



European Parliament Employment Committee Hearing

“Refugees - social inclusion and integration into the labour market”

Thursday 18th February (09:00 – 11:30 am)

ILO Statement by Ryszard Cholewinski [Check Against Delivery]

Labour Migration Branch, International Labour Organization (ILO), Geneva

Refugees and asylum seekers in the work place are persons of concern to the ILO. International labour standards, including the specific instruments on migrant workers,¹ apply to them and ILO is increasingly focusing on the decent work dimension of refugee movements in light also of the recognition by the international community of the need to move towards development as well as humanitarian responses.

At its International Labour Conference in June 2015, the ILO organized a high-level side event on migration, which also discussed the employment dimensions of the growing refugee and migration flows.² In November 2015, the ILO Governing Body turned its attention specifically to the global refugee crisis and its labour market implications.³ Discussions in the ILO Governing Body will continue next month when “Addressing the labour market impacts of refugees and other forcibly displaced people” will be the focus of a working party that will commence with a high-level panel.⁴

In taking the firm view that access to decent work underpins the broader protection framework for refugees,⁵ the ILO has been collaborating for some time with the United High Commissioner for Refugees (UNHCR) on the employment and livelihoods dimension.

¹ ILO Migration for Employment Convention (Revised), 1949 (No. 97) and ILO Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143) and accompanying ILO Recommendations Nos 86 and 151.

² See http://www.ilo.org/ilc/ILCSessions/104/WCMS_371836/lang--en/index.htm.

³ See ILO Governing Body, 325th Session, Geneva, 29 October – 12 November 2015, “The global refugee crisis and its labour market implications: Note for discussion”, Doc. GB.325/INS/17.

⁴ See ILO Governing Body, 326th Session, Geneva, 10 March–24 March 2016, Agenda and Programme, Doc. GB.326. The panel will include the Special Representative of the UN Secretary General (SRSG) for International Migration and Development and high-level representatives from UNHCR and IOM.

⁵ As recognized also in the employment provisions of the 1951 Geneva Convention Relating to the Status of Refugees, Chapter III: Gainful Employment (Articles 17-19).

It is important to consider how to better frame refugee responses using a labour market lens that could yield positive gains for economic growth and provide refugees with greater protection through decent work. This approach is very much in line with the 2030 Sustainable Development Agenda, endorsed by the UN General Assembly in September 2015, and particularly Sustainable Development Goal (SDG) 8 on economic growth and decent work, in which full and productive employment and decent work for all is included as one of the targets.⁶

Refugees, asylum-seekers and migrants contribute to host societies by bringing skills, knowhow and talents that can help meet labour shortages in host and transit countries, as well as address the consequences of changing demographics, such as ageing populations and resulting declining workforces.

As the ILO Director-General has underscored, the current refugee crisis is a crisis of policy that encompasses both the drivers of refugee movements and the policy responses to them.⁷

Migratory flows, of both migrant workers and refugees, generally tend to concentrate towards countries with the most favourable economic conditions (as indeed has been seen in the movements of refugees towards Germany and Sweden), which underlines the critical importance of strengthening labour market institutions, including labour market information systems. Improved data collection, research and analysis are vital in informing policy development and alignment. Responses also require developing the capacity of the social partners (employers' organizations and trade unions) and other civil society organizations.

A key challenge is reinforcing the positive impact and public perception of refugees on labour markets and the economy, particularly in the continuing climate of economic uncertainty.

Responses that address the needs of **both** refugees and host communities – whether through programmes targeting job creation, education, vocational training and skills development, social finance and cooperatives – will be critical to ensure the public discourse becomes more constructive and supportive. It is also vital to address labour market segmentation and ensure equality of treatment and non-discrimination in labour market responses. ILO research in countries of first asylum hosting large numbers of Syrian refugees (Jordan and Lebanon) has revealed extensive labour market impacts of the refugee crisis. A lack of access to formal employment leads to a growth in the informalization of employment, increased labour exploitation – including its worst manifestations of forced labour and child labour – and a downward impact on working conditions and wages generally that also affects national workers.

⁶ SDG target 8.5: “By 2030, achieve full and productive employment and decent work for all women and men, including for young people and persons with disabilities, and equal pay for work of equal value”. SDG target 8.8 refers specifically to migrant workers: “Protect labour rights and promote safe and secure working environments for all workers, including migrant workers, in particular women migrants, and those in precarious employment”. See UN, General Assembly, 70th Session, Resolution 70/1: Transforming our world: the 2030 Agenda for Sustainable Development, adopted on 25 September 2015, UN doc. A/RES/70/1 (21 October 2015).

⁷ “ILO Director-General calls for durable solution to migrant and refugee crisis”, 7 August 2015, available at http://www.ilo.org/global/topics/labour-migration/news-statements/WCMS_389241/lang-en/index.htm.

