

BACKGROUND PAPER

Migrants in Countries in Crisis Initiative

Private Sector Consultation

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Private Sector Engagement in Protecting and Assisting Migrants in Countries Experiencing Conflicts and Natural Disasters

Table of Contents

<i>1. Introduction</i>	2
<i>2. The Duty of Care Across Borders</i>	3
<i>3. Private Sector Employers and Recruiters</i>	6
<i>4. Private Sector Actors as Service Providers, Innovators, and Partners</i>	8
<i>5. Supporting the Private Sector</i>	9
<i>6. Conclusion</i>	10
<i>Bibliography</i>	11
<i>Annex: Indicative Guidelines and Effective Practices</i>	13

1. Introduction

Conflicts and natural disasters in recent years, including the conflict in Libya, the earthquake and tsunami in Japan, the floods in Thailand in 2011, and hurricane “Sandy” in the United States in 2012, shed light on the fact that migrants can be affected by crises differently from nationals. While many migrants are resourceful and resilient in the face of such situations, a variety of factors create particular vulnerabilities for them including language and cultural barriers, lack of social networks, and sometimes, inability to access identity documents.

The Migrants in Countries in Crisis (MICIC) Initiative is a government-led effort to improve the ability of States and other stakeholders, including the private sector, to prepare for and respond to the needs of migrants caught in countries experiencing crises. The outcome of the Initiative will be a set of non-binding, voluntary principles, guidelines, and effective practices that identify the roles and responsibilities of States and other actors, including the private sector during the pre-crisis, emergency, and post-crisis phases.

Of the world’s 232 million international migrants, roughly half are present abroad as workers.¹ In today’s globalized economy, with its increasingly transnational workforce, private sector actors from all sectors and of all sizes are key stakeholders in protecting and assisting migrants caught in countries experiencing conflicts or natural disasters (“crisis”).

As employers and recruiters, private sector actors have a significant role in protecting and assisting their migrant employees and in shaping their experiences before, during, and in the aftermath of crises. Through their contributions and engagement, private sector actors also have a valuable part to play as providers of essential services, innovators, and partners in crisis-preparedness, response, and post-crisis recovery.

The important and multifaceted role private sector actors can play in better protecting and assisting migrants is evident from the following few examples:

- The 2011 conflict in Libya saw approximately 1.8 million foreign workers of various nationalities and employed across a number of sectors caught in the crisis.² With respect to its internationally deployed workers, Shell demonstrated the value of a robust crisis management strategy in making sure all levels of non-citizen/non-national employees were effectively evacuated from the country.³ Shell’s model provides a standard for other multi-national corporations and an entry point for thinking about how other companies with differing levels of capacity might be able to provide similar levels of care for their non-citizen/non-national employees.
- Also in Libya in 2011, as part of its corporate social responsibility policy, Qtel, through its local subsidiaries, distributed prepaid SIM cards and calling vouchers to individuals fleeing the conflict and seeking refuge in neighboring Tunisia. Among the migrants benefiting from this service were many Bangladeshi, Nigerian, Somali, Sudanese, and Pakistani citizens.⁴ Given the increased involvement of information technology and telecommunications service providers in supporting crisis response efforts, as displayed most recently during the earthquake in Nepal earlier this year, this example

¹ ILO. “Promoting decent work for migrant workers” Ryszard Cholewinski and Marie-José L. Tayah. 2015.

² IOM. Migrants Caught in Crisis: The IOM Experience in Libya. 2012. Page 5.

³ Case taken from Shell Presentation at the IGC Plus Consultation.

⁴ ITP.net. [Qtel provides help for countries in turmoil](#). 2011.

provides insight into how such efforts could more effectively address the particular needs of migrants.⁵

- In the recruitment sector, LBS Recruitment Solutions has drawn on its experiences in Libya to further develop an elaborate and robust geo-tracking platform and other outreach tools to contact personnel it has recruited and to coordinate their evacuation, a process that also facilitates finding alternative arrangements for them, including redeployment.⁶ LBS' model highlights how recruitment companies can leverage technology to support the safety and effective evacuation of migrants and to ensure that migrant-specific needs are taken into account.

