j  APPL. 19 –R.2050

### INTERNATIONAL LABOUR OFFICE

REPORTS ON UNRATIFIED CONVENTIONS AND RECOMMENDATIONS

*(article 19 of the Constitution of the International Labour Organisation)*

REPORT FORM FOR THE FOLLOWING INSTRUMENT:

Employment and Decent Work for Peace and Resilience Recommendation,  
2017 (No. 205)

Article 19 of the Constitution of the International Labour Organization relates to the adoption of Conventions and Recommendations by the Conference, as well as to the obligations resulting therefrom for the Members of the Organization. The relevant provisions of paragraphs 5, 6 and 7 of this article read as follows:

6. In the case of a Recommendation:

…

1. apart from bringing the Recommendation before the said competent authority or authorities, no further obligation shall rest upon the Members, except that they shall report to the Director-General of the International Labour Office, at appropriate intervals as requested by the Governing Body, the position of the law and practice in their country in regard to the matters dealt with in the Recommendation, showing the extent to which effect has been given, or is proposed to be given, to the provisions of the Recommendation and such modifications of these provisions as it has been found or may be found necessary to make in adopting or applying them.

7. In the case of a federal State, the following provisions shall apply:

1. in respect of Conventions and Recommendations which the federal Government regards as appropriate under its constitutional system for federal action, the obligations of the federal State shall be the same as those of Members which are not federal States;
2. in respect of Conventions and Recommendations which the federal Government regards as appropriate under its constitutional system, in whole or in part, for action by the constituent states, provinces or cantons rather than for federal action, the federal Government shall:

…

1. in respect of each such Convention which it has not ratified, report to the Director-General of the International Labour Office, at appropriate intervals as requested by the Governing Body, the position of the law and practice of the federation and its constituent states, provinces or cantons in regard to the Convention, showing the extent to which effect has been given, or is proposed to be given, to any of the provisions of the Convention by legislation, administrative action, collective agreement, or otherwise;
2. in respect of each such Recommendation, report to the Director-General of the International Labour Office, at appropriate intervals as requested by the Governing Body, the position of the law and practice of the federation and its constituent states, provinces or cantons in regard to the Recommendation, showing the extent to which effect has been given, or is proposed to be given, to the provisions of the Recommendation and such modifications of these provisions as have been found or may be found necessary in adopting or applying them.

*In accordance with the above provisions, the Governing Body of the International Labour Office examined and approved the present report form. This has been drawn up in such a manner as to facilitate the supply of the required information on uniform lines.*

Report

to be made no later than 28 February 2025, in accordance with article 19 of the Constitution of the International Labour Organization by the Government of    Estonia    , on the position of national law and practice in regard to matters dealt with in the instruments referred to in the following questionnaire.

Workers’ and employers’ organizations may send comments no later than 30 June 2025.

Context and scope of the questions

At its 349th Session (October–November 2023), the Governing Body requested the Office to prepare for its consideration at its 350th Session (March 2024) the article 19 report form on the Employment and Decent Work for Peace and Resilience Recommendation, 2017 (No. 205), for a General Survey to be prepared by the Committee of Experts on the Application of Conventions and Recommendations in 2025, to be discussed by the Conference Committee on the Application of Standards in 2026.[[1]](#footnote-2)

During the discussion within the Governing Body, Members stressed that the General Survey would provide guidance to the ILO Member States and constituents in preventing and responding to the devastating effects of crises on economies and societies, in a context where a series of unprecedented crises were unfolding. The General Survey will indeed provide a comprehensive overview of the current state of law and practice in respect of employment and decent work for peace and resilience in the current context of crises emerging from natural disasters and geopolitical tensions. The General Survey will also present an opportunity to draw attention to the critical importance of social dialogue in all aspects of a strategic response to crisis situations. Importantly, it will also contribute to a better understanding of the way in which the provisions of Recommendation No. 205 are implemented both in law and in practice, the challenges and opportunities in relation to the application of the Recommendation and the needs in terms of technical assistance in this area, and will encourage the sharing of experiences and good practices among ILO Member States. Furthermore, it will provide an opportunity to examine the extent to which the ILO’s partnerships with other United Nations agencies have an impact on national laws and practice and on related institutions of social dialogue in times of crisis. The General Survey will enable the ILO constituency to assess the impact of Recommendation No. 205 on guiding related policy responses and measures as well as its contribution to the achievement of the 2030 Agenda for Sustainable Development, through the realization of multiple Sustainable Development Goals, notably: Goal 5 (gender equality), Goal 8 (decent work and economic growth) and Goal 16 (peace, justice and strong institutions). Finally, the General Survey will inform the preparation of the forthcoming recurrent discussion on the strategic objective of employment by the International Labour Conference at its 116th Session (2028).

The structure of the report form largely follows that of Recommendation No. 205. It is divided into thirteen parts, regrouping 34 questions in total. For most of these questions, the first column contains a broad reference to the topic addressed in the given question, and the middle column of the form provides guidance, based on the Recommendation’s provisions, as to the types of measures that may be reported. Lastly, the third column provides information on the legal basis of each question, by referencing the relevant provisions of the Recommendation in this regard.

\* \* \*

The following questions relate to issues covered by Recommendation No. 205.

**Where possible, please give a specific reference (including a web hyperlink) for information relating to the provisions of legislation, regulations, collective agreements, work rules, arbitration awards, court decisions and policies (or attach an electronic copy).**

Article 19 report form concerning Recommendation No. 205

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* **GB.344/LILS/2**

A. Definitions

* The term “crisis response” refers to all measures on employment and decent work taken in response to crisis situations arising from conflicts and disasters. However, pursuant to the preparatory work, the term “crisis situations” does not extend to situations of fragility.[[2]](#footnote-3) Moreover, while it refers to situations related to conflicts and disasters, it does not extend to situations of economic or financial crisis.[[3]](#footnote-4)
* 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 (Paragraph 2(a) of Recommendation No. 205).
* 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 (Paragraph 2(b) of Recommendation No. 205).
* The term “conflict” is not defined in Recommendation No. 205. However, according to the preparatory work, it includes armed conflicts as well as non-armed conflicts.[[4]](#footnote-5)

B. Notes

1. Where the national legislation or other provisions do not cover issues raised in this questionnaire, please provide information on current and emerging practices.

2. For federal States, please provide answers to the questions below with regard to both the federal level and the level of the federated units.

