainable economy as a means for sustainable economic growth and social progress, and for creating new jobs and income-generation opportunities;

    (f) supporting social protection and employment and respecting, promoting and realizing the fundamental principles and rights at work of those in the informal economy and encouraging the transition of workers and economic units in the informal economy to the formal economy, taking into account the Transition from the Informal to the Formal Economy Recommendation, 2015 (No. 204);

    (g) supporting the public sector and promoting socially, economically and environmentally responsible public–private partnerships and other mechanisms for skills and capacity development and employment generation;

    (h) creating incentives for multinational enterprises to cooperate with national enterprises in order to create productive, freely chosen employment and decent work and to undertake human rights due diligence with a view to ensuring respect for human and labour rights, taking into account the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy; and

    (i) facilitating the employment of persons formerly associated with armed forces and groups, as appropriate.

12. Members should develop and apply active labour market policies and programmes with a particular focus on disadvantaged and marginalized groups and population groups and individuals who have been made particularly vulnerable by a crisis, including, but not limited to, persons with disabilities, internally displaced persons, migrants and refugees, as appropriate and in accordance with national laws and regulations.

13. In responding to crisis situations, Members should seek to provide income-generation opportunities, stable employment and decent work for young women and men, including through:

    (a) integrated training, employment and labour market programmes that address the specific situations of young persons entering the world of work; and

    (b) specific youth employment components in disarmament, demobilization and reintegration programmes that incorporate psychosocial counselling and other interventions to address anti-social behaviour and violence, with a view to reintegration into civilian life.

14. In the event of a crisis resulting in large numbers of internally displaced persons, Members should:

    (a) support the livelihoods, training and employment of internally displaced persons, with a view to promoting their socio-economic and labour market integration;

    (b) build resilience and strengthen the capacity of host communities to promote decent employment opportunities for all, with a view to ensuring that the livelihoods and employment of local populations are maintained and their ability to host internally displaced persons is strengthened; and

    (c) facilitate the voluntary return of internally displaced persons to their places of origin and their reintegration into labour markets when the situation allows it.

The negative effects of conflicts and disasters on working conditions are significant. A lack of formal sector employment may worsen chronic poverty, marginalization, and social exclusion; the societal and economic repercussions can, in turn, lead to political upheaval and societal conflict. But the opposite chain of events also holds true in many instances: conflicts and disasters, whatever their source, have very negative effects on the pursuit of stable employment and income-generating opportunities.

Callout: Recommendation No. 205 focuses on crises related to conflict and disasters, while economic crises more broadly are the topic of the 2009 Global Jobs Pact.

Regardless of the underlying causes, periods of crisis reduce employment stability and sustained income-generating opportunities. Furthermore, violence and war often affect the ability of people to return to work due to their injuries (both mental and physical) and to the traumatic legacy of extremely violent and oppressive living situations. When revolution and regime change occurred in Libya in 2011, for instance, many people were arrested, usually for reasons of political allegiance, and then lost their jobs when they eventually found their way back to their workplace. ***Libya's General Federation of Labour Trade Unions (GFLTU)***, played a major part in persuading employers that these workers were forcibly prevented from showing up for work, and that their dismissals should be overturned.

The challenges of strengthening the formal economy in Nepal

Contemporary Nepal has been dealing with the effects of years of Maoist insurgency and political upheaval that has led to chronic poverty and to 96% of the working population being either in the informal economy or unemployed, according to one workers' organization representative.

Most recently, the country had to deal with a strong earthquake hitting the capital, Kathmandu, in April 2015. The ILO estimated that 5.6 million workers were affected by the earthquake, impacting livelihoods and reducing incomes, and generating large-scale population displacement.

The ***General Federation of Nepalese Trade Unions (GEFONT)*** was instrumental in the response to the earthquake, mobilizing over 300 volunteers involved in camp management and clean-up, food distribution, and shelter construction. But generating a sustained response that creates lasting jobs in the formal economy continues to be a challenge over three years after the disaster struck.

Security sector governance is another important feature of conflict- and violence-affected settings that has a strong employment component.[4] Weak or undemocratic states tend to have oversized and unaccountable police and intelligence services. Reforming these institutions and finding work in the formal sector for former members of the security forces is a genuine challenge.

In post-conflict contexts, this focus on the security sector includes activities related to disarmament, demobilization, and reintegration (DDR) programmes – and from settings as diverse as Colombia, Nepal, or the Democratic Republic of the Congo (DRC), re(training) and reinserting ex-combatants into civilian life has proven to be the most sensitive and least successful DDR activity. There are many reasons for this, including prejudice on the part of local communities that are distrustful of these individuals and unwilling to employ them. Many security personnel, of course, remain in their line of work: South African private military companies, for example, are doing much of the actual fighting against Boko Haram in northern Nigeria.

Callout: Private security provision is a rapidly expanding sector worldwide. In South Africa, private security personnel are effectively unionized and have been able to negotiate better wages and working conditions for their members.

Section IV of the recommendation ends with a paragraph on internally displaced persons (IDPs). IDPs are different from migrants and refugees in that they did not cross national borders (see Sections XI and XII below). According to the UN Refugee Agency (UNHCR), there are currently over 40 million IDPs worldwide, and the three sub-articles of Paragraph 14 cover the main issues at stake:

- ✓ Supporting the livelihoods, training and employment of the IDPs themselves;
- ✓ Strengthening the capacities of host communities to cope with the arrival of IDPs;
- ✓ Facilitating the voluntary return of IDPs to their places of origin.

Dealing with IDP flows is a complex and politically sensitive issue with no easy solution. In Colombia, for instance, where a peace agreement between the government and the FARC rebel group was signed in Havana in late 2016, entire communities continue to be displaced as other armed actors with both political and criminal motivations are seeking to fill the vacuum left

4 Good security sector governance can be defined as the ideal principles and good practices needed for servicing society.

by the demobilization of the FARC. This is why it is so important to recognize that there is rarely only one conflict, or only one disaster. In 2018, Colombia faced new IDP flows in one region, famine in the second, natural disasters in a third, and thousands of Venezuelans fleeing across the border in a fourth. It therefore makes sense to speak of not one, but *multiple* humanitarian crises occurring simultaneously in Colombia – and meaningful activities by workers' organizations in such a setting are challenging to design and implement.

The ILO has already begun framing some of its employment programmes along the agenda of Section IV of this recommendation. In its flagship initiative entitled "Jobs for Peace and Resilience" (JPR), demand- and supply-side measures are combined to produce positive employment outcomes in settings affected by conflicts and disasters. Addressing the phased, multi-track approach championed by the *UN Policy for Post-Conflict Employment Creation, Income Generation and Reintegration* (2009) we discussed above, JPR focuses on four components:

- ✓ Local economic development and self-employment, enterprises and cooperatives support to create job opportunities;
- ✓ Skills development to enhance employability and facilitate labour market transitions;
- ✓ Employment-intensive public investments to support immediate job creation and income security;
- ✓ Employment services to create bridges between job seekers and employment opportunities.

Together, these elements contribute to achieving peace and resilience in crisis situations. It is important that workers' organizations, *from day one* of the crisis response, promote and demand income-generating activities and decent employment opportunities. These settings provide an opportunity to showcase and promote decent work, including for short-term employment with appropriate wages, good working conditions, and respect for the working age, in line with Convention No. 138 on minimum age.

Callout: The measures suggested in Part IV of the Recommendation need to be taken in consultation with the most representative employers and workers' organizations.

