INTERNATIONAL TRADE AND THE WORLD OF WORK: AN ALTERED PARADIGM

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TYPE OF CONTRIBUTION: RESEARCH PAPER

WORD COUNT: 9272

KEYWORDS: Labour Standards, Comparative Advantage, Economic Recovery

A CONTRIBUTION TO THE POLICY HACKATHON ON MODEL PROVISIONS FOR TRADE IN TIMES OF CRISIS AND PANDEMIC IN REGIONAL AND OTHER TRADE AGREEMENTS

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In this submission we have explored the inseparability of international trade and the world of work. International trade thrives on the exchange of manpower across national borders. The COVID 19 pandemic has irrevocably altered the face of interstate trade and with it, that of the world of work. In a scenario where the welfare of workers was conveniently overlooked under ordinary circumstances, this global crisis will certainly witness international labour standards hit an all-time low. Our submission is an attempt to obviate this eventuality.

Our submission flows in a quadripartite manner, wherein the first part looks at international labour provisions and standards and their implementation. Second, we look at three aspects of interstate trade workers which are presently exposed to extreme vulnerability; namely, migrant workers and their welfare; wage determination of workers in the international unorganised sector and child labourers. We further analyse the international response to this pandemic in a bid to minimise the damage to trade and the world of work and finally, we suggest reform in policy.
“2020 shall be etched in stone as the year that brought the world of work to a screeching halt.”

I. INTERNATIONAL LABOUR PROVISIONS

The laying down of core labour standards stems from, humanitarian considerations coupled with considerations of fair competition in international trade. Trans and inter-national variations in labour standards may result in competition between legal institutions and certain facets of trade agreements.

A labour provision has been defined as:

1. A reference to the standard that concern labour considerations and minimum working conditions.
2. A mechanism to ensure conformance with the aforementioned standards and the objective of facilitating dialogue.
3. A network for cooperation to propagate technical assistance, best practices and training.

Labour provisions comprise a range of obligations and references, primarily to ILO instruments. They also include guidelines to implement and enforce the standards in question. For labour provisions to be effective at the ground level there is a need for reform at the institutional level. Acknowledging the pivotal nature of protection of migrant workers in trade agreements, the UNHRC directed Member States to make specific provisions addressing international human rights and labour protection in all trade agreements that they enter into.

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II. MAINTENANCE OF LABOUR STANDARDS IN TRADE AGREEMENTS

When trade agreements are entered into in the European Union, provisions addressing the welfare of migrant workers are included in the Union’s political agreements as opposed to incorporating them in the Union’s free trade agreements.7

In trade agreements entered into in Canada, provisions regarding welfare of migrant workers are included in agreements on labour. Said provisions cover non-discrimination clauses concerning their working conditions.8

The encouraging effect of labour provisions on gender equality is also felt at national censures.9 In the past we have witnessed attempts to expand core labour standards as have been recognised by International Labour Organisation, with provisions addressing health conditions wherein no worker is exposed to hazardous work conditions without being duly apprised beforehand.10 Other propositions include, non- discrimination provisions and equal wage treatment.11

ILO’s Philadelphia Declaration emphasises the objective of achieving peace and service of social justice. Thus, the onus to evaluate and account for all international financial and economic policies to further the fundamental objectives and principles falls on the Organisation.12

In apparent consideration of the interrelation between trade and labour, the ILO’s Declaration on Fundamental Principles and Rights at Work emphasises that the standards should not be employed to further protectionist trade objectives and there should be no leveraging on account of the comparative advantage possessed by any of the nations.

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7 Panangiotis Liargovas, ‘EU trade policies towards neighbouring countries’ (2013) Working paper 2/01 International Centre for Black Sea Studies; University of Peloponnese
8 ‘Labour provisions in G7 Trade Agreements: A Comparative Perspective’ (2019) International Labour Office
9 ‘Effects of Trade on Gender Equality in Labour markets and small scale enterprises’ Women Watch
Small-scale-Enterprises.html> last accessed on 25th July 2020

12 ‘Declaration concerning the aims and purposes of the international labour organisation’ (1944) ILO
Declaration of Philadelphia
By virtue of being a member of ILO, most nations commit themselves towards respecting and promoting the core labour standards. The 1998 Declaration serves as a touchstone for labour standards in most interstate trade agreements.

