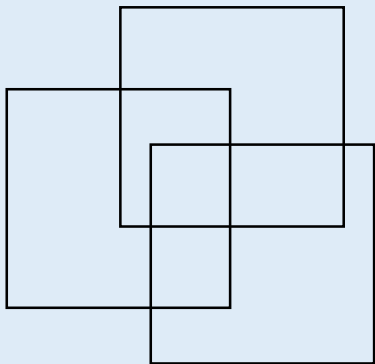
The background features a large, light blue watermark of the International Labour Organization (ILO) logo. It consists of a central gear with the letters 'ILO' inside, surrounded by a laurel wreath.

**ILO Guiding Principles on the Access of
Refugees and Other Forcibly Displaced
Persons to the Labour Market**



History, Refugees in ILO Mandate

First World War: Governments in Europe confronted by a mass of people forced out of their own country. The ILO (mandated to assist the development of the international movement of people) needed to take an active role.

The Declaration of Philadelphia (1944)...the ILO's obligations include 'the provision ... of facilities for training and the transfer to labour, including migration for employment and settlement

ILO Manpower Programme (1949): "make it easier for people to move in accordance with the manpower needs of economic and social growth."

Report of the Committee of Experts on the Application of the Conventions and Recommendations ILC 105th Session, 2016, Report III (Part 1B)

- ILO Constitutions: "refugees and displaced persons, where they are employed as workers outside their countries are covered by the instruments."
- Convention No. 97: "should apply only to migrants for employment, including, of course, refugees and displaced persons migrating for employment, and not to migrants in general."

Tripartite Technical Meeting

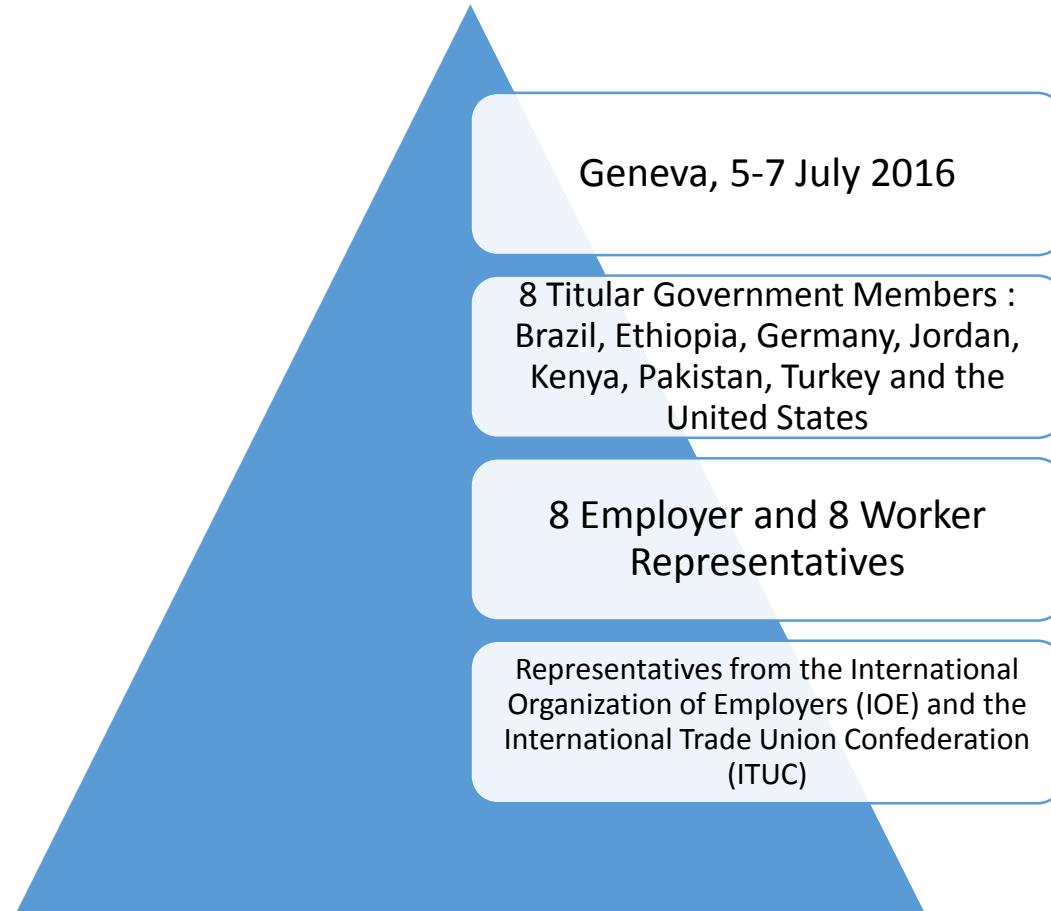
International Labour Organisation 326th Governing Body (2016)

- High Level Discussion on addressing the labour market impacts of refugees and other forcibly displaced people
- Agreed to convene a tripartite technical meeting on the access of refugees and other forcibly displaced persons to the labour market.