Relevant international labour standards

- Employment Service Convention, 1948 (No. 88)
- Employment Policy Convention, 1964 (No. 122)
- Employment Policy Recommendation, 1964 (No. 122)
- Labour Relations (Public Service) Convention, 1978 (No. 151)
- Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983 (No. 159)
- Employment Policy (Supplementary Provisions) Recommendation, 1984 (No. 169)
- Job Creation in Small and Medium-Sized Enterprises Recommendation, 1998 (No. 189)
- Promotion of Cooperatives Recommendation, 2002 (No. 193)
- Transition from the Informal to the Formal Economy Recommendation, 2015 (No. 204)

Action points for workers' organizations

- ✓ Understand the relationship between periods of crisis and levels of employment in both the formal and informal economies.
- ✓ What sectors are most impacted by crises and disasters? How are they impacted?
- ✓ Promote the ratification and/or implementation of Employment Policy Convention, 1964 (No. 122) by ILO state parties.
- ✓ During and immediately after periods of crisis, promote joint decision-making with employers and local government officials on issues related to selecting beneficiary groups and localities where employment and income-generating activities should be prioritized.
- ✓ Establish awareness-raising campaigns and training activities (including leaflets and formal and informal discussion groups) on the issue of IDPs, and how workers' organizations may be able to assist them in specific crisis contexts (community unionism).

Levi's

V. Rights, equality and non-discrimination

15. In responding to discrimination arising from or exacerbated by conflicts or disasters and when taking measures for promoting peace, preventing crises, enabling recovery and building resilience, Members should:

    (a) respect, promote and realize equality of opportunity and treatment for women and men without discrimination of any kind, taking into account the Equal Remuneration Convention (No. 100) and Recommendation (No. 90), 1951, and the Discrimination (Employment and Occupation) Convention (No. 111) and Recommendation (No. 111), 1958;

    (b) pay special attention to single-headed households, in particular when they are headed by children, women, persons with disabilities or elderly persons;

    (c) take measures to ensure that women who have been employed during a crisis and have assumed expanded responsibilities are not replaced against their will when the male workforce returns;

    (d) take measures to ensure that women are empowered to effectively and meaningfully participate in decision-making processes in the context of recovery and building resilience, and that their needs and interests are prioritized in strategies and responses, and that the human rights of women and girls are promoted and protected;

    (e) prevent and punish all forms of gender-based violence, including rape, sexual exploitation and harassment, and protect and support victims;

    (f) pay particular attention to establishing or restoring conditions of stability and socio-economic development for population groups that have been particularly affected by a crisis, including, but not limited to, persons belonging to minorities, indigenous and tribal peoples, internally displaced persons, persons with disabilities, migrants and refugees, taking into account the Discrimination (Employment and Occupation) Convention (No. 111) and Recommendation (No. 111), 1958, as well as other relevant international labour standards and other international instruments and documents, as applicable;

    (g) ensure that persons belonging to minorities concerned, and indigenous and tribal peoples are consulted, in particular through their representative institutions, where they exist, and participate directly in the decision-making process, especially if the territories inhabited or used by indigenous and tribal peoples and their environment are affected by a crisis and related recovery and stability measures;

    (h) ensure, in consultation with employers' and workers' organizations, that persons with disabilities, including those who acquired a disability as a result of conflict or disaster, are provided with opportunities for rehabilitation, education, specialized vocational guidance, training and retraining, and employment, taking into account relevant international labour standards and other international instruments and documents; and

    (i) ensure that the human rights of all migrants and members of their families staying in a country affected by a crisis are respected on a basis of equality with those of national populations, taking into account relevant national provisions, as well as relevant international labour standards and other international instruments and documents, as applicable.

16. In combating child labour arising from or exacerbated by conflicts or disasters, Members should:

    (a) take all necessary measures to prevent, identify and eliminate child labour in crisis responses, taking into account the Minimum Age Convention (No. 138) and Recommendation (No. 146), 1973;

    (b) take urgent action to prevent, identify and eliminate the worst forms of child labour, including the trafficking of children and the recruitment of children for use in armed conflict, taking into account the Worst Forms of Child Labour Convention (No. 182) and Recommendation (No. 190), 1999;

    (c) provide rehabilitation, social integration and training programmes for children and young persons formerly associated with armed forces and groups to help them readjust to civilian life; and

    (d) ensure the provision of social protection services to protect children, for instance through cash or in-kind transfers.

17. In combating forced or compulsory labour arising from or exacerbated by conflicts or disasters, Members should take urgent action to prevent, identify and eliminate all forms of forced or compulsory labour, including trafficking in persons for purposes 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).

Respecting, promoting, and realizing fundamental principles and rights at work is one of the four pillars of the ILO decent work agenda. This section of Recommendation No. 205 focuses on the many ways in which the pursuit of rights, equality, and non-discrimination can be made more difficult by conflicts and disasters.

In the face of weak state capacity or a breakdown of institutions, and in particular when society is experiencing severe shocks from conflicts and disasters, the promotion of rights at work is often side-lined. During periods of crisis, insufficient attention is paid to equal opportunities between women and men (and other gender groups), as well as to the special needs of single-headed households, children (girls *and* boys), or the disabled, for instance. Paragraph 15 recalls these important issues, while also introducing aspects arising out of the specific post-conflict or post-disaster environments themselves: clause 15(c), for example, deals with situations in which women who had taken on expanded societal roles during crisis periods are not replaced against their will once the male workforce (e.g. ex-combatants) returns.

Callout: In the immediate aftermath of the 2010 earthquake in Haiti, there were concerns that homeless, abandoned, or orphaned children would fall into the hands of human traffickers.

Other clauses of Paragraph 15, including 15(f), 15(g) and 15(h), emphasize the vulnerability of certain societal groups further by including (but not limited to) minorities, indigenous populations, migrants, IDPs and refugees, as well as the disabled. War-torn societies from Liberia and Somalia to Iraq and Syria are faced with entire generations crippled by severe injuries, mutilations, and mental health and trauma-related issues that have domino effects on societal dynamics and labour markets. Workers' organizations from the Occupied Palestinian Territories, Sierra Leone, and Yemen, to name but a few, have sought to tackle these important concerns through their lobbying and advocacy activities.

Callout: clause h) asks members States to ensure, in consultation with employers' and workers' organizations, that persons with disabilities are provided with opportunities for rehabilitation, education, specialized vocational guidance, training and retraining, and employment. Workers' organizations should also take into account the situation of people with disability within their activities, particularly when reaching any collective agreement.

Tackling ethnic tensions in Kyrgyzstan

In times of crisis, inter-ethnic relations can become tense and negatively affect local labour dynamics. In Kyrgyzstan in 2010, the demonstrations that initially began as a protest over rising utility prices gradually turned into an ethnic clash between Kyrgyz and Uzbek groups in the city of Osh. By paying more attention to the needs of ethnic minorities, workers' organizations can be more proactive in preventing ethnically-driven violence.

Paragraphs 16 and 17 address the specific challenges of combating child labour as well as forced or compulsory labour, a phenomenon that may also arise from, or be intensified by conflicts and disasters. Mauritania – not a conflict country, but one with a history of political repression and instability – is just one example of a country struggling to deal with the legacy of slavery and forced labour (including children). With ongoing concerns that such practices are continuing, despite the government ratifying ILO Protocol 2014 to the Forced Labour Convention, 1930 (No. 29) in 2016, some of Mauritania's workers' organizations have been involved in campaigns to tackle the problem in more concrete terms. Even if forced labour itself is on the decline, the ITUC stresses that the discrimination and lack of education and employment opportunities for the descendants of slave populations is a long-term challenge touching hundreds of thousands of people.