Format and Structure of Paper

This paper identifies thematic areas, issues, and questions that are relevant to private sector engagement in better protecting and assisting migrants caught in countries experiencing conflicts and natural disasters. It is intended to be exploratory, not prescriptive or exhaustive. It broadly follows the structure of the agenda of the consultation and seeks to set the stage for two days of productive discussion on identifying guidelines and practices. The rest of the paper is organized as follows:

- Section 2 discusses the concept of the 'duty of care' for understanding the responsibilities of private sector actors, and in particular employers.
- Section 3 examines the different ways employers and recruiters of various sizes can address the needs and vulnerabilities of migrants in the context of crises.
- Section 4 identifies roles private sector actors play as service providers, innovators and partners in preparedness, response, and recovery with a focus on the emergency phase of a crisis and notes potential points of intervention and opportunities.
- Section 5 explores ways in which States, in particular, can facilitate and support efforts of employers, recruiters, and other private sector actors in better protecting and assisting migrants caught in countries experiencing conflicts or natural disasters.

2. The Duty of Care Across Borders

The "duty of care"⁷, a dynamic legal concept, addresses the role of employers in taking all steps that are reasonably possible to ensure the health, safety, and wellbeing of all employees. Originally developed in the context of domestic labor regulations pertaining to health and safety, the duty of care plays an increasingly central role in defining the nature and scope of responsibilities owed by employers toward geographically dispersed workers.⁸ In a transnational context, this has entailed private sector actors developing more robust and integrated approaches toward fulfilling their duty of care toward employees working in overseas operations, as deployed personnel, or traveling on business, who may be affected by crises.⁹ Accordingly, the

⁵ A number of telecommunications and IT companies - Google, Skype/Microsoft, AT&T, Sprint, T-Mobile US, Verizon, Time Warner Cable - provided free calling both to and from Nepal as part of assisting relief efforts. See: <http://www.theverge.com/2015/4/27/8505065/nepal-earthquake-free-calling-microsoft-google-skype>

⁶ As reported in the MICIC Regional Consultation for South, South East and East Asia, Manila Consultation final report. Pages 9-10.

⁷ The "duty of care is" sometimes also referred to as a "duty of protection" or "due diligence".

⁸ International SOS. Global Framework - Safety, health and security for work-related international travel and assignments. 2013

⁹ The potentially negative implications of neglecting such responsibilities were made apparent in the context of the 2011 Libya crisis where it was alleged that international companies had abandoned migrant workers from developing countries. This highlights the importance of broader public perceptions of the responsibility of business toward their

concept bears directly on the role of the private sector in protecting and assisting migrant employees caught in countries experiencing crises and provides a useful framework for understanding the legal and ethical role of private sector actors in developing preparedness measures. There are also sensible economic reasons from a business perspective for investing in these issues.

The Legal Basis of the Duty of Care

A number of legal sources underpin the duty of care in the transnational context. In the context of workers' countries of origin, the duty is usually based in domestic legislation that requires employers to fulfill their responsibilities by adopting policies and safeguards, including for workers that are deployed abroad. However, employers and other private sector actors must also take into account the national legal frameworks where workers are deployed or travel on business.¹⁰

Supranational and international mechanisms complement the legal responsibilities found in domestic laws. In Europe, European Union directives and treaties extend the duty of care to have transnational effect. These are of particular relevance to personnel deployed in overseas assignments as well as for business travelers.¹¹ Additionally, a number of International Labour Organization (ILO) conventions and recommendations related to worker health and safety further inform and guide the duty of care in transnational contexts.¹²

These broad global implications of the duty of care have been widely, although not uniformly, recognized by a number of jurisdictions, including in legal frameworks in Australia, North America, and Europe.¹³ While there is less recognition in emerging economies such as Brazil, China, and India, companies should be aware that employees traveling from or to these countries may be able to seek legal redress in other jurisdictions where the employer operates.¹⁴

Corporate Social Responsibility and the Duty of Care

From a corporate social responsibility (CSR) perspective, private sector actors also have important reasons for meeting their duty of care toward migrant employees. There has been a growing tendency among private sector actors to move beyond concerns related to basic legal compliance toward a more encompassing approach with respect to many aspects of their operations. This shift is grounded in part in the idea of recognizing and supporting sustainable and transparent relationships between employers and their employees, with corresponding duties of care and duties of loyalty.¹⁵

employees in times of crisis. For discussion, see International SOS. *Duty of care of employers for protecting international assignees, their dependents and international business travellers*. 2009. Pages 23-25.