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| I. Objectives, scope, guiding principles and strategic approaches | |
| 1. Please indicate whether your country has adopted or considers adopting a phased multi-track approach to design, implement and evaluate coherent and comprehensive strategies for promoting peace, preventing crises, enabling recovery, and building resilience.  In this context, please provide information, as relevant and appropriate to your country’s national circumstances, on the following:   1. the economic, social, and legal frameworks which have been established or considered at the national level to encourage lasting and sustainable peace and development, while respecting rights at work; 2. the observance of the guiding principles outlined in Paragraph 7 of Recommendation No. 205 when taking measures on employment and decent work in responding to crises and with a view to preventing crises and conflicts, indicating how these principles are known, understood and taken on board by relevant stakeholders involved in crisis preparedness and response; 3. the promotion of sustainable employment and decent work, social protection; social inclusion; sustainable development; the creation of sustainable enterprises, especially small and medium-sized enterprises (SMEs); the transition from the informal to formal economy; a just transition towards an environmentally sustainable economy; and access to public services in both pre- and post-crisis situations; 4. the provision of 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; 5. consultations and encouragement of active participation of employers' and workers' organizations in planning, implementing and monitoring measures for recovery and resilience; 6. the efforts made to build or restore labour market institutions, including employment services, for stabilization and recovery; 7. the capacity development of governments, including regional and local authorities, and of employers' and workers' organizations, and other national and relevant institutions, to provide effective responses, with the necessary international cooperation and assistance, as required; 8. the specific measures taken to stabilize livelihoods and income through immediate social protection and employment measures and to identify and monitor any negative and unintended consequences and avoiding harmful spillover effects; 9. initiatives to promote local economic recovery for employment and decent work opportunities and socio-economic reintegration; 10. the gender perspective applied in all crisis prevention and response design, implementation, monitoring, and evaluation activities; 11. specific measures taken for the socio-economic (re)integration of persons who have been affected by crises, in particular those formerly associated with armed forces and groups, including training programmes provided aimed at improving the employability of those facing barriers to employment due to conflict or disaster.   As a **general comment** and primarily regarding point **(a)**, Estonia promotes lasting peace and development through digital transformation, high-quality education, universal healthcare and comprehensive social welfare programs. Internationally, it supports global peace and stability through development cooperation, humanitarian aid, and prioritizing support for Ukraine.  Estonia has strong labour laws that safeguard workers' rights, including regulations on working hours, minimum wage, and workplace safety. Anti-discrimination laws prevent bias based on gender, ethnicity, and other factors, ensuring workplace equality. Environmental laws promote sustainable development through waste management, renewable energy, and conservation efforts.  Basic rights remain in effect even in crisis situations. Existing crisis laws have considered which norms and standards can be lowered in crisis situations to resolve the crisis and cope with its impacts, but the relaxations take into account that the requirements remain sustainable from the worker's perspective.  Regarding point **(b)**, laws remain in effect even in crisis situations. Although extensive crises may allow for the application of different conditions such as aggregated working hours, work obligations, etc., the conditions applied are developed during peacetime, assessing the proportionality of possibilities and their compliance with the Constitution and international law.  In order to effectively and lawfully manage crisis situations, Estonia prepares thoroughly for various potential risks. This includes conducting risk assessments, including a national risk assessment; ensuring institutional continuity, developing crisis plans, and conducting regular crises exercises. Regulations are updated as needed to address shortcomings identified in plans and exercises. In Estonia's crisis regulation system, the principle of task continuity applies, meaning the same institutions are responsible for fulfilling their duties in both normal and crisis situations. This helps ensure that principles agreed upon during peacetime are upheld as much as possible even in extensive crises.  Regarding point **(c)**, Estonian Business and Innovation Agency (EIS) is actively promoting ESG principles to support the creation of sustainable enterprises, particularly small and medium-sized enterprises (SMEs). In 2025 they switched to online course to be available for more participants. Furthermore, EIS is expanding its portfolio to include the promotion of the OECD Guidelines for MNEs on RBC. By doing so, we reinforce responsible business practices that contribute to a just transition toward an environmentally sustainable economy. Our efforts ensure that businesses not only comply with international sustainability standards but also actively contribute to a fair and green economic transformation.  Regarding point **(d)**, there are no special provisions or guidance and support to employers. Employers must comply with the [Occupational Health and Safety Act](https://www.riigiteataja.ee/en/eli/523052024003/consolide), which obligates them to assess workplace risks and ensure compliance with occupational health and safety requirements in all work-related situations. Estonian Occupational Health and Safety Act is based on Council Directive of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work (89/391/EEC).  In case of emergency the framedirective of safety and health of workers at work [89/391/EEC](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A01989L0391-20081211) foresees this directive shall not be applicable where characteristics peculiar to certain specific public service activities, such as the armed forces or the police, or to certain specific activities in the civil protection services inevitably conflict with it. In that event, the safety and health of workers must be ensured as far as possible in the light of the objectives of this directive.  However, in cases of emergency, various informational sheets and guidelines are prepared to support employers. For example, the Labour Inspectorate, in cooperation with other competent authorities, has prepared relevant fact and information sheets, which are available on the Working Life portal. i.e:   * Fact sheet for Ukrainian war refugees (including FAQ for employers): <https://www.tooelu.ee/en/392/ukrainian-war-refugees-and-employment-relations> * Impact of the energy crisis on working life: <https://www.tooelu.ee/en/735/impact-energy-crisis-working-life> * COVID-19 and work relations: <https://www.tooelu.ee/en/132/covid-19-and-work-relations> * COVID-19 vaccine and employment relationships - <https://s3-web-1a.tehik.ee/tooelu-live-web-prd/s3fs-public/2021-05/vaktsineerimise%20infoleht.pdf>   Additionally, the Labour Inspectorate has given numerous presentations, video guides, interviews and published articles directed towards sharing information with employers. The topics have included during COVID-19 epidemics e.g. “What to do with an unvaccinated employee?”, “Preparing a risk analysis, assessing biological hazards and vaccination” and “Use of COVID certificate”. Regarding the employment of Ukrainian refugees, the topics have mainly included “Recruitment of Ukrainian refugees”, but also “Worldview differences at work: opportunities for employers to take action – an overview was given on what the employer can do in a situation where the war in Ukraine has brought about tension, which has escalated into conflict in many workplaces due to different worldviews.  Additionally, our information activities have been directed towards employers’ and employee’s organizations, e.g. we have participated in the information day organized by the Estonian Transport and Road Workers' Union, where we talked about "Impacts of COVID-19 on labor relations and the work environment" in the training event for trustees. The Labour Inspectorate together with the Confederation of Employers, Ministry of Social Affairs provided an overview on COVID-19 and labour relations.  Regarding point **(g)**, ensuring crisis preparedness in Estonia is the responsibility of every individual and institution. To enable everyone to fulfil their role, we have established a system for assessing risks (including a nationwide risk analysis), mitigating them (continuity tasks), and managing their impacts (emergency response plans and the national defence action plan along with its sub-plans). This primarily concerns state authorities and providers and organizers of vital services, including local governments. As part of this planning process, the same stakeholders are also responsible for considering whether and what kind of international assistance might be needed in the event of a crisis.  In regard to point **(i)**, in 2024, as part of Development of New Industries to Enhance Economic Competitiveness framework, coalition partners agreed to strengthen Estonia's economic competitiveness by developing new domestic industries, such as the defence industry. The goal is to reduce bureaucracy, provide clarity for entrepreneurs, and focus on the development of the entire country, not just the capital area.   In 2022, as part of Pilot Project for Regional Development Agreements and Councils, the Estonian government launched a pilot project to reduce regional disparities. As part of this initiative, development agreements are concluded between the central government, local authorities, and partners to define the region's priority business sectors and enhance the competitiveness of different areas.  In regard to point **(j)**, the [Gender Equality Act](https://www.riigiteataja.ee/en/eli/ee/530102013038/consolide/current) mandates that state and local government authorities systematically and purposefully promote gender equality. They must address conditions and circumstances hindering this goal and consider the differing needs and social statuses of men and women, and the gender impact, when planning, implementing, and assessing strategies, policies, and action plans.  Many other specific points raised here in question No 1 are further reflected throughout the questionnaire. | Paras 7(a)–(n); and 8(a)–(l) |
| 2. Please indicate to what extent the above-mentioned measures: (a) encompass all workers and jobseekers and all employers in all sectors of the economy; (b) apply to all workers engaged in crisis response, including the immediate response and the extent to which they also apply to volunteer work; (c) 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.  Estonian law enforcement, immigration, and social services personnel are using guidance, which is similar to National Referral Mechanism. It guides how to be proactive and how recognize a possible victim of human trafficking. Organizations that are most likely to be the first ones to identify an alleged/presumed victim are Police and Border Guard Board, municipal social service, specialized NGOs assisting victims, labour inspectors, competent foreign authorities. These actors should notify the Social Insurance Board of having detected a presumed victim of THB, following which information is provided to the law enforcement authorities to allow the initiation of criminal investigation into THB. The written procedures are under preparation together with training materials for different first line practitioners.  In the supervision and prevention activities the Labour Inspectorate constantly focuses on vulnerable groups, especially, but not limited to, youth and foreign workers. For example in 2023 there were carried out two campaigns that where directed towards Ukrainian refugees but also to the general public: [“The Labour Inspectorate helps resolve employment-related issues” and “You’re not alone at work”](https://ti.ee/ennetus-ja-teave/sundmused-ja-kampaaniad/kampaaniad#2023). There has also been a campaign [“Know your rights – young worker”](https://ti.ee/ennetus-ja-teave/sundmused-ja-kampaaniad/kampaaniad#2015), targeting young workers, who were graduating vocational education institutions and entering the labor market.  In addition, according to the Labour Inspectorate’s last year communication plan, the entire month of May was dedicated to minors and July to foreign employees, within the framework of which we published relevant material in various information channels. | Paras 1, 4, 5 and 7(h). |