Relevant international labour standards

- Forced Labour Convention, 1930 (No. 29),
- Equal Remuneration Convention, 1951 (No. 100)
- Equal Remuneration Recommendation, 1951 (No. 90)
- Abolition of Forced Labour Convention, 1957 (No. 105)
- Discrimination (Employment and Occupation) Convention, 1958 (No. 111)
- Discrimination (Employment and Occupation) Recommendation, 1958 (No. 111)
- Minimum Age Convention, 1973 (No. 138)
- Minimum Age Recommendation, 1973 (No. 146)
- Workers with Family Responsibilities Convention, 1981 (No. 156)
- Indigenous and Tribal Peoples Convention, 1989 (No. 169)
- Worst Forms of Child Labour Convention, 1999 (No. 182)
- Worst Forms of Child Labour Recommendation, 1999 (No. 190)
- Protocol of 2014 to the Forced Labour Convention, 1930, 2014
- Forced Labour (Supplementary Measures) Recommendation, 2014 (No. 203)

Action points for workers' organizations

- ✓ Use Recommendation No. 205 as a way of lobbying governments to ratify, or if already ratified, apply in law and in practice, all the relevant ILO international labour standards on discrimination, child labour, and forced labour.
- ✓ Engage in awareness-raising and training activities – especially targeting young women and men – to increase their knowledge and understanding of the importance of gender equality within the context of employment and decent work in crisis-affected settings.
- ✓ Develop action plans to specifically target or incorporate populations at risk so that no one is left behind during periods of conflict or disaster.

VI. Education, vocational training and guidance

18. In preventing and responding to crisis situations, and on the basis of the principle of equal opportunity and treatment for women and men, girls and boys, Members should ensure that:
    (a) the provision of education is not disrupted, or is restored as quickly as possible, and that children, including those who are internally displaced, migrants or refugees, have access to free, quality, public education, including with the support of international aid, in accordance with relevant international law and without discrimination of any kind at all stages of crisis and recovery; and
    (b) second chance programmes for children and young persons are available and address key needs arising from any interruption of their education and training.
19. In preventing and responding to crisis situations, Members should, where appropriate:
    (a) formulate or adapt a national education, training, retraining and vocational guidance programme that assesses and responds to emerging skills needs for recovery and reconstruction, in consultation with education and training institutions and employers' and workers' organizations, engaging fully all relevant public and private stakeholders;
    (b) adapt curricula and train teachers and instructors to promote:
        (i) peaceful coexistence and reconciliation for peacebuilding and resilience; and
        (ii) disaster risk education, reduction, awareness and management for recovery, reconstruction and resilience;
    (c) coordinate education, training and retraining services at national, regional and local levels, including higher education, apprenticeship, vocational training and entrepreneurship training, and enable women and men whose education and training have been prevented or interrupted to enter or resume and complete their education and training;
    (d) extend and adapt training and retraining programmes to meet the needs of all persons whose employment has been interrupted; and
    (e) give special attention to the training and economic empowerment of affected populations, including in rural areas and in the informal economy.
20. Members should ensure that women and girls have access, on the basis of equal opportunity and treatment, to all education and training programmes developed for recovery and resilience.

The education sector is also heavily affected by conflicts and disasters. Such events may disrupt school programmes through the displacement of populations and destroy schools, for example. Article 18(a) emphasizes the need to either ***prevent*** such disruption whenever possible, or at least ***respond*** rapidly and restore access to education to all those who have a right to it – including IDPs, migrants, and refugees.

Callout: The longer the crisis extends, the wider the educational gap becomes, and the greater the potential losses are for those seeking to access employment or improve their employability.

While not mentioned explicitly, this section builds on the UN Convention on the Rights of the Child and on its Optional Protocol on the involvement of children in armed conflict. Together with the Fourth Geneva Convention of 1949 and the Additional Protocol II of 1979, as well as UN General Assembly resolution 64/290 (2010) on the right to education in emergency situations, there is a well-established framework in international law around which the substance of this section can be established. This includes "second chance" programmes, noted in Paragraph 18(b), for those children and young persons whose education has been disrupted for significant periods.

Workers' organizations can and should play important roles in this area. As clause 19(a) states, in preventing and responding to crisis situations, Members should consult with workers' organisations when they formulate or adapt a national education, training, retraining and vocational guidance programme that assesses and responds to emerging skills needs for recovery and reconstruction. The ***Tunisian General Labour Union (UGTT)***, for example – a member of the Nobel Peace Prize-winning "Quartet" (see Section IX below) – was not only instrumental in changing the constitution to include clauses on the rights of trade unions (freedom of expression, strike, and assembly), but it also stepped in immediately after the revolution to financially support the reconstruction of the many schools and educational institutions that had been burned down during the uprising. Similarly, the ***Nigeria***

Union of Teachers (NUT), an affiliate of the ***Nigeria Labour Congress (NLC)***, is trying to tackle the situation in the north-east of the country, where the Boko Haram insurgency has killed over 600 teachers and left a further 19,000 teachers displaced. The NUT is seeking to provide support to spouses of affected teachers in the region.

During the discussions of Recommendation No. 205, the Workers' Group insisted the word "free" be added to Clause 18(a), in order to emphasize that education must be made available to everyone, regardless of social status. Moreover, education is not just for the next generation of girls and boys: national educational policies also cover training, retraining, apprenticeship, and vocational guidance programmes in order for a country's workforce to adapt its skills to the needs of the labour market. Such skills development is also severely disrupted by conflict and disasters, when regular employment may have been replaced with work in the informal economy or with participation in the conflict itself. The activities of workers' organizations are crucial to mitigate the effects of these challenges, and much of Paragraphs 19 and 20 are devoted to specific aspects of this agenda – including the establishment of training programmes for union members on disaster risk reduction, recovery, and reconstruction.

Finally, it should be noted that education is never just a neutral bystander to situations of crisis, particularly when these involve undemocratic governments or periods of conflict. School programmes can strengthen prejudice, breed hatred, and be a powerful propaganda tool – but education is also the primary vehicle to encourage tolerance, promote peaceful coexistence, and reconcile communities – see Paragraph 19(b). The peacebuilding potential of education is thus about ***preventing*** crises as much as it is about ***responding*** effectively to them.

Relevant international labour standards

- Vocational Guidance Recommendation, 1949 (No. 87)
- Human Resources Development Convention, 1975 (No. 142)
- Human Resources Development Recommendation, 2004 (No. 195)

Action points for workers' organizations

- ✓ Consider how workers' organizations can best influence educational strategies and objectives, especially in the area of vocational education and training.
- ✓ Incorporate and promote gender perspectives in workers' training and educational programmes.
- ✓ Help develop or seek to attend existing training programmes that promote tolerance and peaceful coexistence, particularly in societies with minorities or immigrant populations.
- ✓ Promote and enhance the skills, knowledge, and resources of workers, union leaders, and professional staff involved in emergency and disaster recovery services (see Section XII below).

VII. Social protection

21. In responding to crisis situations, Members should, as quickly as possible:
    (a) seek to ensure basic income security, in particular for persons whose jobs or livelihoods have been disrupted by the crisis;
    (b) develop, restore or enhance comprehensive social security schemes and other social protection mechanisms, taking into account national legislation and international agreements; and
    (c) seek to ensure effective access to essential health care and other basic social services, in particular for population groups and individuals who have been made particularly vulnerable by the crisis.
22. In order to prevent crises, enable recovery and build resilience, Members should establish, re-establish or maintain social protection floors, as well as seek to close the gaps in their coverage, taking into account the Social Security (Minimum Standards) Convention, 1952 (No. 102), the Social Protection Floors Recommendation, 2012 (No. 202), and other relevant international labour standards.

While traditionally seen as a human right and development tool for achieving social justice, social protection is increasingly being used in conjunction with humanitarian efforts in the areas of disaster risk reduction and climate change adaptation. It is being tested as an immediate response in the aftermath of disasters, for instance, and even as a shock absorber for early action when a crisis is emerging. Cash-based transactions, as were first tested using ATM cards in Pakistan following the 2005 earthquake, can provide a safety net in periods when income flows have broken down – thereby boosting the resilience of vulnerable households and enabling communities to "build back better." Such initiatives need a precise database of affected workers and their households, and workers' organizations can play a critical role in ensuring that their members are able to access social protection schemes of this nature.

