

RichMUNd II

United Nations Human Rights Council

Alex Haller
Chair

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Delegates of the United Nations Human Rights Council,

Your chairs are pleased to welcome you to RichMUNd II. This is RichMUNd's second year, and we hope Henrico High's passion for MUN allows your experience to be unforgettable. We are looking forward to reading your position papers, which we expect will reflect sufficient research and new, innovative ideas. Your paper must include the history of each topic, their relevance in the HRC, and most importantly, your country's views on the subject. In terms of format, we would like your position papers to be double spaced, 12-point Times New Roman font, with MLA citations. You are expected to use appropriate resources and cite them correctly, as we will be checking your paper for plagiarism. If you are found to have plagiarised, you will be disqualified from receiving any awards. You may choose to submit an electronic copy to your chairs the night before the conference, but please be sure to bring a printed copy for the first day of debate. During debate, your chairs will look favorably upon diplomacy and inventive ideas that will turn the tide of debate. Sticking to your country's views will be vital to your success during committee, and maintaining professional decorum will be noticed. While we do want you to take your roles seriously, above all, we want you to try your best. We understand that sometimes committee can be intimidating, especially if you're new to the world of MUN. We do believe, however, that you will have a wonderful time in productive and instructive debate.

My name is Alex Haller, and I will be your chair for Human Rights Council. I am currently a junior at Henrico High School in the IB Program. My experience with Model United Nations stretches 3 years, and I have attended multiple high school and college conferences. Outside of MUN, I am very involved in photography, and very committed to my relationships with my friends and family. I also love to bake! Overall, I am thrilled to be a part of this committee, and I trust that you all feel the same. I feel very strongly about both of the topics we will be discussing, and I am very excited to see how you handle your positions. Each of these issues are extremely prevalent in our world today, so I expect you all to come prepared to experience an ever-changing debate.

My name is Raya Sajid, and I am your vice chair for Human Rights Council. I am a senior at Henrico High School in the IB Program. I have been involved in Model United Nations since my sophomore year, attending various conferences at different high schools and colleges. I run cross country and love to read, write, and spend time with my friends and siblings in my free time. I hope you are excited to debate about Human Trafficking and Labor Rights in Developing Countries and I am really looking forward to hearing everyone's ideas.

Please do contribute to the debate even if you are new to Model UN or feel shy, we guarantee that you won't regret it. Feel free to ask either of us any questions before or during committee; we would love to help. We are genuinely excited to meet you all, and we're looking forward to great sessions in committee!

All the best,

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Committee Background

The United Nations Human Rights Council (“UNHRC”) is a subsidiary body of the UN General Assembly. It is composed of 47 member states, and, as the name suggests, it is responsible for all major international (*and* intranational) human rights incidents in the world. Its duties, therefore, include (but are most definitely not limited to): acting upon & remedying human rights violations, promoting human rights for all types of peoples, and addressing thematic human rights issues that are prevalent in the world today. The UNHRC was created by the United Nations General Assembly in 2006 to replace the UN Human Rights Commission, which was generally criticized for its structure and controversial acceptance of particular nations. The creation of a new council meant that every UN member state was eligible to join and that each member state would have their rights record reviewed over the course of their three year term. This plan created effective distribution of power in terms of candidate States’ active roles in the promotion and protection of human rights, and the commitment they have made to resolve issues (like their own) around the globe.

This simulation of the UNHRC will function as any United Nations General Assembly or subsidiary committee would. Parliamentary Procedure will follow MUN GA guidelines: moderated and unmoderated caucuses, working paper introduction and voting, etc. These will be expounded upon during the first 20 or so minutes of committee. Forming interest groups is encouraged; however, the delegation that finds an equilibrium between its own nation’s interests and the council’s goal as a whole will best reflect the most successful delegation, and it is for this reason that negotiated compromise and working paper merging is looked favorably upon.

Labor Rights in Emerging Nations

Overview

Although the United Nations (“UN”) does handle certain major labor rights violations effectively, it does not address specific or formal definitions for any of these problems. And while the Human Rights Council (“HRC”) does not define what labor rights specifically are, it does derive principles from the International Labour Organization (“ILO”) Declaration on Fundamental Principles and Rights at Work, written in 1998. Therefore, it is first necessary to come up with a general framework for how to address these problems and come up with proper and appropriate solutions.

