

MEMORANDUM OF UNDERSTANDING
BETWEEN
THE INTERNATIONAL LABOUR ORGANIZATION

AND

THE OFFICE OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES

Whereas the UNHCR is mandated to provide international protection to refugees, together with Governments, and seek permanent solutions to the problem of refugees through operational engagement and the responsibility to supervise the application of international conventions for the protection of refugees, in particular the 1951 Convention relating to the Status of Refugees and the 1967 Protocol;

Whereas the UNHCR is also charged with the identification, prevention and reduction of statelessness and the protection of stateless persons through its responsibilities under the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness and subsequent Executive Committee Conclusions and UN General Assembly Resolutions, and is authorized by the UN General Assembly to be involved operationally under certain circumstances to provide protection and humanitarian assistance to internally displaced persons (IDPs);

Whereas the ILO is entrusted with the promotion of social justice through the integrated pursuit of its strategic objectives for decent work, notably full and productive employment, social security and labour protection, fundamental principles and rights at work, and social dialogue, on the basis of non-discrimination and gender equality, in accordance with its Constitution;

Whereas the ILO's aims and objectives are achieved by the coordination of all its constitutional means of action, including the development and supervision of international labour standards, research and advisory services and technical co-operation, and partnerships with relevant international organizations;

Whereas ILO instruments and international refugee and human rights law protect refugees, internally displaced Persons (IDPs), stateless persons and other persons of concern to UNHCR (hereafter collectively referred to as "refugees and other persons of concern") wherever they are employed or engaged:

The International Labour Organization (ILO) and the Office of the United Nations High Commissioner for Refugees (UNHCR),

Acknowledging their longstanding cooperation and the official arrangements for their relations based on the Memorandum of Understanding between the ILO Director-General and the United Nations High Commissioner for Refugees, signed on 21 October 1983, and approved by the ILO Governing Body and (the UNHCR Executive Committee (EXCOM) ("1983 MoU");

Having regard to the Joint Statement by the ILO Director-General and the United Nations High Commissioner for Refugees, signed 4 November 2004;

Determined to further develop and strengthen their cooperation in order to advance on common priorities and to systematize their collaboration to enhance effectiveness while avoiding duplication;

Recalling that the right to engage in decent work is integral to human dignity and that its exercise is essential to other human rights and enables individuals and families to maintain livelihoods, to plan their futures, and to contribute to the development of their community;

Recognising that, for refugees and other persons of concern, safe and dignified work that permits self-reliance and active participation in community life can also be a pathway to a comprehensive durable solution;

Agree to maintain and enhance their cooperation as follows:

I. Common Priorities

With the intent of strengthening efforts toward progressively ensuring greater protection and solutions prospects for refugees and other persons of concern, the ILO and the UNHCR agree to prioritise the following areas for joint action:

1. Promoting comprehensive durable solutions and protecting the rights of refugees and other persons of concern to decent work in accordance with relevant international labour standards, and international human rights, refugee and humanitarian law;
2. Ensuring that refugees and other persons of concern are able to access and secure decent work through measures like inclusiveness and equal treatment in labour markets and labour mobility;
3. Promoting inclusive and equitable treatment in access to decent work and livelihoods by jointly developing principles, guidance, and programmes, particularly in addressing labour market needs and the access of refugees and persons of concern to labour markets as well as access to social protection systems;

4. Creating an enabling environment so as to promote employment opportunities and decent work;
5. Supporting host communities, regions and countries and regions of origin in responding to forced displacement and to mixed refugee-migration flows;
6. Contributing to efforts to counter economic exploitation and eradicate child labour, including during crisis situations;
7. Co-operating in promoting the application of international labour standards and in the framing of new standards in accordance with each organization's respective policies and procedures and as needed to ensure the inclusion of refugees and other persons of concern in the world of work;
8. Agreeing and implementing long-term development approaches on access to decent work and livelihoods by refugees and other persons of concern, including through policy coherence and drawing upon the UN development agenda, including the 2030 Sustainable Development Goals.