II.A. Comparative Advantage

When the cost of labour increases, labour standards tend to discredit the comparative advantage that developing countries derive from paying lower wages. These countries bank on this leverage to attract exports and foreign investments.\(^{13}\)

It has also been argued that core labour standards create a setting that is hospitable for propagation of sustainable development and growth.\(^{14}\) Moreover, violation of labour standards cannot be used to leverage legitimate comparative advantage.\(^{15}\)

Labour provisions have also allegedly been guised as protectionism against high wage countries, primarily in response to the competition that is posed by low income countries.\(^{16}\)

This argument has however been refuted on the ground that labour provisions will fail to offer a guise of protectionism if there is no disguised restriction on trade that is effectuated by way of said restriction.\(^{17}\)

In a particular market, working conditions are theoretically determined by a tussle between the forces of supply and demand. However, for these forces to reflect, stakeholders of the market must be in a position to freely express and exercise their choices.\(^{18}\)

Furthermore, bereft of core labour standards, the maintenance of ancillary labour standards seems rather bleak.\(^{19}\) In order to enforce ancillary labour standards, it is a requisite that the core

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\(^{13}\) ‘Labour standards: consensus, coherence and controversy’ Understanding the WTO: cross-cutting and new issues <https://www.wto.org/english/thewto_e/whatis_e/tif_e/bey5_e.htm> last accessed on 25\(^{th}\) July 2020


\(^{15}\) Kevin Banks, ‘Trade, labor and international governance: an inquiry into the potential effectiveness of the new international labor law’ (2011) Berkeley Journal of Employment and Labor Law


\(^{17}\) Alan Skyes, ‘Regulatory Protectionism and the law of international trade’ (1999) The University of Chicago Law Review


\(^{19}\) Alex de Ruyter, Ajit Singh, Tonia Warnecke, Ann Zammit,’Core v non core standards, gender and developing countries: a review with recommendations for policy and practice’ (2009) ILO Conference on Decent Work Geneva
labour standards act as a touchstone for labour standards across the world.20 Crusaders of the competitive advantage school of thought state that lower entry barriers or simply a larger number of distributors of the same service can provide an industry an advantage while competing with interstate providers.21

II.B. ENFORCEMENT OF INTERNATIONAL LABOUR STANDARDS

The Conventions that have already been put in place by the ILO can be arrayed in an implicit hierarchy, although any such demarcation has not been made expressly. The first level Conventions address the core labour standards. Their implementations are not contingent on any other Conventions or considerations.22 The second level conventions lay down norms for alleviating the working conditions, minimum wage thresholds and social benefits for the workers in question.23 The enforcement of these standards can be carried out by way of collective agreement or other national agreements.

Provisions addressing labour standards must be enacted and implemented with the objective of alignment with social and economic outcomes.24 In the United States, emphasis on the implementation of labour rights mandates reform in labour provisions and practices prior to the commencement of the agreement in question. Additionally, the agreement also has to include cooperative activities for capacity building and progress assessment.25

In the European Union, attention to sustainable development emphasises the Decent Work Agenda and the fundamental conventions of the International Labour Organisation. This stems from cooperation amongst trade parties and civil society to evaluate progress.26

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In the case of the Dominican Republic and Central America Free Trade Agreement, there was an attempt to overcome the lacunae between the drafting of labour provisions and their implementation. Here attention was paid to institution strengthening and building the capacity of labour ministries and the judiciary.  

II.C. REQUISITES TO EFFECTIVELY IMPLEMENT INTERNATIONAL LABOUR STANDARDS

An absolute requisite for the effective implementation of labour standards is the involvement of stakeholders, in the framing and enforcement of the trade agreements. To facilitate the involvement of stakeholders at the stage of implementation, some countries make a provision for stakeholder advisory groups that are regulated by volition. In some instances, it is even compulsory for both parties to the trade agreement to seek advice from the aforementioned advisory bodies.

To instantiate, in the trade agreement between EU and the Republic of Korea, the interstate dialogue between the national advisory groups of either party brought about consciousness and facilitated the identification of areas regarding labour rights and insinuated deliberations on development cooperation projects. Another aspect that has to be paid attention to while addressing involvement of stakeholders is accountability. This can be arrived at by giving feedback and putting in place formal mechanisms to apprise stakeholders of the effect of their contributions will have on the process of decision making.