¹⁰ International SOS. *Duty of care of employers for protecting international assignees, their dependents and international business travellers*. 2009

¹¹ International SOS. 2009. pp. 20-21.

¹² In particular, the ILO's Occupational Safety and Health Convention of 1981 and the 2006 Promotional Framework for Occupational Safety and Health Convention have been construed by some as requiring a "duty of care" that extends to business travelers and international assignees. For discussion see: Tiffany Mathiason. "Are You Part of the Global Workforce?" *American University International Law Review*. 2013.

¹³ Several countries especially in Western Europe (e.g. Belgium, France, Germany, the Netherlands, Spain, the United Kingdom), the U.S., Canada and Australia have developed employer Duty of Care legislation. For further information, see: Claus, *Duty of Care of Employers for Protecting International Assignees, their Dependents, and International Business Travelers*, 26–27.

¹⁴ Lisbeth Claus and Erin Giordano. "Global employer duty of care." 284.

¹⁵ Duty of Care goes hand-in-hand with Duty of Loyalty, the idea that employees must also take necessary precautions when on a assignment and follow all policies and procedures while avoiding unnecessary risks. These notions include, but are not limited to, legal and moral obligations. International SOS. Dr. Quigley, *Keeping a globally workforce safe in an unsafe world*, *Medical Tourism Magazine*, January 16, 2012.

Transnational enterprises are increasingly recognizing the need to assure an appropriate level of responsibility not only within their direct operating environments, but also across their supply chains, contractors, and subcontractors. These arrangements often involve due diligence to determine whether such actors respect and uphold human rights, labor, and other standards, as well as targeted efforts to combat violations including labor and other forms of exploitation. These types of efforts can have important implications for migrants in ways that directly affect their capacity to protect themselves and their resilience in the context of crises.

Finally, CSR has broader implications for private sector actors in crisis situations as partners and innovators, capable of providing timely services and products that support better preparedness, response, and recovery.

The Broader Business Case for the Duty of Care

There are also compelling reasons from a management and business continuity perspective for the private sector to invest in the health, safety, and wellbeing of migrant employees. For example, research suggests that companies which demonstrate considerable investment in their crisis management and evacuation policies may benefit from greater commitment and performance from their employees.¹⁶ This has implications for the productivity and profitability of enterprises.

From a cost-reduction and risk-management standpoint, it is generally recognized that prevention of harm is far more economical and sustainable than addressing the effects of crises after they have begun to unfold.¹⁷ This has led to the suggestion that companies can achieve a 'return on investment' through a proactive approach toward the safety of employees deployed abroad.¹⁸ In practice, this has generally taken the form of incorporating needs more carefully into crisis planning and business continuity initiatives.¹⁹ In these ways, successful planning can lead to less costly and more effective responses, allowing private sector actors to address the safety of migrant employees more quickly and efficiently.

Taking a proactive, pioneering, and broad approach to implementing the duty of care as it relates to the protection and assistance of migrant employees in the context of crises can create standard setters and industry leaders and foster competitive advantages. In addition, given the legal responsibilities outlined above, including the multiple potential legal sources underpinning the duty of care and variations across jurisdictions, preventatively investing in the safety of migrant employees can mitigate risk, limit exposure to liability and reduce costs. In this context, private sector actors may benefit from studying their implementation of duty of care responsibilities at the highest and most robust level to assure compliance and limit legal liability.²⁰

¹⁶ Anthony Fee and Susan McGrath-Champ, and Helena Liu. "Human resources and expatriate evacuation: a conceptual model." *Journal of Global Mobility* 1.3 (2013). Page 249.

Conversely, enterprises that become known for their indifferent attitude toward their employees, or that become embroiled in accusations of abandoning international staff or migrant workers in a crisis situation are likely to have their reputation suffer in the eyes of current and potential employees, as well as their customers and the general public. It is argued that failing to ensure their employees safety and thus breaching expatriates' expectations or psychological contract "costs (multinational enterprises) millions of dollars each year in diminished employer engagement, low morale, and labor turnover." See: McNulty, Y. and Inkson, K., *Managing Expatriates: A Return on Investment Approach*. Business Expert Press. New York. 2013. Page 105.