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| II. Crisis response in the immediate aftermath of a conflict or disaster | |
| 3. Please indicate whether your country has adopted or considers adopting, as the case may be, specific crisis response strategies and measures to face the immediate aftermath of a conflict or disaster.  Please provide information, as relevant and appropriate to your country’s national circumstances, on the extent to which crisis response in the immediate aftermath of a conflict or disaster includes the following: (a) coordinated and inclusive needs assessments conducted with a clear gender perspective; (b) urgent response mechanisms put in place by public authorities to satisfy basic needs and provide services, especially for groups and individuals made particularly vulnerable by the crisis, engaging social partners and other relevant civil society and community- based organizations; (c) measures taken to ensure safe and decent working conditions, including the provision of personal protective equipment and medical assistance for all workers, including those involved in rescue and rehabilitation activities; and (d) efforts made to (re-)establish government institutions, employers' and workers' organizations, and relevant civil society organizations.  As a general comment, Estonia's crisis management is based on decentralization, inter-agency cooperation, and thorough preparedness, including risk assessments, continuity planning, and crisis exercises. Central strategic documents, legislation and processes such as the National Security Concept of Estonia, Emergency Act, risk assessment and planning system etc ensure that the decentralisad system is able to work effectively and in a coordinated manner in extensive crises situations. The principles of equal treatment must also be applied in crisis planning and resolution.  The state and local governments contribute to ensuring that people themselves are well-prepared for crises (raising awareness of possible risks and how to cope independently as best as possible). This is primarily to ensure that limited municipality and state resources can be used to assist the most vulnerable target groups who are in need of more help. Efforts are made to ensure that essential social services can function even in crisis situations (ie planning how to reaarrange work in different crises situations and having back up generatior for in case of electricity interruptions).  Many other specific points raised here in question No 3 are reflected throughout the questionnaire. | Paras 7(h); and 9(a)–(e) |