It must also be placed on record that non labour considerations of trade agreements like provisions addressing investment protection, may curtail the governments’ ability to administer effective provisions and policies that address labour welfare.

29 Dovelyn Rannveig Agunias ‘Coordination and role of key stakeholders in setting up and implementing policies and procedures to facilitate recruitment, preparation, production abroad, and return and reintegration : Background paper to the 7th AFML’ (2015) ILO Regional Office for Asia and the Pacific ; Tripartite Action for Protection and Promotion of the Rights of Migrant Workers in the ASEAN Region (ASEAN TRIANGLE project)
30 ‘Free Trade Agreement between the European Union and it Member States, of the one part and the Republic of Korea, of the other part L 127/8’
The ILO can also facilitate the implementation of labour standards through its cooperative initiatives which emphasise the propagation of technical advancement and institutional capacity building of trade parties.\[^{32}\]

The key to ensuring the implementation of international labour standards is to facilitate institutional reform and catalyse capacity building to accommodate legal reform and simultaneously monitor that action plans are being complied with.\[^{33}\]

Should there be a dispute concerning the application and effective enforcement of labour standards, there is no recourse that is made available to the parties to the trade agreement to appeal against the predetermined dispute settlement mechanism until the labour considerations have been depleted.\[^{34}\]

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### III. MIGRANT WORKERS

The labour provisions of the trade agreement have a tendency to cater to the circumstances of the parties, for instance because of the high migration rates in certain regions, the trade agreements have a tendency to be equipped with an exclusive article aiming to circumvent the discrimination migrant workers are subjected to.\[^{35}\]

The fate of farmers in third world countries is a stimulating factor for the influx of labour across countries. This is primarily pertaining to the fact that public policy has been moulded to reflect structural adjustment policies that necessitate the modernisation of the agricultural sector so as to better align it with export considerations.\[^{36}\]

This leads to severe ramifications for international labour migrations. With the gravitation of the work force towards urban settings, former farmers shall have a tendency to seek employment in low skilled jobs in poor work conditions.\[^{37}\]

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\[^{36}\] Max Roser ‘Employment in Agriculture’ (2013) Published online at OurWorldInData.org. <https://ourworldindata.org/employment-in-agriculture> last accessed on 25th July 2020

A breakdown in the mechanism of job creation is said to have occurred where the workforce is compelled to migrate in want for better employment and earning opportunities.  

III.A. Fate of Migrant Workers in the Pandemic

Most workers that had a risk by the pandemic are a part of the informal economy and constitute close to 60% of the world’s workforce. They have no access to social protection.

There is also the aspect of a gender bias that pre-exists against the female work force. There is a higher number of female workers in the unorganised sector. This is also due to inaccessibility to education as far as women are concerned in most part of the world. This could also imply that there is greater numbers of highly skilled female migrant labourers than has ever been witnessed before.  

The idea of economic recovery entails the protection of jobs and workers, maintaining decent work standards, protecting productive assets, units and networks in the time of crisis. Environmental aftermaths must also be taken into account.  

IV. Wage Determination

A contributing factor to the stagnation of wages for labourers or the inadequate payment thereof can be attributed to increased trade of developed countries with developing countries, which has led to a spike in employment and in turn decelerated the escalation of, and further lessened the wages of unskilled workers in the unorganised sector. The poor imposition of labour standards is reflected by these low wages.

IV.A. Stolper Samuelson Theorem

As proposed by the Stolper Samuelson Theorem in the relationship between international trade and the distribution of income, when trade is engaged in with a country that has a surplus

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38 ‘Non-standard employment around the world: Understanding challenges, shaping prospects’ (2016) International Labour Office Geneva


41 Stefan De Vylder, Gunnel Axelsson Nycander, Marianne Laanatza, ‘Least Developed Countries and World Trade’ Sida Studies No. 5 <https://www.sida.se/contentassets/331c79ecce944d6ba7b408486e59b56e/no.5-the-least-developed-countries-and-world-trade_1622.pdf> last accessed on 25th July 2020

of unskilled labour, the price of goods whose manufacturing require intense labour employment will fall in the domestic market.