The HRC works closely with the ILO as a specialized agency. Both the HRC and the ILO recognize basic labor rights in the same way they regard basic human rights: all people should know their rights and the limitations of those, and all people should be able to exercise their rights at all times. The United Nations Global Compact’s ten principles entertain the ideas of human rights

and labor standards, and highlight main points of each. While the ILO only puts emphasis on these four “core” standards of labor (child labor, freedom of association, forced labor, and discrimination), there are many more that other organizations have identified as important. Among basic labor rights around the world, there is growing concern with fair and equal pay (involving minimum wages), health and safety conditions, the right to organize trade and strike, and working hours. All of these issues are particularly prevalent in developing nations and are typically overlooked because of poverty rates and economic situations.

Child labor continues to become the world’s biggest issue in a working society. Child labor is “work that children should not be doing because they are too young to work, or – if they are old enough to work – because it is dangerous or otherwise unsuitable for them” (ILO Conventions). Any work that may jeopardize a child’s health or well-being is considered hazardous, and should not be considered. The UN acknowledges the increasing popularity in the use of child labor across the globe, and has focused its efforts on abolishing the issue and clarifying the need for human rights specifically for children through ILO Conventions, most notably The Convention on the Rights of the

Child. The Convention lists basic human rights that children everywhere are entitled to, and defines a child as any person under the age of 18. It is the most popular human rights treaty in the world today, being ratified and endorsed by all but two countries. There is a basic framework in place for national and international action for the abolition of child labor in two major Conventions set in place. Both set long term and short term objectives in the fight against the issue, and are considered “core” Conventions. Being so, all ILO Member States (whether they have ratified the Conventions or not) must respect and promote the ideas of the Conventions and their principles concerning fundamental rights.

Both the freedoms to associate and to collective bargaining are rights considered fundamental by the ILO Constitution. The overarching principle of freedom of association recognizes the right for workers to have faith in decent health and safety conditions at work. Collective bargaining is also covered under freedom of association, emphasizing the importance for democratic participation and representation in workers’ and employers’ organizations. The need for freedom of association in the working world has been enforced by the 1995 World Summit on Social Development in Copenhagen and

lately, the ILO Declaration on Social Justice for a Fair Globalization (adopted in 2008). These principles are key to appropriate and fair representation, and are powerful tools for addressing any kind of social and economic concerns. This means that poverty rates and social disadvantages are reduced in the new found strength of weak voices.

Forced labor can take many forms, including debt bondage and human trafficking, the latter being a second of the topics we will address in committee. Other types of forced labor can include prostitution of typically women and girls and sweatshop conditions in which workers are being held against their will by clearly illegal tactics. The ILO outlines that migrant workers and indigenous people are most commonly victims of forced labor, and in accordance with that, nearly 21 million people around the world fall subject to modern slavery. Among the sectors of labor, domestic work, agriculture, construction, manufacturing and entertainment are some of the most threatened by the ideas of forced labor.

Discrimination at work occurs in many different settings, and takes prejudice against both men and women. This can be on the basis of sex, religion, political opinions, race or skin color, nationality or social origin,

or even disabilities. In developing nations, women typically earn up to “25% less than male colleagues performing equal work” (Geneva, 2004). In order to end discrimination in the work force, it is first necessary to ensure equality in training in order to dismantle and tear down the barriers currently preventing workers from equal conditions. The ILO considers that “merit and the ability to do a job, not irrelevant characteristics, should be the guide [to employment]” (International Labour Organization, 2012).

The Model United Nations HRC encourages delegates to not only argue on behalf of these international facts, but consider domestic cases and violations of human rights laws as well.

Current Issues

Currently, nearly half of the population of any given developing country lives under extreme poverty, and all of those people are being denied basic human rights, including unfair conditions in the workforce. Specifically, their rights to freedom of association and collective bargaining are taken away when they are excluded from participation in public affairs. Child labor affects over 250 million children worldwide,

making it a growing problem. At an ILO meeting in Mexico City, it was proven that 30 percent of these children are in Latin America. However, despite prevailing issues, Conventions have been set in stone to resolve the harm that child labor has created. Specifically, Conventions 138 and 182 have made the biggest impact in the race to end child labor and create peace for those who have experienced it. These Conventions, one in 1973 and the other in 1999, highlight the minimum age for admission to employment and the worst forms of child labor. Somalia and USA are the only countries that have yet to ratify the United Nation’s Convention on the Rights of the Child, the basis for these individual Conventions. Each country has signed the convention, South Sudan as the latest to ratify and Somalia pledging to follow; the United States, however, continues to be the only member of the HRC to refuse ratification. In light of the subject, the US has ratified Conventions 138 and 182 in regards to child labor.

