



# ▶ Issue paper on COVID-19 and fundamental principles and rights at work

## ▶ Frequently asked questions

### ▶ What are the key “takeaways” from the report?

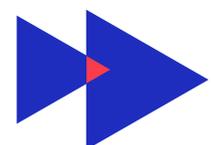
The report highlights how the fundamental principles and rights at work – the freedom to organize and bargain collectively, and the freedom from forced labour, child labour, and discrimination in employment and occupation – are not only at heightened risk from the crisis but also constitute the foundation for building back a better, more just world of work in its aftermath. The report demonstrates how the crisis is particularly affecting the fundamental labour rights of those who already belong to the most vulnerable and least protected segments of society, including the poor and socially excluded, workers and producers in the informal economy, migrant workers, people subject to discrimination, and those living in contexts of fragility, conflict and recurrent natural disasters. It stresses that leaving no one behind – the overarching call of the 2030 Agenda for Sustainable Development – means putting the rights of the most vulnerable at the centre of the COVID-19 response in the world of work.

### ▶ How is the COVID-19 crisis affecting the rights to freedom of association and collective bargaining?

In some contexts, labour rights, including the rights to freedom of association and collective bargaining, have come under pressure as part of broader government responses to the crisis. Additionally, as more workers and enterprises are pushed into the informal economy as a result of the crisis, their ability to organize and exercise their collective voice is likely to diminish further.

### ▶ What is the ILO’s response to reports that the crisis is being used by some governments as a guise to roll back trade union rights?

The ILO has underscored that any amendments relating to trade union rights and labour relations should be based on meaningful prior tripartite consultation involving governments, and employers’ and workers’ organizations, and that they comply with international labour standards, notably the fundamental standards.



► **By how much in numerical terms have child labour and forced labour increased as a results of the crisis?**

While a growing body of anecdotal evidence and local studies are fueling fears of a rise in child labour and forced labour numbers, there have not yet been nationally-representative surveys undertaken since the outbreak of the pandemic. It is therefore not possible to quantify the impact of the pandemic in precise terms. UNICEF and ILO are collaborating on a research project, the results of which will be published in 2021, that uses a simulation model to estimate the impact of COVID-19 on the global prevalence of child labour. ILO is also supporting a series of research activities at the national level aimed at understanding how the crisis is affecting the risk of child labour and forced labour among specific vulnerable groups.

► **How is the COVID-19 affecting the risk of child labour?**

The crisis is affecting child labour through a number of channels. First and foremost, the sharp spike in socio-economic vulnerability stemming from unprecedented job losses, lost income due to lockdowns, cut-off remittance flows, sudden catastrophic health costs and a host of other shocks stemming directly or indirectly from the pandemic, has fuelled fears of families having to send their children to work as a survival strategy. At the same time, schooling for millions of children from families in situations of vulnerability has been interrupted or become no longer affordable, adding to the risk of child labour. The crisis is also likely to cause some children to take over the work roles of parents or other adult workers, for example, in cases where adult breadwinners fall sick or where restrictions on workers' freedom of movement are leading to local labour shortages. More broadly, evidence from past crises suggests that a rise in informality may create new demand for child labour, as the low level of skill and unregulated nature of the informal economy is more conducive to the use of children in production.



Young boys carrying bricks on their head in Antsirabe (Madagascar). They work at a brickyard that employs children. The ILO is supporting Madagascar's efforts to tackle child labour. © ILO/M. Crozet

## ► How is the COVID-19 affecting the risk of forced labour?

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Again, there are multiple impact channels. Like child labour, we know that forced labour is driven in large part by socio-economic vulnerability and a lack of alternative survival options or coping mechanisms, and that socio-economic vulnerability has skyrocketed because of the COVID-19 crisis. Debt bondage in particular is a concern in contexts of heightened socio-economic vulnerability, as some suddenly jobless workers, in urgent need of funds for household survival and without access to other forms of credit, must turn to predatory lenders for loans. The crisis is also resulting in a deterioration of working conditions that are already exploitative, moving workers further along the continuum of abuse that ends in forced labour and trafficking. Migrant workers stranded in precarious circumstances and domestic workers, the majority of whom are women, are among the many groups of workers who find themselves in situations of greater risk as a result of the pandemic. The economic upheaval associated with the COVID-19 crisis is also likely to create additional demand and opportunities for forced labour. There is a risk, for example, of some firms, strapped by financial struggles associated with the crisis, relaxing their labour standards or being pushed into the informal economy, where it is easier for forced labour to take root. The COVID-19 crisis is also affecting the ability of state and non-state actors to provide support and protection to survivors, as resources and the attention of frontline actors are diverted to the pandemic response.