As a result, the factor of production will shift from the unskilled labour intensive sector to the sector which employs larger numbers of skilled labourers. When the production of goods that require the employment of skilled labour soars, the demand for skilled labour will also witness a rise.

The world of work responds to this by hiking the amount that is otherwise paid to skilled workers in comparison with what is paid to unskilled workers. Consequentially, the wages of the unskilled workers remain stagnant, or reduce further.

All the same, if this proposition is held true in practicality, developing nations that provide unskilled workers to developed countries would witness a convergence in the wages provided to the skilled and unskilled workforces respectively, as opposed to the growing rift that is observed in most instances.

V. CHILD LABOUR

With regard to Child Labour, policies that discourage this social evil, in a way leave the children in question worse off and in turn do not serve any economic considerations. On the contrary, policies that promote welfare by way of letting the consumers of developed countries know that there was no involvement of children workers in the production of the goods that they are using, are only of fruition if the children in question can also be uplifted.43

An absolute ban on child labour has been vehemently lobbied and has substantial support in the form of empirical analysis. However, a prohibition on child labour can cause the dynamic to shift from work forces leaving a low income economic setting wherein the employment of the child is pertinent for the survival of the family to a higher income setting where child labour is phasing out.44

Convention 138 aims to lay down a minimum age for a child to be gainfully employed. It mandates that children under the age of fifteen years should not enter the labour market. Should there be a chance of exposure to hazardous conditions by way of the employment; the requisite

44 Kalpana Srivastava, ‘Child labour issues and challenges’ (2011) Indian Psychiatry Journal
age has been stipulated as eighteen years. This Convention does not specifically address core labour standards, because it does not contain provisions prohibiting exploitative child labour.45

V.A. WHAT CAUSES CHILD LABOUR?

To credit the practice of child labour solely to poverty would be incorrect. There may also be instances of a child being used to further the family’s aspirations or goals. Simply prohibiting the practice of child labour or enforcing the age requisite for child labourers will not necessarily terminate the issue, and may be even prove to be counter-productive. Unless lucrative and satisfactory alternatives are incentivised for the families of the children in question, they might be abandoned and turned to the streets.46

An organic method to cease this practice would be, when in a more developed society, education would be a requisite to be gainfully employed in the first place. Only when the children have received a certain level of education, would they be eligible to seek employment. This alteration in paradigm would in turn force the families of the children in question to allow them to be educated before they can undertake the role of breadwinner for their families.47

The practice of child labour reinstates the tradition of poverty that is established across generations, jeopardises domestic economies and undermines the rights enshrined by the Child Rights Convention. The prevalence of child labour is the fruition of many contributors including poverty, societal beliefs and practices that encourage it and a dearth of gainful and decent employment amongst others.48

V. B. EFFECT OF THE PANDEMIC ON CHILD LABOUR

Given the breakdown of production chains all over the world, caused by the pandemic the number of poverty stricken people is expected to rise to 60 million.49

Conditions like those created by the pandemic lead to loss of employment for the parents which may cause them to push their children to work in hazardous conditions. Fewer employment opportunities can also cause people to resort to exploitative or informal employment.  

This can further diminish the monetary gratification people derive from their employment and in turn encourage child labour. Children tend to be the most accessible and dispensable work force in a household and thus, the buck unfortunately falls on them. In such situations, the gender of the worker may also be a determinant factor, as children tend to work alongside their mothers.

In rural areas small time moneylenders allow people to borrow money against future income. This lays the onus on the children of said borrowers to repay the loan, as they shall eventually undertake the role of earning members of the family. Due to the pandemic, formalised and regulated borrowing of money and issuing of loans is at an all-time low and thus, the instances of such informal borrowings are higher than ever and would leave the children of said borrowers in a debt stricken state.

While it is difficult to prophesise the turn that the market dynamics will take, it is safe to say that there will be a surge in the demand for agricultural goods. This in turn does not require highly skilled workers and it is possible that the number of children engaged in bonded labour may also hit an all-time high.

Demand for products and services whose, production require skill propagate education, while demand for products and services, the production of which does not require skilled workforce tends to discourage education.