II. Modalities and Coordination

The ILO and the UNHCR will prioritise systematic collaboration, including within the framework of the overall United Nations inter-agency co-operation, at every phase of the forced displacement cycle, including at the outset of a displacement situation, by the inclusion of refugees and other persons of concern in development plans, and in the analysis of root causes and preparedness. To this end, the ILO and the UNHCR commit to the following:

9. Systematic collaboration in country operations on promoting decent work and livelihoods interventions for refugees and others of concern, as well as host communities, including through assessments and advocacy; integrated policy approaches; multidisciplinary programming, and field level cooperation in providing technical assistance to local governments and host communities, including on training and capacity building, and joint planning;
10. Collaboration at regional as well as country levels to facilitate a situational and cross- border approach wherever possible;
11. Policy coordination at the global level, undertaken by technical experts and through close cooperation in multi-lateral fora;
12. Invitations to each other to participate in annual and regular governance meetings and other events when subjects of mutual interest are on the agenda, subject to each organization's respective rules and procedures;
13. Joint advocacy in favour of refugees and other persons of concern that promotes inclusive approaches to integration in labour markets and access to livelihood opportunities and social protection systems, as well as other areas where collaboration could support the lifting of obstacles to solutions and could contribute to advances on the root causes of displacement;

14. Coordinated fundraising on matters of mutual interest; and
15. Joint research, data collection and analysis, supported by data sharing, as appropriate.

Monitoring and Reporting

16. The ILO and the UNHCR will develop a joint Plan of Action to advance the areas of collaboration outlined in this MoU within three months of its signature. The Plan of Action may be modified from time to time as needed. The Plan of Action, and any subsequent amendments, will be annexed to this MoU as an integral part thereof.
17. The Parties shall maintain regular consultations on issues and activities of strategic and operational importance to ensure the best possible coordination of the priorities and activities provided above.
18. Contacts will be maintained at working level by relevant staff. For matters related to the general institutional cooperation, the designated contact point will be:
 - a) For the ILO: the Chief of the Bureau for External Relations and Partnerships, and the Branch on Labour Migration;
 - b) For the UNHCR: the Director of the Division of International Protection and the Director of the Division of External Relations.
19. The Parties agree to convene a high-level meeting at least once a year to review the progress in implementation of this MoU and the joint Plan of Action, on the basis of a report on areas of collaboration, including assessments, updates, coordination, and to agree on further areas of cooperation, and, if necessary, propose any revisions and amendments to the joint Plan of Action.

III. Final Provisions



20. The implementation of this MoU, which does not entail any financial obligation, is subject to the procedures, rules and regulations of the respective Party. Nothing in this MoU shall be construed as interfering with the independent decision-making authority of each Party.
21. This MoU and its annexes may be amended at any time by mutual agreement. It may be terminated by mutual consent or by either Party by providing three months written notice to the other Party to this effect, without prejudice to the orderly termination of any joint activity in effect.
22. Where a conflict exists between this MoU and any of its Annexes, the provisions of the MoU shall prevail.
23. The ILO and the UNHCR shall use their best efforts to settle amicably any dispute, controversy or claim arising out of or in connection with this MoU or

any breach thereof. Any such dispute, controversy or claim which is not settled within thirty (30) days from the date either Party has notified the other Party of the nature of the dispute, controversy or claim and of the measures which should be taken to resolve it, shall be referred to the United Nations High Commissioner for Refugees and the ILO Director-General for final resolution.

24. Subject to the respective policies and procedures concerning disclosure of information, the ILO and the UNHCR may make this MoU publicly available.

25. The present MoU shall enter into force upon its signature by the United Nations High Commissioner for Refugees and the ILO Director-General and shall supersede the 1983 MoU.

Done at Geneva on July 1, 2016.

| | |
|--|--|
| For the Office of the United Nations High Commissioner for Refugees: | For the International Labour Organization: |
| Signed by:  Volker Türk Assistant High Commissioner for Protection, Office of the UN High Commissioner for Refugees | Signed by:  Deborah Greenfield Deputy Director-General for Policy, International Labour Office |