The purpose of the meeting was to:

- (a) Discuss for adoption a set of Guiding Principles to inform policy measures on the access of refugees and other forcibly displaced persons to the labour market based on relevant ILO standards and other related human rights instruments, as well as good practices where these exist.
- (b) Recommend ways to disseminate and give practical effect to such ILO guidance, including to inform national and multilateral responses and forums.
- (c) Prepare the ILO and its constituents to contribute to international events addressing global concern about refugees and forced displacement, in particular the UN General Assembly Summit addressing large movements of refugees and migrants and the US Summit on the refugee crisis both to be held in September 2016.

Tripartite Technical Meeting



Chronology, International and National Support for Syria Response

- London Conference on Supporting Syrian & the Region, Jordan Compact (February 2016)
- EU-Jordan Trade Agreement (July 2016)
- UN Summit on Large Movements addressing large movements of refugees and migrants (September 2016)
- US Summit on the refugees (September 2016)

Guiding Principles, 328th GB Decision

Governing Body Decision GB.328/INS/17/3

The Governing Body is invited to:

- take note of the said report and to authorize the Director-General to publish and disseminate the outcome of the meeting and to draw upon the guiding principles in follow-up to the United Nations General Assembly High-Level Meeting on Addressing Large Movements of Refugees and Migrants, held in New York on 19 September 2016; and
- request the Director-General to take into consideration the guiding principles when drawing up proposals for future work of the Office (see draft decision in paragraph 6).

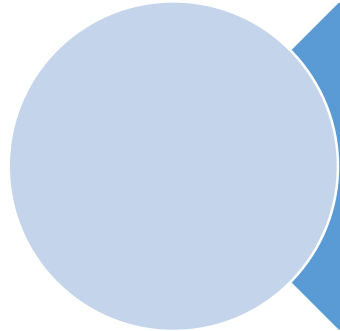
Guiding Principles

- Preamble
- Section A. Governance frameworks on access to labour markets
- Section B. Economic and employment policies for inclusive labour markets
- Section C. Labour rights and equality of opportunity and treatment
- Section D. Partnership, coordination and coherence
- Section E. Voluntary repatriation and reintegration of returnees
- Section F. Additional pathways for labour mobility

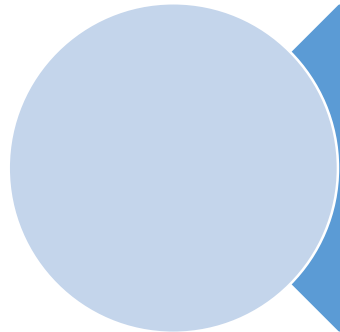
Link to GPs: http://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---migrant/documents/genericdocument/wcms_536440.pdf

Link to meeting report: http://www.ilo.org/global/topics/labour-migration/events-training/WCMS_536563/lang--en/index.htm

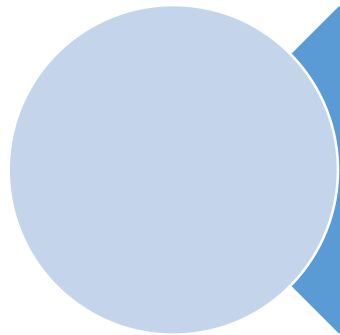
Section A. Governance frameworks on access to labour markets



Members should Formulate national policies, and national action plans as appropriate, to ensure **the protection** of refugees and other forcibly displaced persons in the labour market, including in respect of access to decent work and livelihood.