The pandemic has also caused most schools to be closed across the globe, which has adversely affected the education of all students. While most institutions are trying to provide distance

53 ‘Child labour prevention in agriculture: junior farmer field and life school facilitator’s guide’ FAO <http://www.fao.org/3/i1897e/i1897e.pdf> last accessed on 25th July 2020
55 ‘Education: From disruption to recovery’ UNESCO <https://en.unesco.org/covid19/educationresponse> last accessed on 25th July 2020
learning through online portals, the fact of the matter remains that over half of the world’s population does not have access to the internet and in today’s circumstances that is amounting to not having access to an education.  

VI. INTERNATIONAL LABOUR PROVISIONS RELEVANT IN THE PANDEMIC

VI.A. INTERNATIONAL LABOUR ORGANIZATION’S FOUR PILLARS IN LIGHT OF THE PANDEMIC

1. Stimulation of the economy and creation of employment
2. Support to job and enterprise retention
3. Safety and protection at the workplace
4. Social dialogue and cooperation

The labour market has been adversely impacted due to the lockdowns and restrictions that have been imposed in almost every country of the world. Disruptions and breakdowns in supply chains are making their impact felt all over the world. The health and livelihood of workers is in jeopardy across the globe. Increased cooperation and coordination is imperative between all actors in the multilateral system.

VI. B. KEY ACTION AREAS IN LIGHT OF THE PANDEMIC

1. Business continuity, income security and cooperation in order to protect lives and livelihood

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2. Joint responsibility between social partners is essential for dialogue to stimulate stability

The ILO’s declaration of Fundamental Principles and Rights at Work remains the touchstone for ascertaining and enforcing labour standards all over the world. The International labour standards envisage an equitable and fair framework and an effective reaction mechanism to unpropitious conditions in the face of adversity facing the labour market and are essential to fashion an effective and plausible response to a pandemic.

In theory all international labour standards apply to migrant workers, these include the fundamental rights conventions, general standards application, labour inspection governance conventions and the instruments that address provisions exclusively for the welfare of migrant workers.

Protection of the interests of people who are working in countries other than their own is one of the founding principles of the International Labour Organisation. Supplementary to international labour standards, migrant workers are also afforded protection by the United Nations International human rights instruments, which purvey protection to all global citizens.

Under these circumstances, Recommendation 205 on employment and decent work for peace and resilience 2017, which was put in place to give direction to countries when the world of work found itself in jeopardy, must be taken into account. Here the member states are directed to create income generation opportunities, stable and decent employment through integrated training.

Further the member states are guided to prevent the disruption of education in times of crises, and work towards ensuring that normalcy is restored at the earliest possible. This is envisioned

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to take into account displaced children and children of migrant workers, in accordance with the relevant international law bereft of any discrimination.  

**VII. INTERNATIONAL RESPONSE TO THE EFFECT OF THE PANDEMIC ON THE WORLD OF WORK**

Given the prevalent conditions, it is imperative to devise mechanisms that will facilitate access to virtual learning and online portals. In addition to the anticipated loss of income, there will be a rise in the disparity and inequalities, and poverty shall be at an all-time high due to the sudden fall in the number of working poor.  

With specificity to seafarers, the International Labour Organisation has issued warnings to the governments of member states and the employers to pay due attention to the welfare of seafarers. They have been directed to take a human rights centred approach towards all workers in light of the pandemic.  

Emphasis has been laid on the Maritime Labour Convention of 2006 wherein each seafarer was guaranteed the right to safety and security at the workplace in compliance with safety measures, health security, medical standards and welfare standards inter alia other forms of social protection.  

With specificity to the labour industry, special emphasis is to be laid on the frontline workers and the personnel responsible for the safety and well-being of the masses and members of the population that are exposed to the pandemic.  

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67 ‘Reponses to the COVID 19 catastrophe could turn the tide on inequality’ UN/DESA Policy Brief No. 65  
In the European Union, the Commission has put in place a social protection technical assistance programme that dedicates itself to the rehabilitation of nations that are looking to strengthen the social security of those stakeholders of society that are the worst affected by the pandemic.

With the objective of accurately evaluating the impact of the pandemic, a research facility has been established that is funded by the Union and enforced by Agence Française de Développement (AFD). Said facility is delving into the economic and social inequality that is prevalent in society, and devising exclusive policy reform recommendations to overcome said inequality, especially in light of responding to the ramifications of the pandemic.