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| III. Employment and income-generation opportunities | |
| 4. Please indicate whether, in the context of enabling recovery and building resilience from a crisis situation, a comprehensive and sustainable employment strategy has been adopted and implemented, or considered, to promote full, productive, freely chosen employment and decent work and income-generation opportunities.  In this respect, please provide information on whether measures envisaged or taken in consultation with the most representative employers’ and workers’ organizations include the following: (a) employment-intensive investment strategies and programmes, including public employment programmes; (b) local economic recovery and development initiatives, particularly in rural and urban areas; (c) facilitating a just transition towards an environmentally sustainable economy; (d) supporting the public sector and promoting socially, economically, and environmentally responsible public–private partnerships for skills and capacity development and employment generation; and (e) to facilitate the employment of persons formerly associated with armed forces and groups.  As a general comment, active labour market measures are provided by Estonian Unemployment Insurance Fund which is directed by a Supervisory Board in which the government is an equal stakeholder together with representatives of employers and of employees. Sustainable employment strategy has been approved in 2022 in the framework of [Welfare Development Plan 2023-2030.pdf](https://sm.ee/sites/default/files/documents/2023-05/Welfare%20Development%20Plan%202023-2030.pdf) . Different target groups according to their vulnerability on the labour market are included. However, in case of crises as stipulated in Estonian [Emergency Act](https://www.riigiteataja.ee/en/eli/529122024011/consolide) neither labour market services nor benefits are listed as vital services.  Regarding specifically point **(e)**, Estonian public employment service (PES) does not have specialised labour market measures for persons who have been formerly associated with armed forces and groups. Estonian Defence Resources Agency offers career counselling to those who wish to transition from active duty to the open labour market and retraining programs to veterans.  Many other points in question 4 are reflected throughout the questionnaire. | Paras 7(a), (d), (k) and (j); 8(g); 10; and 11(a), (b), (e), (g) and (i) |
| 5. Please describe measures envisaged or taken aimed at promoting an enabling environment for sustainable enterprises.  In this respect, please provide information on whether measures envisaged or taken, in consultation with the most representative employers’ and workers’ organizations, include the following: (a) the creation or restoration of an enabling environment for sustainable enterprises, including the promotion of SMEs, as well as cooperatives, and other social economy initiatives, with particular emphasis on initiatives to facilitate access to finance; (b) support to 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; and (c) the establishment of 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.[[5]](#footnote-6)  Estonian PES offers different services and grants and benefits for businesses to maintain and expand the level of employment. For example, counselling, training grants, wage subsidies etc. During covid crisis, PES also paid salary grants to employers, whose activities were significantly disrupted due to extraordinary circumstances.  Enterprise Estonia has implemented several measures to support businesses in their transition to sustainability. These include programs to enhance ESG knowledge and skills, such as the ESG Strategy Masterclass and initiatives promoting circular design. Additionally, industrial symbiosis pilot projects are being conducted. Product and service development focuses on TAIE priority areas, which align with Estonia's development needs and opportunities, aiming to increase their significance in the Estonian economy. | Para. 11(c), (d) and (h) |
| 6. Please indicate measures envisaged or taken as part of crisis response and preparedness mechanisms focusing on persons in the informal economy.  In this regard, please indicate whether these measures include measures to: (a) support social protection and employment for persons in the informal economy; (b) respect, promote and realize the fundamental principles and rights at work of persons in the informal economy as well as other human rights and other relevant international labour standards; and (c) encourage the transition of workers and economic units from the informal to the formal economy.[[6]](#footnote-7) Please indicate also whether such measures have been designed and implemented in consultation with the most representative employers’ and workers’ organizations.  At present, Estonia does not have specific measures or an action plan in place as part of crisis response and preparedness mechanisms focusing on persons in the informal economy.  Depending on the nature of the crisis we analyse and decide specific measures necessary for crisis response on a case-by-case analysis, involving social partners as much as possible and in case appropriate. | Paras 7(b) and (k); and 11(f) |
| 7. Please provide information on the training, employment and labour market programmes and projects implemented or envisaged to respond to crisis situations by providing income-generation opportunities, stable employment and decent work for young women and men.  Please indicate, as appropriate, whether the measures envisaged or taken include the following: (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.  Many points in question 7 are reflected throughout the questionnaire. Depending on the nature of the crisis we analyse and decide specific measures necessary for crisis response on a case-by-case analysis. | Para. 13(a)–(b) |
| 8. Please provide information on active labour market policies and programmes envisaged, developed or implemented with a particular focus on disadvantaged and marginalized groups as well as on population groups and individuals who have been made particularly vulnerable by a crisis.  In this regard, please provide information on labour market policies and programmes focusing on, inter alia, young persons, persons with disabilities, internally displaced persons, migrants and refugees.  Estonian PES offers specialised labour market measures and benefits to people, who have reduced work ability (partial or no work ability) or disability. These measures are work related rehabilitation, working with a support person, peer support, supported employment service, work related technical aids and adapting the workstation. They can also participate in training and re-training courses in more favourable terms. Employers who hire people with reduced work ability or disability can apply for consulting and information service, social tax reimbursement, wage subsidy and compensation of training costs. For people, whose work ability is reduced, PES pays work ability allowance. Besides those specialised measures, people with reduced work ability or disability can use other labour market measures as well.  Between 2025-2028 additional project-based initiatives for supporting better labour market integration of the people whose health condition hinders working are carried out by NGOs.  As stipulated in the [Work Ability Allowance Act,](https://www.riigiteataja.ee/en/eli/514052024001/consolide) during an emergency, an emergency situation, a state of emergency or a state of war, the unemployment insurance fund may, on the proposal of the minister in charge of the policy sector, extend the term for which partial or no work ability of a person has been established if assessment of work ability is significantly restricted due to the emergency, emergency situation, state of emergency or state of war for objective reasons and the extension of the term for which partial or no work ability has been established is necessary for the person with reduced work ability for the preservation of the social guarantees of the person until the need for the rearrangement arising from the emergency, emergency situation, state of emergency or state of war ceases to exist.  If it is established that a person required to perform emergency situation work under the [Emergency Act,](https://www.riigiteataja.ee/en/eli/529122024011/consolide#para26) has partial or no work ability as a result of an injury suffered in emergency situation work or an illness developed due to the work and if a person who has been established permanent incapacity for work fully or partially due to the performance of duties in military service under the [Military Service Act](https://www.riigiteataja.ee/en/eli/506012025004/consolide), they will be paid compensation or a pension under special conditions.  The Emergency Act, stipulates that a person with no work ability and a person with a moderate, severe or profound disability and their caregiver are not obligated to perform emergency situation work and [National Defence Act](https://www.riigiteataja.ee/en/eli/520032023011/consolide#para47) releases them from the national defence work obligation and from one-time work obligation.  New Civil Crisis and National Defense Act is currently under consideration. It might give Estonian PES permanent crisis tasks - to continue paying benefits and social tax and to continue with work ability assessment procedures during the crisis.  Estonian public employment service has wide variety of measures provided, which are also available for migrants, including refugees. When offering services, the PES uses an individual approach to each person, regardless of their nationality or language skills, by finding out the needs and prospects of a specific person on the labour market.  The PES is also offering Estonian language courses for people from different ethnic background as it is important to deal with competitive disadvantage that lack of Estonian language skills constitutes to ethnic minorities in the labour market. In addition, the package of employment measures aimed at prevention of unemployment includes two options for Estonian language learning for employed persons. First, language courses made available via individual training voucher scheme and secondly, training costs reimbursement scheme for employers.  In June 2022, new measures were introduced to support the integration of beneficiaries of international protection into labour market. When hiring, the employer may apply for a work-related mentoring fee, reimbursement for the costs related to obtaining a certificate or other evidence of formal qualification and job-related translation services.  Between 2025-2028 additional project-based initiatives for supporting better labour market integration of the migrants are carried out by NGOs, targeted at newly arrived family migrants and refugees. | Paras 7(h); and 12 |
| 9. Please indicate whether measures have been envisaged or taken in the context of crises involving large numbers of internally displaced persons.  In this regard, please indicate whether the measures envisaged or taken involve the following: (a) supporting their livelihoods, training and employment; (b) strengthening the resilience 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 migrant and internally displaced persons is strengthened; and (c) facilitating the voluntary return of internally displaced persons and their reintegration into labour markets when possible.  Regrettably, we are unable to provide information on these measures at this time. | Para. 14(a)–(c) |

