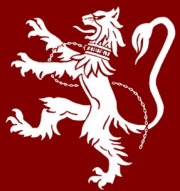




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General Assembly I

Child Labor

PEAMUN VIII
October 30, 2016

Dear Delegates,

Welcome to Phillips Exeter Academy's Seventh Annual Model United Nations Conference! My name is Mark Blekherman, and together with Gavin Cotter, Jaime Romero, and Andrew Hong, I will be chairing the General Assembly on Child Labor. We are very excited to welcome you into the committee and witness the contentious debates that will occur over this very important issue.

Below you will find a background guide on the issue of child labor. Though it covers the history, causes, and solutions to child labor, we encourage you to conduct your own research on the topic and delve into the many nuances that have prevented worldwide consensus on children's rights to this day. We are also delighted to include multinational corporations such as Nike in the committee. Delegates will have to examine not only the demands of states, but also the interests of companies. Striving for compromise will be especially important in this committee; each delegate will bring their country's or company's successes and failures with regards to child labor into the discussion, and the committee will have to use their judgment and creativity to fabricate the most implementable resolutions. As you search for solutions, we recommend that you acknowledge certain political roadblocks—poverty, warfare, lack of education, etc.—and approach the issue from both a humanitarian and economic standpoint. We also encourage you to read about previous United Nations laws, as well as the work of non-governmental organizations (NGOs) and UNICEF.

In committee, we will be using the ILMUNC style parliamentary procedure rules. We hope that you come into the committee understanding the basic structure of debate and

resolution-writing, but would be more than glad to help you along. Please don't hesitate to contact me (mblekherman@exeter.edu), Gavin Cotter (gcotter@exeter.edu), Jaime Romero (jromero@exeter.edu), and Andrew Hong (ahong@exeter.edu) about any questions or advice.

We're all looking forward to having you in committee!

Best of luck,

Mark Blekherman, Chair

Introduction

As defined by the International Labor Organization, child labor refers to work that deprives children of their childhood, their potential and their dignity, and that is harmful to physical and mental development. Child labor can take many forms, and ranges from children participating in agricultural and domestic work to slavery, trafficking, and prostitution.

However, on average, one child in seven is affected by child labor, which violates the child's freedom and human rights. It endangers the child's health, prevents the child from receiving education, separates the child from his or her family, and interferes with his or her adolescent development. All this being said, please keep in mind: some work done by children can be seen as a positive activity and is *not* classified as child labor.

Not only does child labor ruin the lives of individual children, but child labor has its own negative impact on a country's economy. While meant to increase household income on a short term level, child labor continues to pass poverty on from generation to generation, and increases the gap in income inequality. Additionally, employers prefer employing the cheap, unskilled workforce of children over investing capital and upgrading production processes. This thereby dampens technological progress, labor productivity and output growth in the long run.

The effort against child labor has progressed; today, the global number of child laborers has decreased from 246 million to 168 million. However, as child labor, and especially the worst forms of child labor, such as slavery and child trafficking, continue to exist and affect millions of children worldwide; the United Nations has the duty to continue enforcing its current policies and consider making improvements.

History of Child Labor

Throughout history, work was considered an integral part of one's childhood. In Ancient Greece, children who did not work or who had no potential to work were discarded from society and left on hillsides, where starvation or attack from predators would lead to death. Before Western Europe became industrialized, parents viewed education as unnecessary and sent their children to serve as apprentices at a young age. Great Britain sent boys and girls to colonies in America, where they would work in spinning factories or plantations. The first recognition of children's rights in the United States was the Massachusetts Body of Liberties of 1641, which outlawed parental severity against children and the choosing of children's mates. Nonetheless, many children between the ages of 10 and 16 were working at the beginning of the nineteenth century, and Great Britain standardized laws that allowed adults to employ children for up to twelve hours a day. As the Industrial Revolution spread across Europe, many were appalled by the amount of work children performed and the little pay they received. Karl Marx and Charles Dickens used their books and ideas to concentrate public attention on the issue.¹ In 1839, Massachusetts became the first American state to adopt child labor laws that prohibited the employment of children under the age of fifteen who received less than three months of schooling in the previous year.