Freedom of association and the right to collective bargaining have been long-time issues. The ILO’s 1951 Committee on Freedom of Association was put together to analyze violations of workers’ and employers’ organizing rights, while collective bargaining has more recently come

to light through the 1998 ILO Declaration on Fundamental Principles and Rights at Work. As of late, it has come into light that trade unions are not recognized in Iran, and the Iranian labor law forbids the formation of democratic workers organizations. Along the same lines, job security is not provided in Iran, with over 70% of Iranian workers are working on temporary contracts; the ILO has recognized these issues, upholding complaints over the Iranian government. While Iran is not a member of the Human Rights Council, its behavior as a country affects the surrounding areas and may spread negative ideas.

Three out of every 1,000 people in the world today are victims of forced labor. Conventions 29 and 105 set guidelines specifying what forced labor is and what exceptions can be made; both call for all States recognized by the ILO to resent the ideas of forced labor and apply laws in their own countries. Countries who have ratified the Conventions are legally obligated to report violations to the ILO at any given time. The region with the highest rates of forced labor are central and south-eastern Europe and the Commonwealth of Independent States, with 4 victims per 1,000 inhabitants each. The ILO cites that “more than half of all forced labour victims are in Asia”,

meaning action is necessary to prevent the numbers from growing in this region.

In the working world today, equality and discrimination are disputably the most common offenses of human rights. Not only do these offenses violate basic human rights, but create massive social and economic consequences. Gender equality continues to suppress both men and women in the workforce all over the world. The gap of women to men in vulnerable employment, while nearly in even percentage points (50 per cent women, 48 per cent men) in many countries in 2012, affected North Africa and the Middle East (and Sub-Saharan Africa) most heavily, with rates of 24 and 15 percentage points. Indigenous and tribal people are also threatened by the gap in pay.

Current Actions

The UNHRC understands the need for collaboration and change in the aspect of labor rights. In regards to the four “core standards of labor, different calls to action are being supplemented around the world. These domestic cases represented should not be overlooked, but considered as well on a global scale.

Several different non-governmental organizations (“NGO”s) are working with the

International Programme on the Elimination of Child Labour (“IPEC”) to create safe conditions for children. In Peru, Guatemala, and India in particular, IPEC-backed projects are taking off to abolish the ideas of child and bonded child labor. Education on facts and figures of labor is being provided through school-based ideas, and around the world, the Global March Against Child Labour continues to be the leading advocate for Convention 182; it promotes the idea that children themselves can be significant agents for change.

The ILO is currently teaming up with several countries (Japan, USA, and Denmark) to improve labor rights in Myanmar specifically. This new initiative, backed by key players in the HRC, is crucial not only to Myanmar’s history, but the history of freedom of association internationally.

New ILO standards are being brought up in a legally binding Protocol that will strengthen the global efforts to end forced labor, and eventually human trafficking. There will be new obligations set in stone for the prevention of forced labor, the protection of victims, and the consequences of perpetrators.

In places such as Namibia and South Africa, the ILO is making sure legislative

changes are occurring to protect the equal rights of workers. As far as gender equality and discrimination go, the ILO Gender Equality Action Plan 2010-15 is in place to support specific needs of both men and women in the workforce, as it creates interventions to enable equal rights in developmental efforts.

Questions to Consider

1. How should the UNHRC define labor rights? Furthermore, will these labor rights be universal - that is, will this definition be applied to every state within the United Nations, or only a select few countries in need of a definition?
2. Once the aforementioned definitions are placed, and a solution is found to enforce these rights, how can the UN apply said solutions in a practical and effective way, taking care to not overstep the sovereignty of nations or the independence of corporations?
3. With that in mind, how can the United Nations effectively work with NGOs, labor unions, and cooperative governments/corporations to implement these strategies? Again, take care to think practically, and call upon previous efforts by

organizations to implement labor rights either domestically or worldwide.