Conflict settings bring forth their own dynamics related to social protection. Immediate social protection measures could be envisaged through employment-intensive investment programmes, for instance, but during protracted crises, where conflict dynamics continue for years, the social protection system usually remains very weak. Ukrainian workers who fled the eastern Donbass region due to the armed conflict that started in 2014, for example, have found it difficult to access their social security and insurance schemes in Western and Central Ukraine, even though they did not leave the country. Prejudice and mistrust on the part of employers has also meant that these workers have struggled to find new employment opportunities in other parts of the Ukraine, despite continuing efforts by workers' organizations.

Callout: In many settings affected by conflicts and disasters, the majority of the workforce risk ending up in the informal economy, where social protection is generally absent.

In other conflict-affected contexts, such as in the Occupied Palestinian Territories, social security legislation is even missing for the (formal) private sector, and the ***Palestinian General Federation of Trade Unions (PGFTU)*** has been lobbying the political authorities on the matter. Moreover, in situations where it was possible to resolve the conflict, the burden of war victims on social protection systems remains. Large parts of the workforce may be suffering from injuries and disabilities (including mental health concerns and post-traumatic stress disorders) that tend to have massive effects on their ability to return to professional activities. The systematic mutilation of predominantly young men during the civil wars in Liberia and Sierra Leone is a striking case in point.

It is worth noting that social protection also features in the UN's 2030 Agenda for Sustainable Development, in the form of Sustainable Development Goal 1, target 1.3, for which the ILO is the custodian agency. Target 1.3 and its corresponding indicator echo the ILO's Social Security (Minimum Standards) Convention, 1952 (No. 102) and the Social Protection Floors Recommendation, 2012 (No. 202), both of which are mentioned in Paragraph 22 of Recommendation No. 205. Given the significant effects that conflicts and disasters have on the poor and the vulnerable, Recommendation No. 205 offers an opportunity to link the employment and decent work activities with broader sustainable development concerns in a systematic manner.

Relevant international labour standards

- Social Security (Minimum Standards) Convention, 1952 (No. 102)
- Equality of Treatment (Social Security) Convention, 1962 (No. 118)
- Maintenance of Social Security Rights Convention, 1982 (No. 157)
- Maternity Protection Convention, 2000 (No. 183)
- Social Protection Floors Recommendation, 2012 (No. 202)

Action points for workers' organizations

- ✓ Identify barriers to providing social security and develop strategies leading to the elimination of such barriers.
- ✓ Interact with workers' organizations from other countries, with the support of ACTRAV, to collect experiences and best practices regarding the use of social protection measures for disaster risk reduction and climate change adaptation.
- ✓ Seek to maintain up-to-date membership databases that may be used to access affected workers and their families during the onset of crisis situations.
- ✓ Advocate both immediate social protection measures in response to crisis (e.g. through Employment Intensive Investment Programme) and medium-long term reform to strengthen the social protection system, where needed.

VIII. Labour law, labour administration and labour market information

23. In recovering from crisis situations, Members should, in consultation with the most representative employers' and workers' organizations:

(a) review, establish, re-establish or reinforce labour legislation, if necessary, including provisions on labour protection and occupational safety and health at work, consistent with the ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up (1998) and applicable international labour standards;

(b) ensure that labour laws support the generation of productive, freely chosen employment and decent work opportunities;

(c) establish, re-establish or reinforce, as necessary, the system of labour administration, including labour inspection and other competent institutions, taking into account the Labour Inspection Convention, 1947 (No. 81), as well as the system of collective bargaining and collective agreements, taking into account the Right to Organise and Collective Bargaining Convention, 1949 (No. 98);

(d) establish, restore or enhance, as necessary, systems for the collection and analysis of labour market information, focusing in particular on population groups most affected by the crisis;

(e) establish or restore and strengthen public employment services, including emergency employment services;

(f) ensure the regulation of private employment agencies, taking into account the Private Employment Agencies Convention, 1997 (No. 181); and

(g) promote synergies among all labour market actors to enable local populations to obtain the maximum benefit from employment opportunities generated by investments related to the promotion of peace and recovery.

Dealing with conflicts and disasters from the perspective of the world of work is very much dependent on the state of a country's labour legislation, as well as the related administrative and institutional set-up. Section VIII of Recommendation No. 205 deals with these issues, with Paragraph 23 focusing in particular on "recovering" from crisis situations. The section lists various activities involved in restoring the societal systems related to employment and decent work; all of these activities should be decided in consultation with employers' and workers' organizations. Missing in the clauses, arguably, is reference to Convention No 129 on labour inspection in agriculture, a sector known to be particularly affected by the onset of conflicts and disasters. Recommendation No. 205 might nonetheless offer an opportunity to lobby governments for the ratification and/or application of this important text.

In addition to ***recovery*** after periods of crisis, however, workers' organizations have also played a significant role in ***preventing*** and/or ***mitigating*** the effects of conflicts and disasters by pressing for legislative and constitutional reform. In Kenya, members of the ***Central Organization of Trade Unions (COTU)*** travelled throughout the country in the weeks following the disputed presidential elections of 2007, alleviating tensions wherever possible and preventing a further escalation of violence. Similar to the ***UGTT***'s role in Tunisia since 2011, ***COTU***'s positive standing in society gave it significant political authority with the new coalition government of Kibaki and Odinga that was formed on the basis of a power-sharing agreement signed in February 2008. The organization was subsequently able to influence the formulation of the new constitution of 2010, which includes articles on freedom of association, collective bargaining, and the right to strike.

Callout: The prominent role of COTU in Kenyan society has been a major factor in ensuring that subsequent elections in 2013 and 2017 did not spark the mass violence among rival supporters witnessed in 2007, in which at least 1,300 people were killed and more than 600,000 displaced.

Relevant international labour standards

- Labour Inspection Convention, 1947 (No. 81)
- Labour Clauses (Public Contracts) Convention, 1949 (No. 94)
- Labour Clauses (Public Contracts) Recommendation, 1949 (No. 84)
- Labour Inspection (Agriculture) Convention, 1969 (No. 129)
- Minimum Wage Fixing Convention, 1970 (No. 131),
- Minimum Wage Fixing Recommendation, 1970 (No. 135)
- Labour Administration Convention, 1978 (No. 150)
- Occupational Safety and Health Convention, 1981 (No. 155)
- Occupational Health Services Convention, 1985 (No. 161)
- Private Employment Agencies Convention, 1997 (No. 181)
- Safety and Health in Agriculture Convention, 2001 (No. 184),
- Safety and Health in Agriculture Recommendation, 2001 (No. 192)
- Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187)
- Employment Relationship Recommendation, 2006 (No. 198)
- HIV and AIDS Recommendation, 2010 (No. 200)

Action points for workers' organizations

- ✓ Advance policies ensuring that the rights of workers are respected during crisis periods.
- ✓ Recognize the potential of workers' organizations to promote legislative and constitutional reform during the onset or in the aftermath of societal tensions and conflict.
- ✓ Use Recommendation No. 205 to lobby governments to ratify and/or apply the above-mentioned International Labour Standards and other international legal instruments.
- ✓ Develop strategies to strengthen labour inspection and social partner's involvement policies in crisis periods.

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

24. In responding to crisis situations, Members should, in consultation with the most representative employers' and workers' organizations:
    (a) ensure that all measures provided for in this Recommendation are developed or promoted through gender-inclusive social dialogue, taking into account the Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144);
    (b) create an enabling environment for the establishment, restoration or strengthening of employers' and workers' organizations; and
    (c) encourage, where appropriate, close cooperation with civil society organizations.
25. Members should recognize the vital role of employers' and workers' organizations in crisis response, taking into account the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), and in particular:
    (a) assist sustainable enterprises, particularly small and medium-sized enterprises, to undertake business continuity planning to recover from crises by means of training, advice and material support, and facilitate access to finance;
    (b) assist workers, in particular those who have been made vulnerable by the crisis, to recover from the crisis through training, advice and material support; and
    (c) take measures for these purposes through the collective bargaining process as well as by other methods of social dialogue.