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| IV. Rights, equality and non-discrimination | |
| 10. Please provide information on measures envisaged or taken to address discrimination arising from or exacerbated by conflicts or disasters and when taking measures for promoting peace, preventing crises, enabling recovery and building resilience.  In this regard, please indicate whether these measures: (a) respect, promote and realize equality of opportunity and treatment for women and men without discrimination of any kind;[[7]](#footnote-8) (b) address the specific needs of single-headed households, especially those headed by children, women, persons with disabilities, or elderly persons; (c) 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) empower women to effectively and meaningfully participate in decision-making processes in the context of recovery and building resilience, and having their needs and interests prioritized in strategies and responses; (e) prevent and punishing all forms of gender-based violence, including rape, sexual exploitation, and harassment, and protecting and supporting victims; (f) establish or restore 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; (g) the consultation and direct participation in the decision-making process of persons belonging to minorities and indigenous and tribal peoples, especially if the territories inhabited or used by indigenous peoples and their environment are affected by a crisis, and related recovery and stability measures; (h) the provision of opportunities for rehabilitation, education, specialized vocational guidance, training and retraining, and employment for persons with disabilities including those who acquired a disability as a result of a conflict or a disaster; and (i) the respect of the human rights of all migrants and members of their families staying in your country in case it is affected by a crisis, on a basis of equality with those of national populations, indicating whether the employers’ and worker’ organizations were consulted in this regard.  Please find answers to these questions throughout the questionnaire.  However more specifically, regarding point **(h)**, Estonian PES offers specialised labour market measures and benefits to people, who have reduced work ability (partial or no work ability) or disability including work related rehabilitation. They can also participate in training and re-training courses in more favourable terms. If it is established that a person required to perform emergency situation work under the [Emergency Act,](https://www.riigiteataja.ee/en/eli/529122024011/consolide#para26) has partial or no work ability as a result of an injury suffered in emergency situation work or an illness developed due to the work and if a person who has been established permanent incapacity for work fully or partially due to the performance of duties in military service under the [Military Service Act](https://www.riigiteataja.ee/en/eli/506012025004/consolide), they will be paid compensation or a pension under special conditions. Also, state has to pay fee upon provision of social rehabilitation service or upon purchase or lease of technical aid. | Paras 7(f), (g), (h) and (k); 14(b); and 15(a)–(i) |
| 11. Please indicate, as applicable, measures envisaged or taken to combat child labour arising from or exacerbated by conflicts or disasters.  In this regard, please indicate whether these measures include the following : (a) preventing, identifying, and eliminating child labour in crisis responses;[[8]](#footnote-9) (b) taking 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;[[9]](#footnote-10) (c) providing 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) ensuring the provision of social protection services to protect children, for instance through cash or in-kind transfers.  Please see previous answers (Paras 1, 4, 5 and 7(h). - 2.).  The Labour Inspectorate works closely with other competent authorities (Police, Victim Support, Tax and Customs Board) to combat labour exploitation and human trafficking in all sectors and age groups. They exchange information and carry out joint inspections.  In addition, National referral mechanism has been worked out between relevant stakeholders acting against trafficking and in 2025 the negotiations about how to implement it, start. National referral mechanism gives procedural guidance on the roles and rights of the stakeholders in identifying and assisting victims of THB. | Paras 7(b); and 16 |
| 12. Please indicate, as applicable, whether in the context of combating forced or compulsory labour arising from or exacerbated by conflicts or disasters, urgent action is envisaged or has been taken to prevent, identify and eliminate all forms of forced or compulsory labour, including trafficking in persons for purposes of forced or compulsory labour.[[10]](#footnote-11)  Please indicate whether such measures give special attention to migrants, especially migrant workers, who have been made particularly vulnerable by crisis  The Labour Inspectorate works closely with other competent authorities (Police, Victim Support, Tax and Customs Board) to combat labour exploitation and human trafficking in all sectors and age groups. They exchange information and carry out joint inspections. In the early years of the Ukrainian crisis, special emphasis was also placed on monitoring the working conditions of Ukrainian war refugees. When conducting supervision and prevention activities the Labour Inspectorate constantly focuses on vulnerable groups, including foreign workers in order to detect and prevent labour exploitation. | Paras 7(b); 17; and 26(a) |

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| V.  Education, vocational training and guidance | |
| 13. Please indicate measures envisaged or taken with a view to guaranteeing the provision of education in preventing and responding to crisis situations, on the basis of the principle of equality of opportunity and treatment for women and men, girls and boys.  In this regard, please indicate whether such measures:   1. ensure the provision of education is not disrupted or is restored as quickly as possible, and that all children – including those who are internally displaced, migrants, or refugees and their hosting communities- have access to free, quality, public education in accordance with relevant international law and without discrimination of any kind at all stages of crisis and recovery; 2. make available second chance programmes for children and young persons to address key needs arising from any interruption of their education and training; 3. 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 Gender Equality Act](https://www.riigiteataja.ee/en/eli/ee/530102013038/consolide/current) (GEA) mandates that state and local government authorities systematically and purposefully promote gender equality. They must address conditions and circumstances hindering this goal and consider the differing needs and social statuses of men and women, and the gender impact, when planning, implementing, and assessing strategies, policies, and action plans. The [Equal Treatment Act](https://www.riigiteataja.ee/en/eli/ee/530102013066/consolide/current) (ETA) foresees that each ministry, within its area of government, monitors compliance with the requirements of the ETA and cooperates with other persons and entities upon promotion of the principle of equal treatment. Both GEA and ETA prohibit discrimination in education, GEA based on gender, and ETA on grounds of nationality (ethnic origin), race or colour. Additionally, GEA mandates educational and training institutions to ensure that the curricula and study materials used facilitate abolishment of the unequal treatment of men and women and promote gender equality, ETA that upon determination of the content of studies and organisation of studies, these institutions take account of the need to promote the principle of equal treatment. | Paras 7(g) and (h); 18(a)–(b); and 20 |
| 14. Please indicate whether, in preventing and responding to crisis situations, a national education, training, retraining, and vocational guidance programme or initiative has been formulated or adapted to respond to emerging skills needs for recovery and reconstruction, in consultation with education and training institutions and employers’ and workers’ organizations, as well as other relevant public and private stakeholders.  More specifically, please provide information of whether and how relevant programmes and measures comprise the following:   1. effective coordination of education, training and retraining services at national, regional and local levels, including higher education, apprenticeship, vocational training and entrepreneurship training; 2. extension and adaptation of training and retraining programmes to enable women and men, including those from marginalized and vulnerable groups, whose employment, education or training have been prevented or interrupted to enter or resume and complete their education and training, with special attention to the training and economic empowerment of affected populations, including in rural areas and in the informal economy; and 3. adapted curricula and training of 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.   Regrettably, we are unable to provide information on these measures at this time. | Paras 7(h), (k) and (l); and 19(a)–(e) |

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| VI. Social protection | |
| 15. Please provide information on social protection measures envisaged or taken with a view to preventing crises, enabling recovery and building resilience as well as to responding to crisis situations as quickly as possible.  In this regard, please provide information on whether such measures include the following: (a) seeking to ensure basic income security for persons whose jobs or livelihoods have been disrupted by crisis situations; (b) developing, restoring, or enhancing comprehensive social security schemes and other social protection mechanisms; (c) seeking to secure effective access to essential healthcare and other basic social services, particularly for those who have been made particularly vulnerable by the crisis; and (d) establishing, re-establishing or maintaining social protection floors, as well as seeking to close the gaps in their coverage in order to prevent crises, enable recovery and build resilience.[[11]](#footnote-12)  **(a)** The minimum income is ensured through the subsistence benefit, and its payment continues during crises. A person living alone or a family whose monthly net income, after the deduction of housing expenses, falls below the subsistence level, has the right to receive a subsistence benefit. If necessary, it can be paid out in cash.  **(b)** Estonia's social security schemes cover old age, incapacity for work, loss of a provider, maternity, unemployment, illness, and parenthood. All schemes are continuously being developed. There is no separate occupational accident and disease insurance scheme, but this risk is covered by the general health insurance and incapacity for work schemes. To guarantee international standards Estonia has ratified European Social Security Code (ETC nr 48). Estonia has also concluded bilateral social security agreements with Canada, Ukraine, Russian Federation, Moldova, Australia and Belorussia.  **(c)** Emergency social and medical assistance is also guaranteed by law to all individuals staying in Estonia's territory. Emergency social assistance includes least food, clothing, and temporary accommodation.  **(d)** There are social protection floors established in all schemes where income replacement is paid. Moreover, Estonian Social Security is universal, not sectoral, making it rather easy to seek for a gap in coverage. With a recent reform, the risk of incapacity for work was removed from the pension system. Instead of a contribution-based pension, a residence-based work ability allowance is paid. The amount of the work ability allowance is the same for everyone. This year, the reform of the survivor’s pension is underway, which will result in all children who have lost a provider receiving an equal survivor’s allowance. | Paras 21(a)–(c); and 22 |

