

Ms. Claire Courteille - Director of the Equality Department at the International Trade Union Confederation on *"Discrimination In The Labour Market"* on Item V

Good Afternoon colleagues,

I am very happy to be here and I would like to thank the High Commissioner for the invitation. I thank the organisation of this forum on the participation of minority in economic life is indeed very timely in the light of the current economic crisis and its impact on minorities.

Let me start of by giving you an overview of the situation of minorities from a labour perspective and how do we look at it. Well, what we observe is that everywhere minority people are overrepresented in low skilled and low-paid jobs, insecure and precarious forms of employment with little prospect for advancement. This is true both in the north and in the south. A great number of minority workers are in the informal economy with no labour rights and limited access to social protection. The current economic crisis makes things worse, minority workers are among the first ones to be laid off, to have their social and labour right reduced in a context in which racism and xenophobia are drastically on the rise. Minority workers are also among those who are most suffering from the trend towards informalization and casualization of work at the global level. And let me stress insistently that current migration policies exacerbate those problems of informality and erosion of labour rights. So broadly, economic insecurity, low wages and precariousness of employment characterise the situation of many minority workers today.

My second point would be on overcoming discrimination on the labour markets. Well we have several legal instruments at the international level and I would like to mention two of them, the first one is the ILO Convention 169 on Indigenous Workers and the second one and probably the most important one is Convention 111 of the ILO on Discrimination in employment and occupation. This Convention 111 has been ratified by 170 countries, so that is a very high level of ratification. But yet, it is not properly implemented so one recommendation definitely would be to make better use of the ILO supervisory mechanisms to ensure that those instruments are effectively implemented at the national level. But obviously at the national level there is a clear need for positive action to ensure not only equality of treatment but also equality of opportunity in the labour markets. But we also need to resist the casualization and informalization of employment in which peoples from minorities are overrepresented and there are several ways of doing that and let me name a few of them: first extending the scope of the legislation would ensure that certain categories of workers in which minorities are overrepresented are effectively covered. For example, by extending labour legislation to domestic workers, to agriculture workers, to home-based workers that could make a difference. Secondly, extending the coverage of social protection schemes to workers in informal economy especially self-employed workers could be a first step in an important step towards formalisation of work. So I could go on, but I guess the point is and I am trying to make is that a lot of things are needed to overcome discrimination from strong political commitment to adequate legal provision solid enforcement mechanism, well-funded positive actions and programs and also a vibrant civil society and trade-union activity.

And on this last point I would like to stress that in several countries migrant workers are not allowed to take leadership position in trade unions. And also there are several constraints in terms of organising workers and not all workers to enjoy their trade union rights and I would like to jump on the examples that a previous colleague mentioned with regards to Canada for

example, it is only a couple of weeks ago that Canada passed a law which allows workers in the agricultural sector to organise into trade union so those are the types of constraints that workers face in those sectors.

My third point will be on social protection, I think generally we face a double challenge here. The first one is to ensure non-discrimination in access to existing funds and schemes but the second one is to address the special needs of minority people by making the schemes responsive to their particular situation and constraints to the particular constraints faced by minority people. So my point here is to say that it is not enough to have equal access we must aim of equal outcome of social protection benefits if we are to eradicate discrimination. Second point on social protection is the need to ensure that funding is sustainable. Schemes protecting minorities should be funded out of regular budgets mainly through taxes. Indeed it is well known from experts in the field of social security that funds for the poor tend to be poorly funded. This is why we have to ensure the sustainability through legal entitlements and inclusion in national policy.

Let me finish by making a call to support the global initiative for universal social protection floor which would ensure basic coverage to all those in need of social protection, this global initiative which is laid by the ILO and the world health organisation and is supported by several international organisations foresees universal access to healthcare for all: family benefits, basic old pension, old age pensions, provisions to cover those unable to work either because of disability, maternity, or unemployment. I think it is important to support this universal social protection floor and it would largely benefit people from minorities all over the world. Thank you for your attention.