National policies and action plans should be formulated in **conformity with international labour standards**, decent work principles, humanitarian principles, obligations under international law, including human rights law and refugee law, as applicable and in consultation with labour ministries as well as representative employers' and workers' organizations



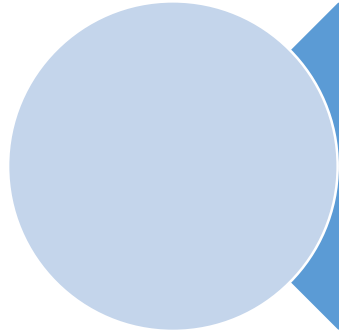
Members should **make easily available information** regarding laws and regulations applicable to entrepreneurship, such as procedures for registering a business, relevant labour and employment laws and regulations and tax requirements.

Section A. Governance frameworks on access to labour markets (cont)

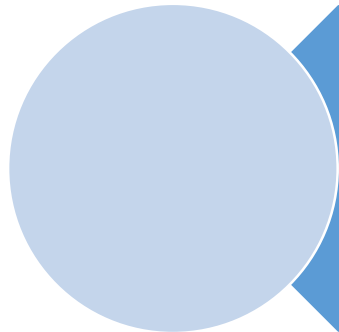
National policies and action plans to foster opportunities for formal and decent work that support self-reliance for refugees and other forcibly displaced persons should at a minimum include measures to:

- (a) **guide employers' and workers' organizations and other stakeholders**, including employment agencies, on the access of refugees and other forcibly displaced persons to labour markets;
- (b) **examine work opportunities available for refugees and other forcibly displaced persons, based on reliable information concerning the impact** of refugees and other forcibly displaced persons on labour markets, and the needs of the existing labour force and employers;
- (c) consider **removing or relaxing refugee encampment policies** and other restrictions that may hinder access to decent work opportunities, lead to acts of employment-related discrimination or lead to irregular employment;
- (d) **ensure, where access to work is subject to specific legal criteria or requirements, such as work permits, employment authorization for employers or quotas, that these conditions are in accordance with fundamental principles and rights at work** and with applicable international labour standards, humanitarian principles and obligations under international law, including human rights law and refugee law, as applicable, including the principle of equality of opportunity and treatment in the labour market;
- (e) And identify and eliminate, where applicable, inconsistencies in legal, policy and administrative practice related to implementation of applicable international labour standards and human rights norms.

Section B. Economic and employment policies for inclusive labour markets



Members should formulate **coherent macroeconomic growth strategies**, including active labour market policies that support investment in decent job creation



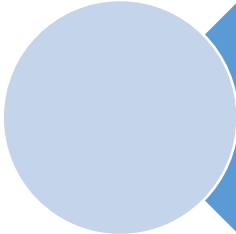
Members should **develop and implement**, where possible, together with representative employers' and workers' organizations, **national employment policies that include refugees and other forcibly displaced persons.**"

Section B. Economic and employment policies for inclusive labour markets

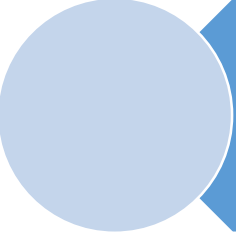
Employment strategies should include measures to:

- (a) 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 and other forcibly displaced persons to the labour market, particularly as regards job placements and career counselling;
- (b) strengthen specific efforts to support the **inclusion in labour markets of youth and women** from refugee and other forcibly displaced populations, including through access to education, life-long learning, **childcare** and after-school programmes;
- (c) support **recognition and accreditation of acquired skills** and competencies by refugees and other forcibly displaced persons through appropriate skills determination tests, if required;
- (d) facilitate **tailored vocational training**, including **occupational safety and health training**, with a strong on-the-job component (for example, apprenticeships), and intensive language teaching;
- (e) strengthen access to **skills development and upgrading opportunities**, and **entrepreneurship and business start-up training** for refugees and other forcibly displaced persons; and
- (f) facilitate increased access to decent work opportunities for refugees and other forcibly displaced persons and host communities, including by **fostering transitions of employment from the informal to formal economy**.

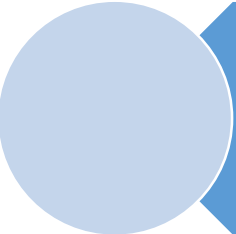
Section B. Economic and employment policies for inclusive labour markets



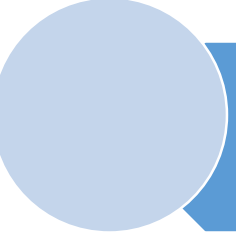
Members should take steps to facilitate **the portability of work-related entitlements** (such as social security benefits, including pensions), skills accreditation and skills recognition of refugees and other forcibly displaced persons between countries of origin, transit and destination.