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| VII. Labour law, labour administration and labour market information | |
| 16. Please provide information, as applicable, on measures envisaged or taken in the area of labour law in recovering from crisis situations, in consultation with the most representative employers’ and workers’ organizations.  In this regard, please indicate whether these measures include the following: (a) reviewing, establishing, re-establishing, or reinforcing labour legislation, if necessary, including provisions on labour protection and occupational safety and health at work; and (b) ensuring that labour laws support the generation of productive, freely chosen employment and decent work opportunities.  There are no specific occupational safety and health regulations for crisis recovery. However, in cases of emergency, various informational sheets and guidelines are prepared to support employers (for example see question nr 1 (d)). Additionally, representatives of employers and trade unions hold tripartite meetings with the Minister of Economic Affairs and Industry to discuss issues related to the regulation of employment relations and the working environment, as well as to negotiate the implementation of potential legislative amendments. | Paras 7(k); and 23(a)–(b) |
| 17. Please provide information, as applicable, on measures envisaged or taken in recovering from crisis situations by strengthening the labour administration and labour market information systems as well as the national employment service, in consultation with the most representative employers’ and workers’ organizations.  In particular, please indicate whether these measures include the following:   1. establishing, re-establishing, or reinforcing, as necessary: (i) the systems of labour administration, including labour inspection and other competent institutions, and collective bargaining,[[12]](#footnote-13) (ii) the systems for the collection and analysis of labour market information, focusing on population groups most affected by the crisis; and (iii) public employment services, including emergency employment services; 2. ensuring the regulation of private employment agencies;[[13]](#footnote-14) and 3. promoting synergies among all labour market actors, including employers’ and workers’ organizations, public employment services, and private employment agencies, to enable local populations to obtain the maximum benefit from employment opportunities generated by investments related to the promotion of peace and recovery.   Depending on the nature of the crisis we analyse and decide specific measures necessary for crisis response on a case-by-case analysis, involving social partners as much as possible and in case appropriate. | Paras 7(c); and 23(c)–(g) |

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| VIII. Social dialogue and the role of employers’ and workers’ organizations | |
| 18. Please provide information on actions envisaged or taken to promote social dialogue in responding to crisis situations, in consultations with the most representative employers’ and workers’ organizations.  In this regard, please indicate whether these measures include the following: (a) ensuring that all measures taken to generate employment and decent work with respect to crisis situations are developed or promoted through gender-inclusive social dialogue;[[14]](#footnote-15) (b) creating an enabling environment for the establishment, restoration, or strengthening of employers’ and workers’ organizations; and (c) encouraging close cooperation with civil society organizations, where appropriate.  We find it essential to involve social partners in the development of different policy measures, including in response to crisis situations, in order to develop legislation and policies that truly respond to the needs of both employers and workers.  The main institution of social dialogue in Estonia would be the conduction of tripartite meetings between the minister in charge of labour policy sector, Estonian Trade Union Confederation and Estonian Employers’ Confederation. During tripartite meetings social partners are able to discuss relevant topics that either of the parties propose, such as needs for new legislative measures or reforms and proposals for amendments.  Social partners can also suggest ideas for reforms and policies, either separately or together. Practice has shown that in case social partners have reached an agreement before proposing changes to the government or parliament, the chances of the proposal going through are high.  In addition, the Estonian Trade Union Confederation and the Estonian Employers’ Confederation sign a collective agreement regarding minimum wage through social dialogue. In general, social partners negotiate minimum wage yearly. Regarding minimum wage, in 2023 social partners and the government reached a tripartite agreement about gradually increasing the minimum wage in the following years. The aim is to make minimum wage equal to 50 percent of the mean wage by 2027. To give context, in 2023 minimum wage was 39,5 percent of the mean wage. The agreement also allows parties to take into consideration the economic situation. The agreement can be revised and changed for example in case the economy is in decline as a whole or unemployment has increased significantly.  Furthermore, it is mandatory by law to involve all relevant stakeholders in the process of adopting new laws and amendments. Social partners and other stakeholders must always be given the opportunity to give feedback to new reforms and policies with the aim to ensure the best possible quality and legitimacy of the decisions. | Paras 7(k); 8(h); and 24(a)–(c) |
| 19. Please indicate measures envisaged or taken to recognize the vital role of employers’ and workers’ organizations in crisis response.[[15]](#footnote-16)  In this regard, please indicate whether measures envisaged or taken, through the collective bargaining process or other methods of social dialogue, are aimed at: (a) assisting sustainable enterprises, particularly SMEs, to recover from crises through business continuity planning focusing on training, advice, material support, and facilitating access to finance; and (b) assisting workers, particularly those who have been made vulnerable by the crisis through training, advice and material support.  Kindly look at the answer to the previous question No 18.  Depending on the nature of the crisis we analyse and decide specific measures necessary for crisis response on a case-by-case analysis, involving social partners as much as possible and in case appropriate. | Paras 8(h); and 25(a)–(c) |

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| IX. Migrants affected by crisis situations | |
| I. Preventing exploitation and promoting inclusion  20. Please provide information, as applicable, on measures envisaged or taken to reduce vulnerabilities arising from or exacerbated by crises and promote the inclusion of migrants and their families in your country.  In this respect, please indicate whether measures have been envisaged or taken to: (a) eliminate forced or compulsory labour, including trafficking in persons; (b) promote the inclusion of migrants, through access to labour markets and decent work (including entrepreneurship and income-generation opportunities); (c) protect and seek to ensure labour rights and a safe environment for all migrant workers, including those in precarious employment, women migrant workers, youth migrant workers, and migrant workers with disabilities; (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.  Kindly refer to the responses provided under questions No 2 and 8. | Para. 26(a)–(e) |
| II. Promoting equality of opportunity and treatment  21. Please provide information, as appropriate, on measures envisaged or taken to promote equality of opportunity and treatment for all migrant workers with regard to fundamental principles and rights at work as well as coverage under relevant national labour laws and regulations.  In this regard, please communicate information on measures envisaged or taken with a view to: (a) educating 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) enabling the participation of migrants in representative organizations of employers and workers; (c) combating discrimination and xenophobia in the workplace and highlighting the positive contributions of migrants, including through campaigns, with the active engagement of employers’ and workers’ organizations and of civil society; and (d) consulting and engaging employers’ and workers’ organizations and, as appropriate, other relevant civil society organizations, with respect to employment of migrants.  Please kindly see responses provided under previous questions.  More specifically, regarding point **(c)**, both the Gender Equality Act and the Equal Treatment Act prohibit discrimination in employment, GEA based on gender, and ETA on grounds of nationality (ethnic origin), race or colour. religion or other beliefs, age, disability and sexual orientation. Additionally, GEA obliges employers to actively promote gender equality and ETA to promote implementation of the principle of equal treatment. In the "Welfare Development Plan 2023-2030" activities are foreseen aimed at raising employers’ awareness on promoting diversity in enterprises and organizations. For this purpose, the government has supported the work of the network of employers committed to the Estonian Diversity Charter (https://humanrights.ee/en/topics-main/diversity-and-inclusion/charter/), and administering of the Diverse Workplace Label (https://humanrights.ee/en/topics-main/diversity-and-inclusion/mitmekesise-tookoha-margis/). | Paras 7(b) and (k); and 27(a)– (d) |