4. What are your country's domestic policies, issues, and stances on child labor? How much of your country's production results from child labor? With that in mind, how rational is it to reduce/restrict child labor? Be sure to reflect your country's needs when discussing labor rights with the UNHRC.
5. In regards to occupational discrimination, what bodies and organizations will the HRC need to collaborate with in order to properly develop resolutions addressing discrimination in labor? What aspects of discrimination should be addressed: employment, salary, dismissal, etc. ?
6. What defines forced labor? What other crimes against humanity encompass forced labor (e.g. human trafficking)? Does forced labor coincide with slavery, or do they need to be identified as two distinct violations of human rights?
7. How free should workers be to create unions, and engage in activities unions would, such as collective

bargaining? What kinds of workers should be allowed to strike, or form unions?

8. How will the United Nations finance all of these ventures in reforming labor rights? This is in particular regard to workplace safety, as safer work conditions almost always entail investments in safer apparatus. How can the United Nations work with volunteer organizations and participating governments to meet the fiscal needs that these (undoubtedly cost-efficient) solutions will require?

Human Trafficking

Overview

Human trafficking is defined as the trading of human beings, commonly for forced labor or sexual slavery. It can occur within a country or trans-nationally with traffickers crossing borders that they should not be allowed across at all. Human trafficking violates the United Nations laws that “we are all equally entitled to our human rights without discrimination”. Human traffickers essentially steal their victims completely against their will. They may trick the family of the victim with a disguised job or situation to get a young victim out of town, then exploit them and never bring them back. They commonly use debt bondage or arrange the situation like a work contract, giving the victim very little or no pay at all. It is common to trap the victim with debts that continue to pile up and are impossible to pay off with their meager pay. In many cases, victims are subjected to never ending amounts of emotional and physical abuse. The word “trafficking” commonly suggests the idea of victims being transported elsewhere or secretly taken away from their homes, but this is not always the case. Sometimes they can just as easily be taken

control of without leaving their homes at all. This is prevalent because of increasingly restrictive visa regulations in many areas of the world. Traffickers may hold them captive through other means like debt or blackmail. There is usually a “transporter” who receives a profit from the exploitation of trafficked victims. There is a large sense of helplessness in the worldwide community of trafficking victims. Human trafficking is only easier to control because of the recently added opportunities for travel and communications.

Human traffickers usually force their victims into either forced labor or sex slavery. Forced labor constitutes working in terribly unsafe and unsanitary conditions under the threat of violence or other punishments. Forms of labor include agricultural labor, working in sweatshops, factories, food service, and much more. Bonded labor or debt bondage is the proper term for using debt to force a worker to continue work. This is an easy way to fall into human trafficking because debt often comes in the terms of employment with a new job. This debt can also continue from generation to generation, which is common in South Asia. A seemingly subtle form of forced labor is known as involuntary servitude. This is when people believe that they will either physically harmed or legally

punished (deportation), if they attempt to escape. Involuntary servitude puts economic immigrants and low skilled workers in captivity by oftentimes putting them to work in more prosperous, developed communities, just like in other forms of forced labor.

Domestic servitude is another form of forced labor. Domestic workers are trapped in servitude by physical, sexual, or emotional abuse; this is most common in wealthier countries of Asia and on the Persian Gulf. Children are common victims of domestic servitude because it occurs in private homes that are usually not regulated by public authorities. Child labor is an issue that intertwines with human trafficking many times because children are often the easiest and most common targets for both forced labor and commercial sex. Many international laws allow children to do light work legally, but the eradication of the worst, most extreme forms of child labor is a huge goal for many international organizations. Child victims are not given access to education, which only reinforces the cycle of poverty and illiteracy.

The definition for trafficking by sexual exploitation once was the organized movement of women, in most cases, throughout and between different countries to be used for forced commercial sex by

physical coercion or debt bondage. This has been changed so that any person taking a victim out of the country even with consent, can be charged with trafficking. Any minor involved in a commercial sex act in the United States still qualifies as a trafficking victim, even if no force or fraud is evident in the situation, according to the U.S. Trafficking Victims Protection Act of 2000. Trafficked women are sometimes promised work as maids or in some other domestic or industrial setting, but instead taken to brothels without their knowledge. Their passports or any other identification papers are seized and they are locked up or beaten until they pay back their debts. These debts include the price they were purchased for against their will, and the travel or visa costs. They have extremely horrible punishments from the smallest of infractions to attempted escape. Even if these victims are freed at some point or escape their jail, they are not accepted back into society easily in many cases. They deal with rejection from their families and communities, lack of governmental help, no financial independence, and even homelessness. These factors can lead to going back to sexual slavery or being forced into another terrible environment.