Members are encouraged to undertake a **national impact assessment** on access to the labour market for refugees on their economies with the involvement of employers' and workers' organizations.



Members should strengthen the capacity of national labour market governance systems, including in respect of **information and data collection concerning the impact** of refugees and other forcibly displaced persons on host communities, labour markets and economies more generally.



Members should adopt or reinforce **national policies to promote equality of opportunity and treatment for all, in particular gender equality**, recognizing the specific needs of women, youth and persons with disabilities.

Section C. Labour rights and equality of opportunity and treatment

National policies should at a minimum include measures to:

(a) combat and **prevent all forms of discrimination** in law and in practice, **forced labour and child labour**, as they affect men, women and children refugees and other forcibly displaced persons;

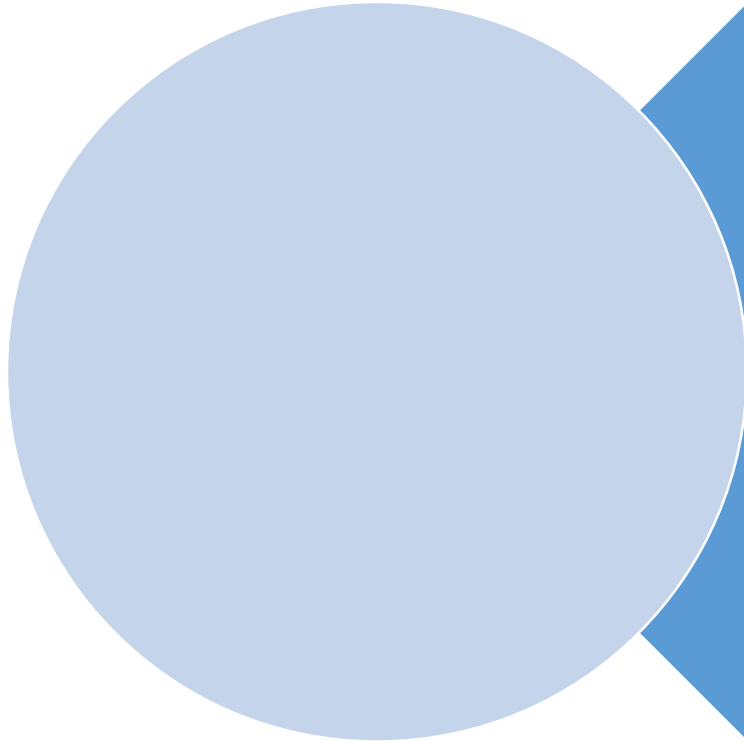
(b) facilitate **the participation of all workers, including refugees and other forcibly displaced persons, in representative organizations**, including in relation to their right to form and join trade unions, participate in collective bargaining mechanisms and to access justice and judicial remedies against abusive working conditions;

(c) adopt legislative measures and facilitate information, **advocacy and awareness campaigns that combat xenophobic behaviour in the workplace** and highlight the positive contributions of refugees and other forcibly displaced persons, with meaningful engagement of employers' and workers' organizations, civil society and other relevant stakeholders;

(d) ensure that refugees and other forcibly displaced persons in the workplace are covered under relevant labour laws and regulations, including on **minimum wages, maternity protection, working time, occupational safety and health**, and **provide information on the rights and obligations of workers**, and the means of redress for violations, in a language they understand; and

(e) provide necessary **education and training for labour inspectorates**, public servants and judicial bodies on refugee law and labour rights, and ensure that information and training for workers is provided in a language that workers understand.