Social dialogue is central to any efforts to deal with conflict and disasters – yet it is precisely this tripartite set-up that is put to the test in crisis situations. During periods of disasters, the capacities of government ministries, employers' and workers' organizations are severely reduced, as is their ability to work together effectively. In conflict settings, moreover, some social partners may themselves be involved in the political dynamics, and aligned with one or more parties to the conflict.

Callout: Beyond normal engagement through social dialogue, in periods of crisis workers' organizations should seek to reach out to employers' organizations and companies directly in order to protect jobs and promote the interests of the workforce.

Given their mobilization potential, workers' organizations can have a significant impact in times of political change. In Tunisia, the unified position of ***UGTT*** and the ***Tunisian Confederation of Industry, Trade and Handicrafts (UTICA)*** considerably facilitated the Quartet's ability to exert sufficient pressure on the Ben Ali government to accept the proposed "roadmap" and press for constitutional reform. A second recent example are efforts by the then-General Secretary of the ***National Confederation of Guinean Workers (CNTG)***, Rabiatou Diallo, to unite the country's unions to hold mass strikes against the government of Lansana Conté in early 2007. A third example is the role of workers' organizations during the 2014 Revolution of Dignity, when an "all-Ukrainian political strike" was organized. In all these instances workers' organizations were able to help bring about changes of government – albeit at significant human costs.

The Tunisian National Dialogue Quartet

An element of Tunisia's popular uprisings in 2011 – which came to be called the Jasmine Revolution – was a group of four societal institutions that decided to work together to bring about constitutional change. It involved the ***Tunisian General Labour Union (UGTT)***, the ***Tunisian Confederation of Industry, Trade and Handicrafts (UTICA)***, the Tunisian Human Rights League and the Tunisian Order of Lawyers. The crucial role of this Quartet in ensuring a peaceful transition following the fall of Ben Ali's regime is a testimony to the importance of workers' organizations in times of political change, and the significance of well-functioning social dialogue involving both workers' and employers' organizations. The Quartet was awarded the Nobel Peace Prize in 2015.

In post-conflict settings, workers' organizations have a fundamental role to play. In Nepal, the ***All Nepal Trade Union Federation (ANTUF)***, which is aligned with the Maoists that had fought decades of armed rebellion against the government, has recently unified with the ***General Federation of Nepalese Trade Unions (GEFONT)***, despite on-going differences. In Sri Lanka, after over 30 years of war, workers' organizations, notably the ***Sri Lanka Nidahas Sewaka Sangamaya (SLNSS)***, have been active in rebuilding ties with unionists in the north of the country. Gradually, union membership numbers are rising in former Tamil-held areas – although much effort in trust-building and reconciliation is required to convince unionists to re-

attach themselves with workers' organizations based in Colombo.

Popular change and democratization can also influence the landscape of workers' organizations and the identity of the social partners engaged in dialogue. Before the Egyptian revolution, for example, trade unions were not independent from the government. In fact, as Egypt's sole legal trade union organization and an arm of the state for nearly 60 years, the ***Egyptian Trade Union Federation (ETUF)*** had a monopoly on representing workers. Soon after the uprising began in 2011, workers formed the ***Egyptian Federation of Independent Trade Unions (EFITU)*** and the ***Egyptian Democratic Labour Congress (EDLC)***. Within these structures and the societal space offered by the revolution, workers established hundreds of new, independent enterprise-level unions. However, these unions are now struggling to formalize their legal status in the face of a new law, passed in 2017, through which the government is seeking to bring them back under the ETUF umbrella.

Whether or not it is better to have many independent unions is very much determined by the national context. In the Democratic Republic of the Congo (DRC), for instance, there are over 500 workers' organizations – and it is arguably this fragmentation that may significantly undermine their bargaining power. Indeed, employers and even governments may be all too happy to see the power of workers weakened in social dialogue through a lack of coordination within the trade union movement.

Relevant international labour standards

- Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)
- Right to Organise and Collective Bargaining Convention, 1949 (No. 98)
- Collective Agreements Recommendation, 1949 (No. 91)
- Co-operation at the Level of the Undertaking Recommendation, 1952 (No. 94)
- Rural Workers' Organizations Convention, 1975 (No. 141)
- Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144)
- Collective Bargaining Convention, 1981 (No. 154)

Action points for workers' organizations

- ✓ Strengthen knowledge of workers' organisations on the above ILS and role of workers' union in peace reconciliation processes
- ✓ Generate awareness among union members on the potential of social dialogue to prevent or mitigate conflicts and disasters, but also of the risk involved when that dialogue becomes overly politicized.
- ✓ Take measures to strengthen ties across workers' organizations and be aware of the dangers of fragmentation of the union landscape.
- ✓ Seek to collaborate with employers to facilitate contact and bring people together during crisis periods – providing opportunities for dialogue among social groups, breaking down stereotypes, and addressing grievances.

X. Migrants affected by crisis situations

26. Taking into account that special attention should be given to migrants, especially migrant workers, who have been made particularly vulnerable by crisis, Members should take measures, in accordance with national law and applicable international law, to:
    (a) eliminate forced or compulsory labour, including trafficking in persons;
    (b) promote, as appropriate, the inclusion of migrants in host societies, through access to labour markets, including entrepreneurship and income-generation opportunities, and through decent work;
    (c) protect and seek to ensure labour rights and a safe environment for migrant workers, including those in precarious employment, women migrant workers, youth migrant workers and migrant workers with disabilities, in all sectors;
    (d) give due consideration to migrant workers and their families in shaping labour policies and programmes dealing with responses to conflicts and disasters, as appropriate; and
    (e) facilitate the voluntary return of migrants and their families in conditions of safety and dignity.
27. Consistent with the guidance provided in Parts V, VIII and IX, Members should promote equality of opportunity and treatment for all migrant workers with regard to fundamental principles and rights at work, and coverage under relevant national labour laws and regulations, and in particular:
    (a) educate migrants about their labour rights and protections, including by providing information on the rights and obligations of workers and the means of redress for violations, in a language they understand;
    (b) enable the participation of migrants in representative organizations of employers and workers;
    (c) adopt measures and facilitate campaigns that combat discrimination and xenophobia in the workplace and highlight the positive contributions of migrants, with the active engagement of employers' and workers' organizations and of civil society; and
    (d) consult and engage employers' and workers' organizations and, as appropriate, other relevant civil society organizations, with respect to employment of migrants.

According to the *World Migration Report 2018* of the International Organization for Migration (IOM), there are currently around 244 million international migrants globally (around 3.3 per cent of the world's population). What is more, the proportion of female migrants has risen to almost 50 per cent, and this requires specific types of protection measures against human trafficking, sexual abuse, and other forms of exploitation. There are also new types of forced labour that have appeared as a result of migration.

Callout: The concept of migration encompasses a broader category of people that goes beyond those considered refugees or otherwise forcibly displaced. Many people choose to move across international borders voluntarily. Beyond the prospects of higher wages and a better life, a major factor driving these movements is the threat or onset of conflicts and disasters.

Significant migration flows happen on almost every continent. In the wake of the difficult economic, social, and political situation in Haiti, for instance, together with the 2010 earthquake, it has been estimated that 1.5 million Haitians live outside their country, primarily in the USA and the Dominican Republic. Chile has also received an important number of Haitians searching for new opportunities, and the growing Haitian community there has been estimated to be at around 105,000 people. Racism and discrimination have affected the daily lives of these migrants. For both Chileans and Haitians, the language barrier is an additional challenge. Following the death of a Haitian man in a hospital, the association of health sector unions (*Multigremial de la Salud*) and the Chilean government have launched an initiative to teach Creole to medical practitioners and related staff. The first course started in 2018 involving administrative staff. It will continue in various stages with technicians and nurses.