¹⁷ International SOS. *Duty of care of employers for protecting international assignees, their dependents and international business travellers*. 2009.

¹⁸ International SOS. *Return on Prevention. Benefit-cost analysis of prevention measures for business travellers and international assignees*. Prevent / International SOS. 2015.

¹⁹ While the Prevent / International SOS study focuses on medical cases, there are good reasons for assuming that the implications of a return on prevention would extend to other crisis and emergency situations.

²⁰ Lisbeth Claus and Erin Giordano. "Global employer duty of care." Page 284.

3. Private Sector Employers and Recruiters

As noted above, private sector actors are especially well-placed and often crucial for protecting and assisting migrant employees caught in countries experiencing conflicts or natural disasters. This is due in part to the sustained connections that private sector actors often enjoy with migrant employees.

Employers

Employers have developed innovative approaches to address challenges that confront migrant employees in the context of crises (some of which have been highlighted in the executive summary). For example, to address communication barriers, companies have set up call centers or developed mobile-based applications to disseminate information and/or to keep track of migrant employees. A few ways in which employers could ensure that they address the needs and vulnerabilities of their migrant employees are highlighted below:

- An important starting point may be reviewing and revising existing crisis preparedness, response, and recovery and business continuity plans with the particular concerns of migrant employees in mind.
- Information gathering and outreach is an essential and cost effective first step. This can be done by, inter alia, collecting contact information, providing pre-departure and/or post-arrival training to personnel before departure/upon arrival, and by encouraging migrant employees to register with consular officials.
- Contingency and workplace evacuations plans are relevant for private sectors actors of all sectors and sizes and need to be prepared in advance, tested, and updated regularly.
- For actors that lack the capacity to effectively carry out evacuations and repatriations of migrant employees, agreements with other stakeholders, including States, international organizations, or other private sector actors may be valuable and should form part of contingency plans. Negotiating chartering and other evacuation arrangements in advance may be crucial to assuring timely and cost-effective action in the event of a crisis.

Addressing the needs and vulnerabilities of migrant employees at *all* levels within the organization is particularly important. While senior- or professional-level personnel may be effectively incorporated into crisis-preparedness, response, and recovery plans and business continuity strategies, non-professional personnel such as janitors, cleaners, etc. may not be. Often, it is the non-professional personnel that require the greatest assistance and protection in the context of crises. Appropriately consulting and incorporating, in a participatory manner, the needs and vulnerabilities of non-national and/or deployed employees in the pre-crisis phase can be an effective cost reduction and risk management strategy.

Multinational Corporations

Multinational corporations and other private sector actors that use and engage with subcontractors can play a valuable role in ensuring that migrant workers within their supply chains are better protected and assisted in the context of crises. Ensuring that migrants enjoy full and transparent human and labor rights in ordinary times has the potential to bolster their empowerment, and resilience in the context of crises. There has been a growing commitment among multinational corporations to adopt policies that address these issues, including through initiatives that target abusive labor practices, aim to combat trafficking in persons, or seek to ensure subcontractors provide a safe and reasonable working environment. Indeed, abusive recruitment and labor practices—such as exploitative recruitment fees and the confiscation of identity documents—have

been linked to human trafficking and forced labor in supply chains, but also bear a relationship to migrant vulnerabilities in the event of a crisis.²¹

- Apple's standard for Prevention of Involuntary Labor is an example of the sort of cross-linkage between a broader CSR commitment to protecting the rights of migrant workers in a company's supply chain and addressing crisis-specific vulnerabilities.²² While aimed directly at tackling bonded labor and unfair recruitment practices, Apple's approach also addresses abusive recruitment fees and the handling of workers' passports and identity documents, enabling migrants to retain control over materials that are crucial to their mobility.²³
- Ikea's IWAY Code of Conduct was developed to address human trafficking in supply chains as well as other exploitative and abusive practices that affect migrant employees.²⁴ The Code requires that migrants retain possession or control of all personal identity documents.
- Private sector actors have also addressed post-crisis needs of migrant workers in supply chains through commitments to ensure receipt of back-wages.²⁵

These private sector-led interventions demonstrate that private sector actors have taken actions that directly support the empowerment, and resilience of migrant employees while also providing examples of how migrant-specific needs and vulnerabilities can be directly accounted for and incorporated into sustainable supply chain initiatives.