World War I represented a new era for child labor laws. With heavy casualties on both sides, concern grew about the protection of children in Europe and North America. In the peace treaty of 1918, the United States demanded that no goods made by children under the age of

¹ <http://menengage.org/wp-content/uploads/2014/06/History-of-child-rights-and-child-labor.pdf>

sixteen be delivered in international commerce.² The following year, in 1919, the newly formed League of Nations established a Committee on Child Welfare, marking a global recognition of the issue. That same year, countries gathered to draft the constitution of the International Labor Organization. In 1924, the League of Nations approved the Geneva Declaration of the Rights of the Child. According to the document, “the child must be put in a position to earn a livelihood, and must be protected against every form of exploitation”.³ The declaration affirmed the existence of children’s rights and emphasized the responsibility of adults to protect children.

With more global attention towards child labor, countries began to issue laws clarifying the working conditions for children and, in some cases, banning the employment of children under a certain age. For example, the United Kingdom passed the Children and Young Persons Act in 1933 outlawing the employment of children under the age of fourteen and the sale of tobacco to children under the age of eighteen. Article 24 of the 1949 Indian constitution stated “no child below the age of 14 shall be employed to work in any factory or mine or in any hazardous employment”; though the modern-day effect of this article remains questionable, it nevertheless shows that even countries that heavily relied on the labor made efforts to eliminate it.⁴ Some countries sought to provide and enforce alternatives to the cultural dependence on the institution, as Ireland did in the School Attendance Act of 1926. Even though these countries sparked noticeable domestic change, there was still a lack of global consensus on child labor.⁵

In 1973, the international community made progress in child labor. 132 countries approved the International Labor Organization’s Convention concerning Minimum Age for

² https://www.concern.net/sites/default/files/media/page/concern_child_labor_resource.pdf

³ <http://www.un-documents.net/gdrc1924.htm>

⁴ <http://www.humanium.org/en/childrens-rights-history/references-on-child-rights/declaration-rights-child/>

⁵ <http://www.irishstatutebook.ie/eli/1926/act/17/enacted/en/html>

Admission to Employment, which set the eighteen as the minimum age for employment of children in work that can jeopardize health, safety, or morals. In 1989, every country but the United States and Somalia agreed to and ratified the Convention on the Rights of the Child in the United Nations General Assembly, signifying a global commitment to the promotion of children's rights.⁶ In 1999, the International Labor Organization ratified the Worst Forms of Child Labor Convention, emphasizing that hazardous working conditions permanently impair children's physical, emotional, and mental well-being.⁷

While organizations and governments have succeeded in mitigating child labor in many countries, many nations have resisted change. Other countries lack the moral or economic incentive to welcome the reform suggested by the International Labor Organization and the United Nations. In this General Assembly, the Dais would look forward to solutions that get as many countries involved as possible.

Causes of Child Labor

Child labor is a very complex issue that is caused by many factors, and is not easy to solve. The first main factor of Child labor is poverty. Many children work in order to support their family so that they can get by and survive. Many times it is the parents' decision for the child to go to school, and in some families only one child goes to school because the family is only able to afford education for one child, while the other children must work in order to provide income for the family. In 62% of child labor situations, the parents decide that the child should work, while only 8% of child laborers choose to work out of their own volition. In some

⁶ <http://www.unicef.org/crc/>

⁷ http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C182

cultures it is customary that children work, and some families even have children just to help provide income for the family. In many undeveloped areas it is cheaper to have children, so it is economical to have children just so they can work to generate income for the family.⁸ In developed countries children consume more than they produce, which is a reason why child labor is more prevalent in less developed countries.