The role of *Unitary Trade Union Council of Central America and the Caribbean (CSU)* in protecting migrant workers

In 2015, the ***Unitary Trade Union Council of Central America and the Caribbean (Consejo Sindical Unitario para América Central y El Caribe, CSU)*** launched a Regional Trade Union Committee for the Defence of the Rights of Migrant Workers (*Comité Intersindical Regional por la Defensa de los Derechos de las Personas Trabajadoras Migrantes, CIR)*. The aim of the committee, made up of workers' organizations from Guatemala, Honduras, El Salvador, Nicaragua, Costa Rica, Panama, and the Dominican Republic, is to articulate and unify criteria and policies in order to tackle both human rights violations and labour law violations against migrant workers. The CIR's ultimate goal is to empower migrant workers and ensure the fulfilment of their rights. Indeed, among the various activities carried out by the CIR, it provides training and educational programmes for migrant workers on international labour standards, particularly Convention No. 97 (1949) and Convention No. 143 (1975), and monitors public policies and ratification of Convention No. 189 (2011).

The CIR has established various strategic lines of action in order to address the phenomenon of migrant workers. First, the CIR aims to promote labour policies that guarantee decent work conditions, equality, and non-discrimination. Second, it campaigns and advocates for the implementation of public policies and the ratification of international treaties to recognize the rights of migrant workers. Third, the CIR contributes to raising awareness and training migrant workers about their rights, and promotes the involvement of governments, civil society, and employers in debates regarding migration. Finally, the CIR fosters freedom of association and collective bargaining to provide equal conditions for national and migrant workers.

Section X of the recommendation should not be read as only being about how host countries and local communities dealing with ***incoming*** migrants. For many workers' organizations, not least in South Asia and East Africa, a large ***outflow*** of migrant workers to the Middle East and elsewhere is also of great concern, both in terms of rights at work and social protection of the workers themselves, as well as with respect to the well-being of their families back home. In Sri Lanka, after decades of civil war, extreme poverty in northern parts of the country has led many women to go abroad for work – at times without registering with the Bureau for Foreign Employment and even on fake passports if they are either too young (under 25) or with small children (under 5 years of age). Echoing Paragraph 26(c), workers' organizations are very concerned not just about the safety of these migrant workers, but also about the many cases in which remittances are ill-used by spouses while children are left unattended and risk falling into the wrong hands. In an effort to engage and educate aspiring migrants, community leaders, and union activists, workers' organizations have begun a Safe Labour Migration programme, in collaboration with the Sri Lankan government and the ILO, and funded by the Swiss Agency for Development and Cooperation (SDC).

The role of the *General Federation of Bahrain Trade Union (GFBTU)* in protecting migrant workers

According to the 2018 European Centre for Democracy and Human Rights report on Bahrain, out of 1.4 million residents of Bahrain, more than 604,697 are migrant workers who make up around 54.7 per cent of the country's workforce. Most of these migrant workers have not been members of workers' organizations, which weakens their bargaining potential and makes them more vulnerable to exploitation.

The ***GFBTU***, Bahrain's largest trade union, has recently established a new social services union that is open to migrant workers – with migrants now constituting 80 per cent of its membership. The ***GFBTU*** response shows how workers' organizations can play a role in integrating and protecting migrant workers by including them in their membership base.

The ***South Asian Regional Trade Union Congress (SARTUC)*** is one example of a regional body that has actively pursued the migration issue through meetings with ILO-ACTRAV and the ITUC. It recently signed an agreement with workers' organizations in Jordan, Kuwait, and Bahrain in order to offer support to migrants in need, and to facilitate their voluntary return as stipulated in Paragraph 26(d).

Relevant international labour standards

- Migration for Employment Convention (Revised), 1949 (No. 97)
- Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143)
- Domestic Workers Convention, 2011 (No. 189)

Every worker, whatever their status or residence permit, have the rights provided in Convention No. 87.

Action points for workers' organizations

- ✓ Develop campaigns among union members and activists on how to integrate migrant populations into workers' organizations.
- ✓ Foster social tolerance and combat discrimination and xenophobia towards migrants.
- ✓ Educate union staff and migrant populations on their labour rights.
- ✓ Ensure that the vocational skills of migrants are recognized to ensure workplace integration.
- ✓ Collaborate actively through exchanges of information and joint meetings with workers' organizations from the migrants' countries of origin, in order to build alliances and trade union networks.

XI. Refugees and returnees

Refugee access to labour markets

28. Any measures taken under this Part, in the event of refugee influx, are contingent on:

    (a) national and regional circumstances, taking into account applicable international law, fundamental principles and rights at work and national legislation; and

    (b) Members' challenges and constraints in terms of their resources and capacity to respond effectively, taking into account needs as well as priorities expressed by the most representative organizations of employers and workers.

29. Members should acknowledge the vital importance of equitable burden- and responsibility-sharing. They should reinforce international cooperation and solidarity so as to provide predictable, sustainable and adequate humanitarian and development assistance to support the least developed and developing countries hosting large numbers of refugees, including in terms of addressing the implications for their labour markets and ensuring their continued development.

30. Members should take measures, as appropriate, to:

    (a) foster self-reliance by expanding opportunities for refugees to access livelihood opportunities and labour markets, without discriminating among refugees and in a manner which also supports host communities; and

    (b formulate national policy and national action plans, involving competent authorities responsible for employment and labour and in consultation with employers' and workers' organizations, to ensure the protection of refugees in the labour market, including with regard to access to decent work and livelihood opportunities.

31. Members should collect reliable information to assess the impact of refugees on labour markets and the needs of the existing labour force and of employers, in order to optimize the use of skills and human capital that refugees represent.

32. Members should build the resilience and strengthen the capacity of host communities by investing in local economies and promoting full, productive, freely chosen employment and decent work, and skills development of the local population.

33. Consistent with the guidance provided in Parts IV, VI and VII, Members should include refugees in the actions taken with respect to employment, training and labour market access, as appropriate, and in particular:

    (a) promote their access to technical and vocational training, in particular through ILO and relevant stakeholder programmes, in order to enhance their skills and enable them to undergo further retraining, taking into account possible voluntary repatriation;

    (b) promote their access to formal job opportunities, income-generation schemes and entrepreneurship, by providing vocational training and guidance, job placement assistance, and access to work permits, as appropriate, thereby preventing informalization of labour markets in host communities;

    (c) facilitate the recognition, certification, accreditation and use of skills and qualifications of refugees through appropriate mechanisms, and provide access to tailored training and retraining opportunities, including intensive language training;

    (d) enhance the capacity of public employment services and improve cooperation with other providers of services, including private employment agencies, to support the access of refugees to the labour market;

    (e) make specific efforts to support the inclusion in labour markets of refugee women, young persons and others who are in a situation of vulnerability; and

    (f) facilitate, as appropriate, the portability of work-related and social security benefit entitlements, including pensions, in accordance with the national provisions of the host country.

34. Consistent with the guidance provided in Parts V, VIII and IX, Members should promote equality of opportunity and treatment for refugees with regard to fundamental principles and rights at work and coverage under relevant labour laws and regulations, and in particular:

    (a) educate refugees about their labour rights and protections, including by providing information on the rights and obligations of workers and the means of redress for violations, in a language they understand;

    (b) enable the participation of refugees in representative organizations of employers and workers; and

    (c) adopt appropriate measures, including legislative measures and campaigns, that combat discrimination and xenophobia in the workplace and highlight the positive contributions of refugees, with the active engagement of employers' and workers' organizations and of civil society.

35. Members should consult and engage employers' and workers' organizations and other relevant stakeholders with respect to the access of refugees to labour markets.

36. Members should support host countries to strengthen their capacity and build resilience, including through development assistance, by investing in local communities.