Recruiters

Transnational labor migration is increasingly characterized by direct private sector involvement in facilitating the migration process.²⁶ The participation of a complex array of actors in the migration process has seen the emergence of a large and profitable private recruitment industry, spanning origin, transit, and destination countries.²⁷ In this context, recruitment agencies and other private sector actors that play a role in facilitating transnational labor flows also have a central part to play in addressing the needs and vulnerabilities of migrant workers in the context of crises. These actors have adopted diverse approaches to this issue. For example, recruiters have implemented several of the practices identified earlier as important to employers, including incorporating migrants into business continuity plans, requiring pre-departure training on crisis preparedness, collecting and maintaining contact information, and establishing agreements with other stakeholders to assist with evacuations. Some measures are specific to recruiters, such as:

- Policies that integrate insurance mechanisms into employment contracts to compensate employers in destination countries in the event that contracts are interrupted by a crisis can encourage employers to cooperate with authorities from countries of origin and destination and to undertake actions to better protect and assist migrants.

²¹ Institute for Human Rights and Business. Fees and IDs: Tackling recruitment fees and confiscation of workers' passports. 2013.

²² Apple. Apple Supplier Responsibility 2013 Progress Report. 2013. Page 20.

²³ Apple. Supplier Responsibility Standards. Apple. 2014.

²⁴ IKEA IWAY Standard. [Minimum Requirements for Environment and Social & Working Conditions when Purchasing Products, Materials and Services](#).

²⁵ This case comes from internal discussions with the IOM labour migration program. Addressing such needs often entails the difficult task of collecting time-sheets, contracts, and documentation of work in a post-crisis context, but can be facilitated by assuring such material is appropriately secured and backed up before the outbreak of a crisis.

²⁶ ILO. International Labour Migration: A rights based approach. Geneva: ILO Publications. 2010. Page 3.

²⁷ Thomas Gammeltoft-Hansen and Ninna Nyberg Sørensen. "Introduction" in *The Migration Industry and the Commercialisation of International Migration*. T. Gammeltoft-Hansen and N. Sorensen (eds) 2012. Routledge London. Cited in: Katharine Jones. "For a fee: The business of recruiting Bangladeshi women for domestic work in Jordan and Lebanon" ILO Working Paper, 2015.

- Migrant insurance mechanisms can be used to cover repatriation or evacuation expenses.
- Online and mobile application-based platforms have been developed that provide migrants with quick and easy information on the locations of emergency and consular services, act as a repository for digital copies of documents, serve as a conduit for information during crises, and provide location tracking capabilities to facilitate evacuations and service provision.
- Recruitment standards can ensure fair recruitment of migrant employees and reduce the risks of labor trafficking and unfair labor practices. The [International Recruitment Integrity System \(IRIS\)](#) developed by IOM is an example of an international voluntary 'ethical recruitment' framework that provides a platform for addressing unfair recruitment and would lead to better standards for migrant employees.

4. Private Sector Actors as Service Providers, Innovators, and Partners

Distinct from their role as employers and recruiters, private sector actors have demonstrated their vital importance as service providers, innovators, and partners in crisis situations.²⁸ For example, where communications infrastructure has been compromised by crises, hampering the collection and dissemination of information and presenting obstacles to locating persons in need of assistance, private sector actors have developed and deployed innovative applications built upon existing product lines or provided access to their services to facilitate interventions.