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| X. Refugees and returnees | |
| I. Refugee to access to labour markets  22. Please indicate, as applicable, measures envisaged or taken to enhance refugees’ access to labour markets, in the event of refugee influx.  In this respect, please indicate whether these measures include the following: (a) measures put in place to support refugees in developing self-reliance through access to livelihood opportunities and labour markets; (b) the formulation of national policies and action plans, involving competent authorities responsible for employment and labour as well as of employers’ and workers’ organizations to ensure the protection of refugees in the labour market; and (c) mechanisms to collect reliable information about the impact of refugees on labour markets and the needs of the existing workforce and employers.  Please kindly refer to answers given under previous questions. | Paras 30(a)–(b); 31; and 35 |
| 23. Please provide examples of measures envisaged or taken to include refugees within actions taken with respect to employment, training and the labour market. Please provide information on whether and how your Government consults and engages the most representative employers’ and workers’ organizations and other relevant stakeholders with respect to the access of refugees to labour markets  As appropriate, please provide information on whether measures envisaged or taken include the following: (a) promoting the access of refugees to technical and vocational training, in particular through ILO and relevant stakeholder programmes to enhance their skills and enable further retraining, taking into account possible voluntary repatriation; (b) promoting access to formal job opportunities, income-generation schemes, and entrepreneurship opportunities, by providing vocational training and guidance, job placement assistance, and access to work permits, as appropriate; (c) facilitating the recognition, certification, and accreditation of their skills and qualifications; (d) providing access to tailored training and retraining opportunities, including intensive language training; (e) enhancing the capacity of public employment services and improving cooperation with other providers of services, including private employment agencies, to support the access of refugees into the labour market; (f) making specific efforts to support the inclusion in the labour markets of refugee women, young persons and other persons in a situation of vulnerability; (g) facilitating the portability of work-related and social security benefit entitlements; (h) educating refugees about their labour rights and protections; (i) enabling refugee participation in representative organizations of employers and workers; and (j) combating discrimination and xenophobia in the workplace and highlighting the positive contributions of refugees, with the active engagement of employers’ and workers’ organizations and of civil society.  The Labour Inspectorate has supported refugees to access labour markets through providing information on labour law, legal aspects of applying for a job, as well as providing consultations, presentations and guidance materials for employers on what to consider when recruiting foreigners. In 2022-2023 the Labour Inspectorate in cooperation with the Estonian Refugee Council (a non-governmental organization) held many presentations on labour law directed mainly at Ukrainian refugees, in some instances also at other third-country nationals.  Also, we have provided information on where to look for job offers in Estonia and redirected refugees to competent authorities in a specific matter related to the labour market. The Labour Inspectorate, in cooperation with other competent authorities, has prepared relevant fact and information sheets, which are available on the Working Life portal in different languages, including English. For example, fact sheets for Ukrainian war refugees were published: <https://www.tooelu.ee/en/392/ukrainian-war-refugees-and-employment-relations#information-materials-for-those-arriving-from-ukraine>. On the same page FAQ for employees, employers and volunteers is available.  A factsheet for employers recruiting Ukrainian war refugees included different types of legal basis for work, as well as the salary requirement according to the legal basis (factsheet in Estonian): <https://s3-web-1a.tehik.ee/tooelu-live-web-prd/s3fs-public/2025-01/Infoleht-to%CC%88o%CC%88andjatele-Ukraina-so%CC%83japo%CC%83geniku-to%CC%88o%CC%88levo%CC%83tmine-(va%CC%88rviline)-EST-2025.pdf>.  On the same website in Working Life portal (as well as when providing consultations), information regarding possibilities for war refugees to enter the labour market based on their qualifications was published: <https://www.tooelu.ee/en/392/ukrainian-war-refugees-and-employment-relations#qualifications-and-professions>. | Paras 33(a)–(f); 34(a)–(c); and 35 |
| 24. Please indicate whether your country contributes to reinforcing international cooperation and solidarity assistance to provide predictable, sustainable and adequate humanitarian and development assistance to support the least developed and developing countries hosting large numbers of refugees.  In this regard, please indicate whether measures envisaged or taken include supporting host communities and other countries to benefit from the presence of refugees through development assistance and investments in local economies, promotion of employment and decent work as well as skills development of the local population.  Yes, Estonia contributes to reinforcing international cooperation and solidarity assistance to provide predictable, sustainable and adequate humanitarian and development assistance to support the least developed and developing countries hosting large numbers of refugees.  Estonia contributes to this regard, including supporting host communities and other countries. For example, in the case of humanitarian crisis in Syria, which remains the largest displacement crisis, Estonia’s support since 2011 amounts to 12,6 million euros and aims to address the critical humanitarian needs affecting the people in Syria and Syrian refugees in its neighbouring countries, such as Jordan, Lebanon and Turkey. Support projects have also included assistance to vulnerable groups in host communities in Lebanon and Jordan. | Paras 7(m)–(n); 29; 32; 33(a); and 36 |
| II. Voluntary repatriation and reintegration of returnees  25. Please indicate whether your country collaborates with other Member States or with the ILO to facilitate the safe and dignified voluntary repatriation of refugees and to support their labour market reintegration when the security situation in their country of origin improves.  Please provide information on whether measures envisaged or taken in this regard include: (a) strengthening the capacity and building resilience of countries of origin by: (i) investing in local communities in which returnees are reintegrated to support their economic and social development; and by (ii) promoting full, productive, freely chosen employment and decent work; and (b) developing specific programmes for returnees to facilitate their socio-economic integration, vocational training and reintegration into the labour market. Please provide examples of collaborative efforts undertaken to this effect.  In Estonia, voluntary return of irregular migrants is encouraged since 2010 through Voluntary Assisted Return and Reintegration Programme (VARRE, <https://estonia.iom.int/voluntary-assisted-return-and-reintegration-estonia-varre>). The programme is carried out by IOM and co-funded by the EU Asylum, Migration and Integration Fund (AMIF) and by the Estonian Ministry of the Interior. The programme is open to asylum seekers as well as to irregular migrants and provides needs based support during the pre-departure and post-arrival stages of the return process (counselling, assistance in getting travel documents, travel tickets and planning the journey, reintegration support). Reintegration support is destined to finance the setup of new small businesses, farming, buying into a partnership in already existing small businesses, or pursuing vocational training with further employment opportunity. | Paras 37; 38; 39; and 40 |

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| XI. Prevention, mitigation and preparedness | |
| 26. Please indicate, as appropriate, whether your country has designed or envisaged, in consultation with employers’ and workers’ organizations, measures for conflict or disaster risk reduction, preparedness and mitigation that build resilience and support economic and social development and decent work.  If so, please indicate whether this includes any of the following: (a) risk identification and assessments on human, physical, economic, environmental, institutional, and social capital at local, national and regional levels; (b) risk management measures, including contingency planning, early warning systems, risk reduction strategies, 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.[[16]](#footnote-17)  Answers to question No 26 are reflected throughout the questionnaire. | Paras 7(e), (i), and (k); and 41(a)–(c) |