Section D. Partnership, coordination and coherence



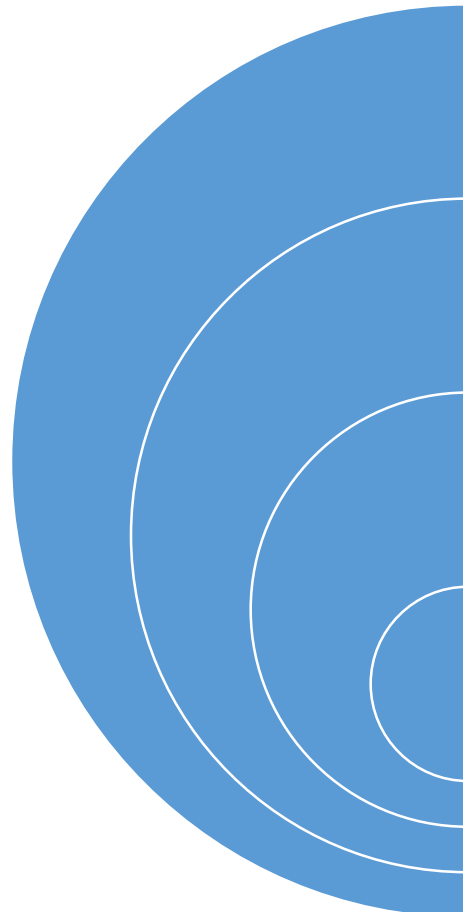
- The principle of **non-discrimination and equality** should apply for all. Access to specific occupations can be restricted as prescribed by national laws, in accordance with relevant international labour standards and other international law.
- Members should promote **national, bilateral, regional and global dialogue on the labour market implications** of large influxes of refugees and other forcibly displaced persons, and the importance of access to livelihoods and decent work.

Section D. Partnership, coordination and coherence

Cooperation among member States should include measures to:

- (a) strengthen the role of local government, regional bodies, and particularly regional economic commissions and **regional initiatives** to foster consistent regional responses, including with the support of the ILO and other international agencies, notably the UNHCR;
- (b) encourage development assistance and **private sector investment for the creation of decent and productive jobs**, business development and self-employment to benefit all workers, including refugees and other forcibly displaced persons;
- (c) enhance the roles and **capacities of employers' and workers' organizations** and civil society to promote and protect the fundamental principles and rights at work of refugees and other forcibly displaced persons; and
- (d) promote, where possible, the inclusion of refugees and other forcibly displaced persons in national development planning processes, including through **UN Development Assistance Framework (UNDAF)** mechanisms.

Section E. Voluntary repatriation and reintegration of returnees



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|--|
| <p>Members should provide predictable, sustainable and adequate development assistance to support least developed and developing countries that continue to host a large number of refugees and other forcibly displaced persons and ensure the continuation of the development of these countries.</p> |
| <p>Employers' and workers' organizations in the public and private sectors have an important role to play and should commit to promote and support the inclusion of refugees and other forcibly displaced persons into work and society.</p> |
| <p>Countries of origin should reintegrate refugee returnees in their labour market. The ILO and its Members in a position to do so should provide assistance to countries of origin in areas of refugee returnees in creating employment and decent work for all, as well as livelihoods and self-reliance.</p> |
| <p>Members should develop appropriate protection frameworks, in consultation with countries of origin, to support refugees and other forcibly displaced persons upon their voluntary return to and reintegration in their home countries, in accordance with obligations under international law, including refugee law and human rights law as applicable.</p> |
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Section F. Additional pathways for labour mobility

Members should promote **labour mobility as one of the pathways for admission** and for responsibility-sharing with countries hosting large numbers of refugees and other forcibly displaced persons and include such pathways for admission in their national policies.

Members should integrate international labour standards, the Decent Work Agenda and the Multilateral Framework on Labour Migration, where possible, into national policies and **regional and bilateral agreements governing the development and expansion of labour mobility pathways for refugees** by granting labour market access.

Section F. Additional pathways for labour mobility

National, and where appropriate regional, policies should include measures to:

(a) respect, where it applies in accordance with international and regional law, the **principle of non-refoulement** for refugees and other forcibly displaced persons, including those participating in labour mobility schemes;

(b) foster inclusion and integration in host societies by providing **skills development opportunities to support refugees and other forcibly displaced persons that would also help them bring new skills to their home countries**, should they decide to return; and

(c) ensure equality of treatment in wages and working conditions, with particular attention to workers in low-skilled and low-wage work for which refugees and other forcibly displaced persons may be recruited, in accordance with international labour standards.

Members should facilitate the engagement of **diaspora communities** in developing national policy and regional and bilateral agreements to help refugees and other forcibly displaced persons to better contribute to the economic and social development of their countries of origin.

Disseminate and give practical effect to ILO guidance, including to inform national and multilateral responses and forums in Jordan.

- Reinforce coherence of approach among multilateral, international and donor organisations
- Reinforcement of a rights-based approach, sustainability of action
- Support for host communities.

- Thank you