If victims are forced to travel by their traffickers, the journey is usually very unsafe, ending with an even worse destination of degrading, low paying jobs that imitate characteristics of slavery and bondage. Trafficking victims lose all their freedom, almost becoming modern day slaves. They are not allowed to save money or prosper in any aspect of life and have restricted movement. They are usually isolated from their families and communities and deal with psychological and physical trauma. Overall, the cycle of human trafficking is detrimental to every aspect of the lives of the victims.

Current Issues

Human trafficking continues to be such a widespread, worldwide problem because of the massive profits it makes. According to the ILO, the annual profit generated by the human trafficking industry is 32 billion dollars. Families often rent out their children for jobs in horrible environments due to their lack of money for as low as one hundred dollars a month. Poverty gives people absolutely no options and makes them turn to easy money. These children earn meager wages and do not get proper food. Being trafficked as children puts a pause on learning and growing or having the ability to prosper later in life. Some

victims are trafficked across borders and treated inhumanely through their confinement. They are forced to work or be sex slaves without any actual pay. The whole system of human trafficking is brutal and a true international crisis. Victims can be put to work for years without being noticed by outside helpers because of their lack of education and social interaction. INTERPOL rescues up to hundreds of forced laborers every year, but too many are still unnoticed.

Prostitution is the most common type of sexual exploitation, but bride selling and other forms of forced marriage can also be considered sexual slavery. It is a widely spread and ever growing industry throughout the entire world, but primarily in Europe and Central Asia. Those who are forced into prostitution usually work in brothels of some kind, but can be sold as brides to men who are willing to pay. Their bodies, minds, and entire lives are on sale for any single person who chooses to take them.

Current Actions

Despite the continuous thriving of human trafficking, awareness and action has been growing in the past several years. Awareness, as with most issues, is key to ending human trafficking. The media plays a huge role in educating people on the issue of

human trafficking by presenting the problem in harsh and realistic terms. Unfortunately, media coverage is not as strong in certain parts of the world; sometimes the issue of human trafficking is confused with illegal migration and alien smuggling. Awareness is becoming stronger in the world, but is still not high enough, only increasing the vulnerability of victims.

Creating a stable knowledge base in the world is imperative to fixing this problem. Many organizations and governments want to eradicate human trafficking, but they do not have reliable data to effectively follow through with solutions. In order to formulate strategies and properly put them into effect, general knowledge of human trafficking is imperative. The average person will come across a victim of trafficking much more often than a trained official. Unfortunately, the covert nature of human trafficking makes it difficult to find causes, decipher the geographical spread, and collect data. There are local programs like Start Freedom and Humanities that raise awareness to the youth of their communities, along with broader, international organizations.

Questions to Consider

1. Is there a specific or general age range, socioeconomic class, or ethnicity that is the most vulnerable to being trafficked? If so, why are specific groups being targeted?
2. Should the HRC be focused on stopping trafficking before it starts, or instead, stopping existing trafficking? Which would be more beneficial regarding the current issues?
3. Why do East Asia and the Pacific have the world's highest rates for human trafficking? What can the HRC do to help these countries?
4. Why is sex trade the fastest growing and most prosperous industry in human trafficking? What is cause of this and what can be done in domestic/international affairs to stop this specific industry's growth?
5. How successful have past pieces of legislation been in getting rid of human trafficking? What needs to be done to improve these? In regards to this - are there any changes that need to be made to trafficking laws and how they are implemented, accounting for current times?
6. Is it possible for human trafficking to be entirely eliminated? Which industries of human trafficking would

be easiest (or most difficult) to get rid of? How will the HRC be able to take action against these industries?

7. Trafficking victims often do not see themselves as victims or seek aid

because they think they are either responsible for their problems or they do not trust the local authorities. What is your country doing to ensure the safety and protection of victims?



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