Jordan, Lebanon and Turkey, are facing much greater challenges than European Union (EU) Member States in absorbing the very large influx of Syrian refugees in particular. In Turkey, ILO is monitoring the impact of the recently adopted Regulation on Work Permits for Foreigners under Temporary Protection,⁸ which is taking place through a project in three regions of high population density of Syrian refugees, identifying employment and training opportunities in six sectors for both Syrian refugees and host communities. ILO is working with training service providers, employers, trade unions and local authorities to develop an approach to labour market integration that is sensitive to the needs of both refugees and host communities. The project also includes a strong communications component to promote positive messages and address negative perceptions. We hope that this can lead to the establishment of a good practices model for adaptation and replication in other countries and regions.

While the numbers of refugees reaching Europe in 2015 have been unprecedented, they have not reached the scale that we see in the so-called “frontline” countries of Jordan, Lebanon and Turkey.

Moreover, in contrast to these countries,⁹ the EU has developed a clear legal framework on access of refugees and asylum-seekers to the labour market that is applied in 25 of its 28 Member States, through the Refugee Qualification and Reception Directives.¹⁰ In the case of the beneficiaries of international protection (both refugees and those with subsidiary protection status), this framework also includes provisions relating to access to education, training and retraining, and procedures for recognition of diplomas and qualifications.¹¹

In November 2015, ILO organized an event in this Parliament on “Refugees’ integration in EU labour markets: Seizing the opportunities – Tackling the challenges”, which brought together a range of stakeholders – European parliamentarians representing different political parties and selected destination and transit countries of refugees as well as government authorities, European employers’ and workers’ organizations (Business Europe and the European Trade Union Confederation - ETUC), the European Commission, UNHCR, and NGOs. The meeting gave rise to a number of important findings on refugees’ social inclusion and integration into the labour market:

⁸ Regulation on Work Permits for Foreigners under Temporary Protection, No. 2016/8375, 15 January 2016.

⁹ With the exception of Turkey’s recent Regulation on Work Permits for Foreigners under Temporary Protection, op cit.

¹⁰ Directive 2011/95/EU of the European Parliament and the Council of 13 December 2011 on standards for qualification of third-country nations or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted (recast), OJ 2011 L 337/9, Article 26(1): “Member States shall authorize beneficiaries of international protection to engage in employed or self-employed activities subject to the rules generally applicable to the profession and to the public service, immediately after protection has been granted”; Directive 2013/33/EU of the European Parliament and of the Council of 26 June 2013 laying down standards for the reception of the applicants for international protection (recast), OJ 2013 L 180/96, Article 15(1); “States shall ensure that applicants have access to the labour market no later than 9 months from the date when the application for international protection was lodged if a first instance decision by the competent authority has not been taken and the delay cannot be attributed to the applicant”.

¹¹ Refugee Qualification Directive, op cit., Articles 27(2) and 28.

- Integration of refugees in the labour market requires overcoming the current lack of **solidarity** in the EU in addressing the Syrian refugee crisis, in particular by improving the knowledge base and changing messages to close the gaps between prevailing myths (e.g. refugees and migrants take the jobs of nationals) and realities.
- EU Member States are unevenly equipped to address the challenges arising from the sudden and large influx of refugees, which underlines the need for timely and adequate financial support and technical assistance, including through the sharing of good practices; otherwise, xenophobia and closure of borders will continue.
- Labour market integration is one of the most effective ways of facilitating refugees' integration and social inclusion in host societies.
- The earlier refugees are encouraged and assisted in entering the labour market the better for their human dignity and livelihood, the host community, and the public purse.¹²
- At the community level, **representative employers' and workers' organizations play a key role in assisting the integration process for refugees (and migrants)**, particularly through collective bargaining processes, and in alleviating the concerns of local workers relating to wages and working conditions; and trade unions (and NGOs) play an important role in respect of the provision of support services, including representing their rights at the workplace.
- Participation of refugees in labour markets should not be pursued at the expense of a credible policy on labour migration and mobility, at both national and EU level. Consideration needs to be given to increasing regular channels for such migration to respond to labour market demands at all skill levels. Moreover, migrants in an irregular situation present in informal labour markets should not be criminalized and their "protection needs" also need to be part of a broader response aimed at preventing discrimination against all migrants, whether regular or irregular. This will help counter a downward pressure on the wages and working conditions of all workers, including national workers, other EU workers and lawfully resident third-country nationals.
- Innovation and adaptation of existing tools, including techniques regarding rapid assessment of refugees' skills to match labour supply and demand, is necessary, as is cooperation between governments, enterprises and trade unions, along with greater consistency among different public policies (e.g. employment, education and vocational training, and migration policies) and government agencies.
- In Germany, a good practice identified concerns the increased cooperation between the Ministry of Interior and the Agency of Public Employment Services, which have joined forces to accelerate the pace of refugees' social and economic integration. A **"whole of government" approach**, closely engaging the social partners, is therefore key to successful policy responses.

The ILO stands ready to support the efforts of EU Member States in facilitating refugees' social inclusion and integration into labour markets, including into the labour markets of neighbouring countries and of those "front line" States hosting the largest numbers of refugees.

¹² A related finding was that the current costs relating to accommodation, language and training courses, psycho-social treatment and job counseling for refugees are significant and results take too long to materialize.