Voluntary repatriation and reintegration of returnees

37. When the security situation in the country of origin of refugees has improved sufficiently, Members should collaborate to facilitate the voluntary repatriation of refugees in conditions of safety and dignity, and to support their labour market reintegration, including with the assistance of international organizations.

38. Members should collaborate with the ILO and relevant stakeholders to develop specific programmes for returnees to facilitate their vocational training and reintegration in the labour market.

39. Members should collaborate, including with the assistance of relevant international organizations, to support the socio-economic integration of returnees in their countries of origin, through measures set out in Parts IV to IX, as appropriate, in a manner which supports the economic and social development of local populations.

40. Taking into account the principle of burden- and responsibilitysharing, Members should support countries of origin to strengthen their capacity and build resilience, including through development assistance, by investing in local communities in which returnees are reintegrated and by promoting full, productive, freely chosen employment and decent work.

As mentioned in the commentary to the previous section, migrating populations fall into a variety of categories. In terms of those ***forcibly*** displaced by conflicts and political upheaval, we can distinguish between internally displaced persons (IDPs) and refugees. IDPs, who can also be forcibly displaced due to disasters, were covered in Section IV of the recommendation, while Section XI focuses specifically on refugees, defined by the 1951 Refugee Convention as persons forced to flee their country because of persecution, war, or violence. Section XI does not cover other forcibly displaced persons such as people fleeing disasters or economic crises, for example.

In 2018, it is estimated that over 25 million people fall into the refugee category, with over two-thirds of all refugees currently coming from just five countries: Afghanistan, Myanmar, Somalia, South Sudan, and Syria. In Lebanon, for instance, a country of around 6 million inhabitants, there are currently around 164 refugees per 1,000 inhabitants – without counting the Palestinian refugees under the mandate of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), some of whom have been in Lebanon for as long as 70 years. What is more, the official refugee statistics – in this case, mostly Iraqi and Syrian citizens fleeing to Lebanon, Jordan, Turkey, and elsewhere – are far lower than the actual number of people leaving their countries of origin. Indeed, in 2007, the UN Refugee Agency coined the term "refuge-like situations" to also include – to take two examples from Latin America in 2018 – thousands of Venezuelans crossing over to Colombia every day, or Nicaraguans presently fleeing to Costa Rica.

Callout: Instead of finding decent work, a variety of societal, political, and legislative reasons mean that most refugees end up working in the informal economy, making them even more vulnerable to discriminatory practices, exploitation, and in some cases even forced and child labour.

Throughout the negotiations around Recommendation No. 205, the Workers' Group was adamant that all these categories of people, be they migrants or those forcibly displaced in some way, should have rights equal to those of citizens of the host countries – and thus be able to find decent work and create and/or join workers' organizations there. This is particularly crucial in light of the fact that, according to UNHCR, refugees are displaced for 17 years on average.

The role of the *General Federation of Jordanian Trade Unions (GFTJU)* in integrating migrants and refugees

In Jordan, a country that has continuously had to deal with people fleeing from conflicts occurring in neighbouring states, the ***GFTJU*** has recently established a special committee for migrants and refugees. This committee is responsible for raising awareness and educating migrants and refugees on workers' rights. It also seeks to defend their rights and help them deal with the legal authorities and the ministry of labour.

An agreement was moreover signed between the National Commission for Migrant Workers and Refugees and the National Security Directorate in order to facilitate matters related to the legal status of incoming individuals. The ***GFTJU*** provides technical and vocational training to refugee populations, thereby demonstrating how workers' organizations can provide different forms of support that pave the way for integrating migrants and refugees.

Governments have a responsibility to consult with workers' organizations to provide refugees with access to the local labour market, as written in Paragraph 35. Pursuing that objective is, of course, very much dependent on the labour law situation in the country in question, as well as on the level of social dialogue. But seeking to include refugees in the membership base of workers' organizations will ultimately strengthen the bargaining potential of unions in negotiations. Important activities could include assessing the skills of incoming refugees as swiftly as possible, and lobbying for the removal of barriers to entering work or education.

Section XI ends with a sub-section on the voluntary repatriation and reintegration of returnees. Unlike with migration or forced displacement because of disasters, refugees leave because of conflict and/or political persecution. Their return is thus very much dependent on changing conditions back home, which is why it might take years if not decades before such repatriation can be envisaged. Nevertheless, much can be done in the meantime to facilitate that process one day. For workers' organizations, the focus is not just on training and skills development, but also on maintaining close ties with workers' organizations in the refugees' countries of origin for precisely that purpose.

Relevant international labour standards

It is important to note that all international labour standards are applicable to refugees: all workers have rights at work independently of their legal status in a territory. An ILO instrument dealing specifically with refugees is:

- Guiding Principles on the Access of Refugees and other Forcibly Displaced Persons to the Labour Market, 2016

Action points for workers' organizations

- ✓ Ensure that the terminology used to distinguish refugees and other categories of forcibly displaced persons from migrant populations is clear to workers' organizations and their members. In Arabic, for instance, there is a tendency to use the term "*higra* (هجرة)" (migration) as an overarching word for all these categories – thereby undermining the quest for a common understanding.
- ✓ Produce leaflets, e-applications, and other appropriate materials, written in the language of the refugees, outlining their rights and the merits of engaging with workers' organizations.
- ✓ Ensure that the vocational skills of refugees and other forcibly displaced persons are recognized to ensure workplace integration.
- ✓ Offer face-to-face and on-line language courses to refugee populations in order to help them become informed of work opportunities and increase their employability and societal integration.
- ✓ Ensure workers' organization can visit areas hosting refugees (which are normally not easily accessible areas of the country) to fully understand challenges of both refugees and host communities.

XII. Prevention, mitigation and preparedness

41. Members should take measures, in particular in countries in which there are foreseeable risks of conflict or disaster, to build resilience, in consultation with employers' and workers' organizations and other stakeholders, to prevent, mitigate and prepare for crises in ways that support economic and social development and decent work, through actions such as:

    (a) identification of risks and evaluation of threats to and vulnerabilities of human, physical, economic, environmental, institutional and social capital at local, national and regional levels;

    (b) risk management, including contingency planning, early warning, risk reduction and emergency response preparedness; and

    (c) prevention and mitigation of adverse effects, including through business continuity management in both the public and the private sector, taking into account the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy and the ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up (1998).

Section XII re-emphasizes the innovative vocabulary that clearly distinguishes this Recommendation from Recommendation No. 71. At the heart of the new terminology is the crisis management cycle in the figure below, which is applicable to both conflict and disaster settings. Developed by the disaster relief community as well as those stakeholders dealing with conflict and violence, the key element of this cycle is **prevention**, seen as an overarching activity that needs to be prioritized at all times. Studies have shown that around two-thirds of all armed conflicts break out again within a few years of signing a peace agreement, and prevention has thus become a key preoccupation of donors and aid agencies. Violence prevention was also incorporated in the targets of SDG 16 of the 2030 Agenda for Sustainable Development.

Natural disasters are more difficult to prevent, but at the very least their effects can be lessened – which is why **mitigation** and prevention are often used interchangeably in emergency relief circles. Mitigation is closely linked to **preparedness**, a notion that works with the idea that the immediate impact and long-term repercussions of conflict, human-made catastrophes (e.g. the Fukushima Daiichi nuclear disaster following the 2011 Tohoku earthquake), and natural disasters can be lessened through a focus on risk management. Activities, taken in consultation with employers' and workers' organizations, include awareness-raising, contingency planning, early-warning mechanisms, and vulnerability analysis.

Callout: The ***Confederation of Indonesian Trade Unions (CITU/KSPI)*** has placed much attention on campaigns and training of union staff in disaster-prone areas. An Indonesian Workers' Humanitarian Institute (LKPI) was recently set up with government support to consolidate and expand those efforts.