- Telecommunications companies have contributed to facilitating communication and access to those affected by crises either by providing emergency access to phone networks to those displaced by conflicts or by offering free calling via voice-over-IP services both into and out of countries hit by natural disasters.²⁹
- Products such as [Google's Person Finder](#) application or [Facebook's Safety Check](#) highlight the direct role of private sector action in leveraging corporate capacities and expertise toward disaster relief efforts that are focused on locating and identifying individuals and supporting first responders and the provision of emergency services.
- Third-party platforms for crowd sourcing and distributing humanitarian crisis information are often built on top of and rely on products such as [Twitter](#) and [Google Maps](#).³⁰
- Other areas to be considered include transport and medical services.³¹

Private sector providers of market-based services can also contribute toward the better protection and assistance of migrants by developing targeted insurance or financial services products for these situations. While there has been increasing research and interest regarding micro-insurance mechanisms for migrants,³² there may also be market potential for coverage that addresses the particular needs and vulnerabilities of migrants during all phases of a crisis. The value of mechanisms that offer such coverage is evident from practice in the Philippines where the need to effectively protect and assist an expanding migrant population led to the development of a State-administered welfare fund. In the absence of, or in addition to, State programs, market-driven private sector solutions have the potential to fill gaps. The importance of

²⁸ For an overview of private sector engagement in crises see e.g.: Steven Zyck and Randolph Kent. Humanitarian crises emergency preparedness and response- the role of business and the private sector. Humanitarian Policy Group. Overseas Development Institute. 2014.

²⁹ Welch, Chris. 2015; Enzer, Georgina. ITP.net, 2011.

³⁰ Diane Coyle and Patrick Meier. New Technologies in Emergencies and Conflicts: The Role of Information and Social Networks. United Nations Foundation; Vodafone Foundation, 2009.

³¹ For example, assistance could be provided through in-kind humanitarian contributions, such as the provision of access to transportation services for evacuations and repatriation or temporary shelter.

³² Jennifer Powers, Barbara Magnoni, Emily Zimmerman. Microinsurance Paper #: 7, Formalizing the Informal Insurance Inherent in Migration. ILO. 2011.

remittances in the context of crises suggests that there is scope for innovation within the financial sector on tailoring services and products to better facilitate the transfer of remittances both into and out of the country in crisis. Similar opportunities may also exist in relation to the provision of back-pay, transfer of social benefits, and other assets.

Precisely because there is broad private sector interest and commitment, there is also scope for further engagement to ensure migrant needs and vulnerabilities are effectively factored into the efforts of service providers, innovators, and partners in crisis preparedness, response, and recovery. As the brief discussion in this section highlights, there are multiple areas where new tools, tailored services, and solutions are needed.

5. Supporting the Private Sector

A final area for exploration and discussion relates to the ways in which States and other stakeholders can encourage, facilitate, and support private sector actors to better protect and assist migrants in the context of crises. A few ways in which States could do this are highlighted below, to facilitate and stimulate further discussion at the consultation.

- Partnerships between States and private sector actors may facilitate better protection and assistance of migrants. Such partnerships may relate to information sharing, communication, transportation and evacuation, and service provision, among many other things.
- Migrants may benefit from States and private sector actors proactively coordinating aspects of crisis preparedness, response, and recovery efforts.
- Developing functioning and trusted relationships underpinned by agreements and MOUs before a crisis hits may be valuable to ensure effective responses towards migrants during crises, particularly for medium and small enterprises with more limited resources.
- States could clarify and simplify laws, policies, and regulations that have the potential to hamper effective private sector action in the context of crises while also ensuring that private sector actors are mandated to comply with laws, policies, and other safeguards that facilitate better protection of and assistance to migrants. In this context, engaging in public-private partnerships to address unethical recruitment in both countries of origin and destination, could be particularly valuable.³³
- Partnership and coordination between States and private sector may mutually reinforce resources and capacities, and support the development and deployment of innovative technological, financial, market-based, and other solutions.
- As practices and approaches toward addressing the needs of migrants remain nascent or emerging, particularly in the context of crisis situations, States could support research on, inter alia, better understanding risks, needs and vulnerabilities specific to migrants, and models and interventions for addressing these aspects.
- States and other stakeholders also need to hear from the private sector on how they can encourage, facilitate, and enable private sector actors to develop actions and tools to better protect and assist migrants caught in countries experiencing conflicts or natural disasters, and how governments can better assist this effort.

³³ Dovelyn Rannveig Mendoza. "Regulating Private Recruitment in the Asia-Middle East Labour Migration Corridor," Migration Policy Institute. 2012. Page 8.