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| XII. International cooperation | |
| 27. Please indicate if and how your country is engaged in activities aimed at strengthening cooperation through bilateral or multilateral arrangements in preparing for and responding to crisis situations, making full use of existing arrangements and established institutions and mechanisms and strengthening them, where appropriate.  If so, please describe: (a) how the existing United Nations system, international financial institutions, and other regional or international mechanisms of coordinated response are being utilized by your country, including to ensure close coordination and complementarity between humanitarian and development assistance, for the promotion of full, productive, freely chosen employment and decent work for peace and resilience; (b) how your country supports crisis responses, including support by regional and international organizations, providing for a central focus on employment, decent work and sustainable enterprises; (c) how your country promotes development assistance and public and private sector investment in crisis response for the creation of decent and productive jobs, business development and self-employment; (d) how your country participates in strengthening international cooperation, including through the voluntary and systematic exchange of information, knowledge, good practices and technology; and (e) whether in engaging in international cooperation your country seeks to ensure that crisis responses provide for a central focus on employment, decent work and sustainable enterprises, and are consistent with applicable international labour standards.  Among other measures, Estonia's humanitarian aid funding supports anticipatory action and related activities that support preparedness and resilience for crises.  **(a)** Estonia strongly supports the humanitarian-development-peace nexus which aims to better coordinate and integrate humanitarian, development and peace activities. This includes support for those activities in multilateral organisatsions through which Estonia provides humanitarian aid.  **(b)** A significant part of Estonia's humanitarian aid is provided via multilateral organisations that, among other things, also work to provide independence and resilience via supporting local employment. Being a small donor, aid efficiency is particularly important to us and both resilience and independence are some of the most effective ways of providing support.  **(c)** Estonia supports the involvement of private sector in crisis response where possible and relevant.  **(d) & (e)** Independence and resilience are things we consider important when providing humanitarian aid, this includes promoting local employment in crises. | Paras 7(b), (m)–(n); 42; 43; 44; 47; and 48 |
| 28. Please indicate if and how your country contributes to: (a) ILO playing a leading role in ensuring crisis response and prevention based on employment and decent work; and (b) reinforcing cooperation and coherence between international organizations taking into account their respective mandates, making full use of relevant international policy frameworks and arrangements in coordinated crisis responses.  Estonia is a regular and long-time donor to the United Nations Office for the Coordination of Humanitarian Affairs (OCHA). Its core mandate is the coordination of humanitarian aid in crises, including coordinating with all other relevant international organisations both inside and outside the UN system. Estonia also stands for reinforcing OCHA's core mandate in the OCHA Donor Support group. | Paras 45; 46; and 47 |

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| XIII.  Standards-related action, development cooperation and statistical information |
| 29. Please indicate any suggestion your country would wish to make concerning possible standards-related action to be taken by the ILO in the area of employment and decent work for peace and resilience.  Currently Estonia kas no specific suggestions regarding this topic. |
| 30. Please identify any obstacles impeding or delaying the implementation of Recommendation No. 205 and indicate any measures envisaged or taken to overcome these obstacles.  Currently Estonia has no plans to ratify Convention No. 205. |
| 31. Have there been any requests for policy support provided by the ILO, including in the framework of projects funded by development cooperation? To the extent feasible and applicable, please share feedback on the effectiveness of ILO support in designing crisis response measures for your country focused on employment promotion, labour market integration or access, capacity development, and institution building. Would your country wish to undertake, through national dialogue and in cooperation with the ILO, an assessment on policy options for crisis response and preparedness from the perspective of the guiding principles and strategic approaches of Recommendation No. 205?  Thank you, currently we see no need for such assessment. |
| 32. Please continue providing updated statistical information to ILO STATISTICS and other departments on the labour force, wages and working conditions and social protection and, as appropriate, please also supply any other specific crisis-response related data that in your view may bear relevance under Recommendation No. 205.  Estonia will continue to provide relevant statistical information to ILO. |
| 33. If your country is a federal State, please indicate:   1. whether, under the constitutional system, the provisions of this Recommendation are regarded by the federal government as appropriate for federal action or for action, in whole or in part, by the constituent states, provinces or cantons; 2. whether it has been possible to make any arrangements within the federal State with a view to promoting coordinated action to give effect to all or some of the provisions of Recommendation No. 205. Please give a general indication of any results achieved through such action   N/A |

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| Article 23(2) of the Constitution |
| 34. Please indicate the representative employers’ and workers’ organizations to which copies of the present questionnaire have been communicated in accordance with article 23(2) of the ILO Constitution and indicate whether you have received observations from such organizations concerning the effect given, or to be given, to Recommendation No. 205. If so, please communicate a copy of the observations received together with any comments that you may consider useful.  Copies of the present report will be communicated to the Estonian Trade Unions Confederation and the Estonian Employers’ Confederation. |

Recommendation No. 205I

Employment and Decent Work for Peace and Resilience   
Recommendation, 2017 (No. 205)

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:

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.

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 income-generation opportunities, avoiding the duplication of efforts and mandates.

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.

IV. Employment and income-generation 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.

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).

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:

1. peaceful coexistence and reconciliation for peacebuilding and resilience; and
2. 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.

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.

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.

IX. Social dialogue and 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.

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.

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 responsibility-sharing, 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.

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).

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.

XIV. Final provision

49. This Recommendation supersedes the Employment (Transition from War to Peace) Recommendation, 1944 (No. 71).

1. [GB.349/PV,](https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_910178.pdf) para. 1021. [↑](#footnote-ref-2)
2. ILO, [*Provisional Record No. 13-2(Rev.): Reports of the Committee on Employment and Decent Work for the Transition to Peace:*](https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_558622.pdf)[*Summary of proceedings*,](https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_558622.pdf) International Labour Conference, 106th Session, 2017, paras 128–142. While there is no definition of “situations of fragility”, a situation of fragility may lead to an armed or non-armed conflict. [↑](#footnote-ref-3)
3. ILO, [*Employment and decent work for peace and resilience: Revision of the Employment (Transition from War to Peace)*](https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_358383.pdf)[*Recommendation, 1944 (No. 71)*,](https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_358383.pdf) Report V(1), International Labour Conference, 105th Session, 2016, para. 15. [↑](#footnote-ref-4)
4. ILO, *Provisional Record No.13-2(Rev.)*, paras 144–150. [↑](#footnote-ref-5)
5. Taking into account the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy. [↑](#footnote-ref-6)
6. Taking into account the Transition from the Informal to the Formal Economy Recommendation, 2015 (No. 204). [↑](#footnote-ref-7)
7. 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. [↑](#footnote-ref-8)
8. Taking into account the Minimum Age Convention (No. 138) and Recommendation (No. 146), 1973. [↑](#footnote-ref-9)
9. Taking into account the Worst Forms of Child Labour Convention (No. 182) and Recommendation (No. 190), 1999. [↑](#footnote-ref-10)
10. 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). [↑](#footnote-ref-11)
11. 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. [↑](#footnote-ref-12)
12. Taking into account the Labour Inspection Convention, 1947 (No. 81), as well as the Right to Organise and Collective Bargaining Convention, 1949 (No. 98). [↑](#footnote-ref-13)
13. Taking into account the Private Employment Agencies Convention, 1997 (No. 181). [↑](#footnote-ref-14)
14. Taking into account the Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144). [↑](#footnote-ref-15)
15. 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). [↑](#footnote-ref-16)
16. 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), as amended in 2022. [↑](#footnote-ref-17)