When a crisis does occur, an immediate and effective **response** is crucial – be it through humanitarian assistance in times of conflict (including issues of access to affected populations), or emergency relief in the face of disaster. Again, the world of work, and workers' organizations in particular, have an important role to play in such efforts, not least through their capacity to mobilize a large number of people in a short period of time. The subsequent **recovery** period, finally, involves both short-term job creation and the swift (re)integration of populations into the labour market (be it former combatants or displaced civilians), as well as more long-term reconstruction projects around social infrastructures and sustainable livelihoods contributing to increase the resilience of affected communities to future shocks.

The role of Japanese workers' organizations in preparing for natural disasters

The ***Japanese Trade Union Association (JTUC-RENGO)*** is very advanced when it comes to mitigating, preparing for, and reacting to the onset of disasters. The island country frequently suffers from earthquakes, typhoons, and even tsunami waves, and workers volunteering in the immediate aftermath of such events are an important part of the overall response. ***RENGO***'s decentralized presence throughout Japan's 47 prefectures ensures a very rapid mobilization of workers, as do their sophisticated disaster information sharing (L-Alert) and emergency information conveyance systems (J-Alert).

The Japanese example shows that trade unions can play an active role in the management and organization of volunteer workers in crisis periods. Not only do they provide the necessary human resources to swiftly respond to the disaster, but they can also act as a watchdog to monitor and enforce appropriate labour standards for volunteers. They can moreover lobby local firms and authorities to develop rigid legal frameworks to protect their rights (e.g. through insurance schemes for volunteer activities).

The ILO's Japan Earthquake Project aims to collect and compile lessons and best practices from the recovery efforts in Japan and share them with the international community:

https://www.ilo.org/asia/projects/WCMS_209150/lang--en/index.htm

Relevant international labour standards

- Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy, 1977, as last amended in 2017
- Declaration on Fundamental Principles and Rights at Work and its Follow-up, 1998

Action points for workers' organizations

✓ Sensitize workers and union activists in disaster-prone and conflict-affected areas to the notions of prevention, mitigation, and preparedness.

✓ Lobby the government for active involvement of workers' organizations in crisis management – not just in the immediate aftermath of a conflict or disaster, but in a sustained manner throughout the cycle (resilience building).

✓ Explore the possibility of creating emergency relief teams and coordination bodies within workers' organizations – at headquarters as well as on a decentralized level.

XIII. International cooperation

42. In preparing for and responding to crisis situations, Members should strengthen cooperation and take appropriate steps through bilateral or multilateral arrangements, including through the United Nations system, international financial institutions and other regional or international mechanisms of coordinated response. Members should make full use of existing arrangements and established institutions and mechanisms and strengthen them, as appropriate.

43. Crisis responses, including support by regional and international organizations, should provide for a central focus on employment, decent work and sustainable enterprises, and should be consistent with applicable international labour standards.

44. Members should cooperate to promote development assistance and public and private sector investment in crisis response for the creation of decent and productive jobs, business development and self-employment.

45. International organizations should reinforce their cooperation and the coherence of their crisis responses within their respective mandates, making full use of relevant international policy frameworks and arrangements.

46. The ILO should play a leading role in assisting Members to provide crisis responses based on employment and decent work and focusing on employment promotion, labour market integration or access, as appropriate, capacity development and institution building, in close cooperation with regional and international institutions.

47. Members should strengthen international cooperation, including through the voluntary and systematic exchange of information, knowledge, good practices and technology for promoting peace, preventing and mitigating crises, enabling recovery and building resilience.

48. There should be close coordination of and complementarity among crisis responses, as appropriate, in particular between humanitarian and development assistance, for the promotion of full, productive, freely chosen employment and decent work for peace and resilience.

When faced with conflicts or disasters, the capacities of state authorities – and the social partners (workers' and employers' organizations) – are severely weakened. International cooperation thus becomes crucial. Cooperation can take on many forms, ranging from logistical, technical, or financial support for acute crises such as a sudden-onset disaster, to more sustained collaboration for chronic challenges such as societal conflict or the effects of climate change.

International cooperation can be multilateral or bilateral, global or regional. It can involve UN agencies and international NGOs, donor governments, or regional structures, including those of the ITUC. Indeed, cooperation is perhaps strongest at the regional level, not least among workers' organizations. Long-term collaborations include the well-established ***Baltic Sea Trade Union Network (BASTUN)*** involving 22 organizations with over 20 million members, and the ***Organization of African Trade Union Unity (OATUU)***, spanning 73 affiliates in 53 countries with a combined membership of over 25 million workers. At times, it is conflict itself that has sparked collaboration, as is the case with the Balkan Solidarity Network "Solidarnost", in which workers' organizations from the countries established after the dissolution of the former Yugoslavia share knowledge and experience on an informal basis.

Callout: There is a wealth of knowledge and experience available across workers' organizations around the world, but much of this know-how remains insufficiently documented.

The potential of such networks cannot be underestimated. Many challenges go across state borders and require transnational action. If workers' organizations are able to come together at the regional level in order to share experiences, consolidate workers' solidarity, develop joint campaign tools, and engage in training and capacity-building, their role in helping to tackle conflicts and disasters might be strengthened in a relevant way.

Linking Recommendation No. 205 with the SDGs

Much of what is entailed in Recommendation No. 205 resonates well with the ambitions of the 2030 Agenda for Sustainable Development – notably (but not limited to) SDG 1.3 on social protection, SDG 8 on decent work and economic growth, and SDG 16 on peace, justice, and strong institutions. Governments have a vested interest, through the UN's High-Level Political Forum (HLPF), to offer regular updates on the progress they have made to implement the SDGs, and this could well offer an opportunity for workers' organizations to showcase the important role they can play in helping to meeting those targets.

Action points for workers' organizations

- ✓ Raise awareness among workers' organizations about the cross-border dynamics of many conflicts and disasters, including the effects of climate change and population flows.
- ✓ Use Recommendation No. 205 as an opportunity to strengthen ties with workers' organizations in other countries – either through regional entities or the creation of a trade union platform – to discuss common threats and challenges.
- ✓ Relate Recommendation No. 205 to the implementation of the 2030 Agenda for Sustainable Development as a way of lobbying governments about the merits of workers' organizations in reaching specific SDG targets.

Conclusion

ILO Recommendation No. 205 ends on a brief final provision reconfirming that the text replaces Recommendation No. 71 of 1944. The adoption of the new recommendation in 2017 is only the start of a journey. Now it is time to develop concrete ways of promoting the role of employment and decent work in tackling the world's conflicts and disasters. Workers' organisations should be consulted on this.

Recommendation No. 205 does not offer solutions – it is only a tool that invites social partners to reflect systematically on the ways in which the world of work can play a more sustained and central role in making the planet a safer and more secure world for everyone. It is a call to action, an effort to raise the awareness of the importance of social dialogue in times of crises, and of the multiple ways in which social partners can help prevent violence and mitigate the effects of disasters. Workers' organisations should be prepared for this social dialogue to take place.

New instruments of the ILO, be they conventions, protocols, or recommendations, are becoming increasingly scarce, with member States, and the Employers' Group, not particularly keen to add to the list of international labour standards. Hence it is worth thinking, especially from the perspective of workers' organizations, about how to make the most of this newly added recommendation.

It is worth reminding ourselves that Recommendation No. 205 is not just relevant to a handful of settings witnessing war and natural disasters. Societal tensions, political radicalization, and chronic poverty affect many if not most countries around the world, and these dynamics look set to continue. Yet in many parts of the world, the influence of workers' organizations is weakening; membership levels are on the decline, as is the influence of unions on societal decision-making processes. Recommendation No. 205 is an opportunity to reverse that trend.

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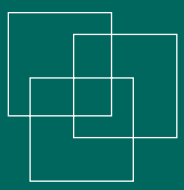
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