Another initiative that is being implemented by the European Union is the Better Work project, which stems from the International Labour Organisation. This is aiming to target workers from the garment sector that have been adversely affected by the market conditions caused by COVID-19. 71

Sustaining international trade despite the pandemic has been pioneered by trade initiatives that have been led by nations such as New Zealand, Switzerland and Canada. Said initiatives have thereafter been circulated to the member states of the World Trade Organisation.72

VIII. REFORM IN POLICY IN RESPONSE TO THE PANDEMIC

Centralised national initiatives are necessary for states to be in a position to administer damage control for the aftermaths of the pandemic. Social dialogue and tripartite initiatives have to be revamped and aligned towards the implementation of effective policy responses to the pandemic. 73 In these times the modus operandi has to be that of judicious and effective policy sequencing. 74

72 ‘COVID 19 and world trade’ <https://www.wto.org/english/tratop_e/covid19_e/covid19_e.htm> last accessed on 25th July 2020
Primarily, we have to evaluate and attempt to quantify the impact of the pandemic on the economic activity globally.\textsuperscript{75}

The second step towards restoring normalcy shall begin once the virus has been contained and normal economic activities begin to slowly resume. This shall require an employment strategy stimulated by demand which envisions an immediate and long term restoration of job and income security. To achieve this would mandates employment stimulation that targets specific sectors. For this to be achieved, it is imperative to determine the rate at which the imposed restrictions are to be relaxed without endangering public health.\textsuperscript{76}

\textbf{VIII.A. ECONOMIC RECOVERY AND STABILITY}

Enhancement of income security can be achieved by way of cash transfers and increasing benefit levels. Ensuring that subject to the gravity of the emergency, humanitarian cash transfers can be facilitated to strengthen the national social protection systems.\textsuperscript{77}

Protection of workers in the informal economy can be brought about by enhancing their accessibility to basic amenities through contributory and non-contributory schemes, in the process facilitating their transition to the formal economy. There is a need for better coordination between the employment and social protection policies.\textsuperscript{78}

Fiscal support can also be rendered by automatic stabilisers, which are features of the tax and benefit systems that bridge the divide between the incomes of the consumers and their consumption; for instance methods such as unemployment benefits and progressive taxation can be employed.\textsuperscript{79}


\textsuperscript{78} Christina Behrendt, ‘Extending social protection to workers in the informal economy’ (2018) ILO Social Protection Department <https://www.social-protection.org/gimi/RessourcePDF.action;jsessionid=u_dK0wGgmSe1bZCGwsiLMglaXfrWntC72iR_9WkxZU-qfr2ZPM!1653088929?id=55383> last accessed on 25\textsuperscript{th} July 2020

Developing economies however do not have this leverage and cannot utilise such stabilising actors. They shall have to and are resorting to temporary suspension of payment obligations and debt relief. This shall also facilitate the channelisation of most of their resources towards healthcare and other kinds of social security for their citizens.

The pandemic is adversely impacting both the supply and demand sides of the global labour market and is anticipated to have major ramifications for the vision of creating decent work for everyone and eradicating unemployment.  

Fiscal and monetary policies must be amended to align with the encouragement of employment and social protection. Accommodative monetary policies are aimed at enhancing the accessibility of public funds to the stakeholders of each nation’s respective economy and minimise the adverse effects of the pandemic on the world of work. Monetary policies must be altered so as to relax liquidity thresholds and ease financial burdens.

**VIII.B. Health Security**

There must be focus on the creation of stimulus packages that aims to fortify the health sector. The end goal is to mitigate the implications of the pandemic on the labour market by way of provisions for financial relief for enterprises and income support for workers.

Investment in the health sector is an absolute imperative so as to facilitate treatment and simultaneously elevate the working conditions of the workers in the healthcare sector. To optimise the effects of these investments, they have to be made such that they are incorporated in the legal and financial frameworks of respective countries.