6. Conclusion

As demonstrated, employers and recruiters can be leaders in protecting and assisting their migrant employees and in shaping their experiences before, during, and in the aftermath of crises. Employers and recruiters that have proven to be leaders in this area have demonstrated creative and varied approaches. A common thread among these standard-setters is the emphasis on preparedness and effective planning. These actors have developed and tested contingency plans, trained and prepared personnel for possible crises, developed innovative technological tools to better arm personnel to face crises and to mitigate potential communication barriers, and negotiated partnerships with other stakeholders to coordinate actions such as evacuation and repatriation in the event of a crisis.

In partnership with State or humanitarian actors or as stand-alone providers of emergency assistance and services, private sector actors have also played a crucial role as service providers (e.g. through emergency transport or medical services), innovators (e.g. through development of technology to locate and communicate with people in emergencies), and partners (e.g. through provision of emergency financial services) in past and on-going crises. These types of interventions are part of a broader trend that has seen private sector leaders engage and support humanitarian initiatives across a range of areas, leveraging their corporate capacity in distinct ways, including by developing innovative crisis response mechanisms using new technologies and providing market-based products such as insurance and financial services to address migrant vulnerabilities related to crises.

The consultation will provide an opportunity to discuss good practices, challenges and ways to improve the systematic protection and assistance of migrants caught in countries in crisis. The meeting will furthermore provide an opportunity for private sector actors to raise what they need from governments, international organizations, and other stakeholders, to better facilitate or support the actions and tools they have in place.

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I: PRE-CRISIS PHASE

- **Databases:** Creating detailed databases with critical information on employees (name, contact, copies of passport and visas, same for dependents, emergency contacts, etc.), including identifying those workers who are not citizens.
- **Satellite communication technology:** Establishing satellite phone and Internet capabilities to ensure secure communications in the event power lines are lost during crises.
- **Contingency planning:** Preparing detailed and specific contingency plans which include communication trees, identification of primary and secondary evacuation points, temporary gathering and accommodation options, and land and sea exit points. Testing the contingency plan through simulations.
- **Crisis response teams:** Establishing crisis response teams at country or headquarters levels or both with trained experts pooled in to teams as and when required and training them regularly to activate standard operating procedures.
- **Crisis facility:** Creating a contingency fund with sufficient financial capacity to rapidly mobilize funds and cover the cost of crisis-related needs such as extra security personnel.
- **Contingency pay mechanism:** Establishing flexible payroll and cash assistance systems to be used in the event of a crisis to ensure employees are paid in a timely manner.
- **Contracts, agreements and MOUs:** Establishing contracts, agreements, and MOUs with other stakeholders during peace times to ensure rapid activation of contingency plans and timely coordination to enhance capacity to protect and assist migrants during crises.
- **Mobile platform/application:** Establishing and giving migrants access to mobile platforms and applications aimed at data storage and communication. Using such applications to provide real time emergency-related information, collect information on workers' locations, and allow them to retrieve stored documents instantly.
- **Migrant/employer crisis insurance:** Providing insurance to migrant workers. Considering obtaining insurance for compensating employers in case of broken/uncompleted contracts.
- **Online crowd funding platforms:** Establishing online crowd funding platforms to facilitate knowledge transfer, collaboration and fundraising.

II: EMERGENCY PHASE:

- **Collaboration:** Ensuring collaboration with diplomatic corps, police and local governments in all assistance efforts.
- **International organizations and civil society to fill gaps:** Engage with international organizations and civil society with an established presence in the country experiencing a crisis.
- **Activating pre-existing policies and plans for crisis response.**

- **Evacuating preemptively where possible:** Activating evacuation procedures before a crisis presents serious threats to workers.
- **Lost earnings:** Assuming responsibility to cover loss of earnings/lost wages.
- **Hazard pay:** Providing hazard pay and enrolling in insurance schemes to accommodate migrants who may wish to stay in crisis-affected countries and continue working.

III. POST-CRISIS PHASE:

- **Partnerships for business continuity:** Engage with government officials and local communities to assess labor gaps post crisis and examine how those gaps could be filled, including through re-engagement with workers who were evacuated or left the country during the crisis.
- **Leave of absence:** Provide diaspora with leaves of absence to return to their country of origin to assist and support returned migrants or address impacts affecting the country of origin.
- **Lessons from mass returns:** Draw lessons from experiences of mass return, including in the event of a crisis.

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