## ► How is the crisis affecting discrimination in the world of work?

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The COVID-19 crisis has laid bare the effects of pervasive discrimination in society and in the world of work. Evidence generated thus far tells a clear story - groups faced with discrimination, including women; migrants, in particular irregular migrants; indigenous and tribal peoples; people with disabilities; people living with HIV and the LGBTIQ+ community are being particularly affected. Public panic and fear around COVID-19 contagion has generated its own wave of stigma, xenophobia, racism and intolerance, which is finding expression in the world of work. Indeed, there are growing reports of workplace violence and harassment on racial or other grounds linked directly to fears of the virus. These negative reactions of course are not a separate phenomenon, but are closely linked to,

and reinforce, pre-existing broader patterns of discrimination in the workplace and society. These patterns are threatening already slow progress in addressing discrimination in employment and occupation, including in reducing gender gaps in labour force participation and wages, and in promoting gender equality more broadly.

## ► What are some of the key policy priorities identified in the report?

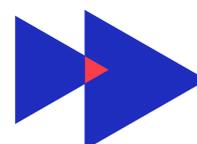
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In broadest terms, the report underscores the urgent need to safeguard fundamental human rights at work at this critical juncture, and to extend these rights to groups of workers for whom protections in law and practice are lacking or inadequate. Policy responses must recognize the inter-related and mutually-reinforcing nature of the fundamental principles and rights at work, and, following from this, the need for integrated approaches to addressing them. FPRW violations and informality go hand in hand, and policy responses should also link directly to, and form part of, broader efforts towards transitioning to formality and preventing informality.

## ► What is the relevance of freedom of association and collective bargaining (FACB) to the broader crisis response?

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Experience thus far in the crisis has underscored the importance of FACB in facilitating equitable, consensus-based responses to the COVID-19 crisis. In a growing number of instances, employers and workers are negotiating measures to mitigate or limit the consequences of the crisis on health, jobs and incomes, and to support recovery. It is critical that the rights to freedom of association and collective bargaining are extended and are accompanied by appropriate institutional frameworks for ensuring and safeguarding effective realization. The crisis has also spotlighted the need to redress the lack of access to representation among many workers in situations of vulnerability – above all, those in the informal economy.



► **How can we safeguard progress in addressing discrimination in the world of work during the crisis and its aftermath?**

The crisis must not be a pretext for rolling back or delaying progress on equality and non-discrimination in employment, but rather become an opportunity for accelerating progress on these issues. Leaving no one behind and building back better require integrating the principles of non-discrimination and inclusiveness in all stages of the pandemic response. In the immediate term, this means ensuring that all workers, including those in discriminated groups, have equal access to preventive safety and health measures and health services, and to programmes to secure their livelihoods, such as in-kind and income support. Gender inequalities have risen to the fore during the crisis, underscoring the urgency of continued progress in ensuring women's equal access to employment and occupations. Improving working conditions, including through equal pay for work of equal value and the realization of representation rights, in essential care services, where women predominate, is one pressing priority emerging from the pandemic. As economies reopen and demand picks up, laws and policy measures to ensure non-discriminatory hiring practices will be another important priority. The wave of stigma, xenophobia, misinformation and fear accompanying the crisis has highlighted the need for accurate, clear, evidence-based public information and awareness-raising campaigns.

► **What are some of the key priorities for addressing the heightened risk of child labour and forced labour stemming from the crisis?**

Much of the answer lies in ensuring child labour and forced labour considerations are "mainstreamed" and prioritised in wider crisis responses and post-crisis rebuilding efforts. Broader measures linked to social protection and income support should prioritise people and families in situations of high vulnerability, to prevent recourse to child labour, and limit susceptibility to debt bondage and other forms of forced labour. Similarly, broader efforts to safeguard children's education amidst school closures should prioritise access to low- or no-tech distance learning solutions for children from families in situations of vulnerability, to mitigate the risk of increased child labour and help guarantee children's school re-entry when the closures are lifted. Wider measures to re-establish or reinforce labour inspectorates should prioritise the capacity to proactively and strategically monitor sectors at high risk of child labour, forced labour and other human rights violations. On-going due diligence efforts by companies should prioritise the informal micro- and small enterprises operating at the lower levels of supply chains, where human rights risks are often most pronounced, and where the effects of the crisis have in many instances been devastating. In conflict and disaster settings, integrating child labour and forced labour considerations into fast-moving responses is imperative in order to avoid unforeseen harm. This demands extra care, for example, to ensure that procurement contracts do not open new doors to forced labour, livelihood measures do not create new demand for children's labour, and job and income support programmes do not reinforce pre-existing discrimination or widen social fissures.

**Fundamental Principles and Rights at Work  
(FUNDAMENTALS)**

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