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80 ‘Discussion of SDG 8– Decent work and economic growth’ (2019) Review of SDG implementation and interrelation amongst goals High level political development on sustainable development [https://sustainabledevelopment.un.org/content/documents/23844BN_SDG_8_Decent_work.pdf] last accessed on 25th July 2020


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VIII.C. INTERNATIONAL TRADE

Post pandemic, stakeholders of international trade must lay more emphasis on economic resilience than on economic sovereignty. This can be achieved by way of greater diversification amongst international trading partners.84

Supply chains of international trade will primarily be affected by some likely diversification from foreign suppliers. This shall however be subject to economic viability. Regional trade agreements shall have a rather pivotal role to play in the process of future reform in policy.85

All member states must commit fully to multilateralism and the maintenance of the trading system thereof. While the degree of compliance may vary, it is imperative to at least identify the level of consensus that exists amongst member states with regard to one of the founding principles of the organisation, in light of the altered dynamic of economics caused by the pandemic.86

VIII.D. MIGRANT WORKERS

Migrant workers find themselves in the most vulnerable position, given the soaring levels of discrimination against them, rising food insecurity, worsening work conditions, non-payment of wages and restrictions on movement and travel. Migrant workers must be accounted for and taken into consideration with regard to national income and policy responses. They must be considered as a target population by the national government while revamping policy in response to the pandemic.87

They must also be accounted for in the risk pooling mechanisms alongside nationals to promote universality in coverage and solidarity in financing. Countries must consider measures to

85 Alan Wm Wolff ‘COVID 19 and the future of international trade’ VOX EU CEPR <https://voxeu.org/content/covid-19-and-future-world-trade> last accessed on 25th July 2020
include migrant workers in national schemes for social protection and provide equitable and free access to testing and screening.\textsuperscript{88}

The national governments must also take special measures to ensure that the documentation of migrant workers such as visas and work or residence permits are renewed or extended accordingly. This shall facilitate the access of these workers to essential amenities and also arrange for continuity in their contribution to the workforce of the country in question.\textsuperscript{89}

**VIII.E. CHILD LABOUR**

To mitigate the damage the pandemic will have on the practice of child labour, it is essential that there is generation of lucrative employment opportunities for the adults in the families of unorganised workers. This can also be achieved by implementing employer retention mechanisms.\textsuperscript{90}

Although the education of most students who do not have access to remote learning during the lockdown has come to a screeching halt, a positive difference can be made once educational institutes reopen. Remedial learning will allow these students to catch up and not succumb to the idea of remaining illiterate.\textsuperscript{91}

**VIII.F. SECTOR SPECIFIC RESPONSES**

Sector specific responses have to be devised, which makes it essential to take into account sector variations and the specific needs thereof.\textsuperscript{92} Another method that can be devised is short term reform in policies that target specific sectors which provide immediate financial support

\begin{itemize}
\item \textsuperscript{88} Mathauer, I., Saksena, P., Kutzin, J., ‘Pooling arrangements in health financing systems: a proposed classification’ (2019) International Journal of Equity Health
\item \textsuperscript{90} ‘Social protection responses to the COVID-19 pandemic in developing countries’ (2020) UNICEF Social Protection Response
\item \textsuperscript{91} ‘Out of School Children and Youth’ UNESCO Paris
\item \textsuperscript{92} Lucie Cerna, ‘The nature of policy change and implementation: a review of different theoretical approaches’ (2013) Organisation for economic and social development <https://www.oecd.org/education/cri/The%20Nature%20of%20Policy%20Change%20and%20Implementation.pdf> last accessed on 25\textsuperscript{th} July 2020
\end{itemize}
to invest in sectors that are facing the most brutal brunt of the breakdown of economic machinery. This may be carried out by way of bailouts, bridging loans or even grants.93

The reform in policy has to be nation driven, such that it caters to the specific needs and requirements of each country in question. The primary concern of the nation in question must be human rights based approach taking into consideration the concerns of all possible stakeholders.94 The provisions must bear in mind the Humanitarian principles of the United Nations, such as humanity, impartiality, neutrality and independence.95

We must also take into account the impending possibility of the re-imposition of these restrictions if the spread of the virus soars again and the risk of infection rises. This pandemic has also probably caused a paranoia to lodge itself in the minds of the consumers which has left them rather apprehensive of expending their resources, which will in turn result in lesser demand and weaker production and employment levels. Thus, another aspect will have to be addressed is the restoration of consumer and producer confidences in their spending and manufacturing capacities respectively.96

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