This leads to the second key component of child labor--the education system. The education system is at fault because schools do not provide benefits for children to go to them. Not enough schools are free, so many families have to pay to have their child go to a school, and to eat while at school. These things cause there to be no incentive to go to schools, because families have to spend money for a child just to learn and many times this education is not good enough to be put towards future opportunities. For those families it is more economical to have their child work. In some countries there is a difference between the minimum age required to work and the minimum age in which you are allowed to drop out of school. Not only that, but some countries have little enforcement to keep children going to school. When there is no enforcement, families are able to do whatever they want in order to best benefit their family instead of what is actually mandated by law. In countries, like Costa Rica, Thailand, and Sri Lanka, the working age is actually lower than the age of compulsory schooling.⁹ In many families when a child is legally able to work, they will immediately stop attending school so that they can work in order to provide the best possible benefit for their family.

⁸ http://siteresources.worldbank.org/EDUCATION/Resources/278200-1099079877269/547664-1099079934475/547667-1135281552767/Child_Labor_issues.pdf

⁹ http://siteresources.worldbank.org/EDUCATION/Resources/278200-1099079877269/547664-1099079934475/547667-1135281552767/Child_Labor_issues.pdf

Another factor of child labor is bad laws and poor enforcement of the laws. In many countries laws restricting child labor don't exist, leading to more children working. Because there are no laws, children can also be forced to work in terrible conditions and overworked. Not only do individual countries not have good legislation to prevent child labor, but there is also no global agreement about what age children are allowed to work. For example, the minimum working age in China is 16 years old,¹⁰ while in Singapore the minimum working age is 13 years old.¹¹ This discrepancy among different countries has made it very difficult to create laws to stop child labor.

In developing countries, rural to urban migration is causing more child labor in urban areas. Families leave the hard agricultural life for urban cities to in search of economic opportunities, yet often jobs in these environments do not exist. In 1950, 17 percent of the developing world's population lived in urban areas, in 1988 this increased to 32 percent. By the year 2025 it is estimated that this proportion will increase to 57 percent.¹² Such increases force children and their families into urban poverty, causing families to resort to child labor.

Ending child labor is not an easy problem to solve, just establishing a global minimum working age and enforcing it is not enough. If that is done, many families will then be stuck not knowing how to get enough income to sufficiently support themselves. Not only that, but some families may be forced to send their children to schools where they are not receiving a good education that can benefit the family in the future. Therefore, creating a law and enforcing it

¹⁰ <https://www.loc.gov/law/help/child-rights/china.php>

¹¹ <http://www.mom.gov.sg/employment-practices/young-persons-and-children>

¹² http://siteresources.worldbank.org/EDUCATION/Resources/278200-1099079877269/547664-1099079934475/547667-1135281552767/Child_Labor_issues.pdf

may put families in even worse economic situations. These factors make child labor a very complicated issue, and make stopping child labor a very difficult problem to solve.¹³

India

Children in India manufacture products in the informal economy and are exposed to harmful chemicals and dangerous machinery. They quarry and break stones, carry heavy loads, and perform forced or indentured labor in brick kilns and rice mills. In towns with tourist attractions, the sex tourism industry exploits children, and in some localities, extra-legal armed groups recruit children as soldiers in armed conflict.¹⁴ Though the Child Labor Prohibition and Regulation Act bans the employment of children under fourteen in many hazardous occupations, many legislative obstacles exist that retard the execution of these laws. Schools deny admission to underprivileged students, and many educational facilities lack sanitation. With no national minimum age for employment, states within India assume the responsibility of outlining the conditions for child labor, making the execution unreliable and largely unenforceable. Nevertheless, the Indian government has tried to eliminate bonded labor and prevent sexual harassment and child pornography by passing the Bonded Labor System Act and the Protection of Children from Sexual Offence Act.¹⁵ Non-governmental organizations have helped in the implementation of the government's plans. For example, the National Human Rights Commission has controlled the execution of the Bonded Labor System Act, and the Ministry of

¹³ http://siteresources.worldbank.org/EDUCATION/Resources/278200-1099079877269/547664-1099079934475/547667-1135281552767/Child_Labor_issues.pdf

¹⁴ <http://www.du.edu/korbel/hrhw/researchdigest/slavery/india.pdf>

¹⁵ <https://www.dol.gov/ilab/reports/pdf/2012tda.pdf>

Women and Child Development has coordinated anti-trafficking policies.¹⁶ In 2014, the government of India passed the National Child Labor Project, which provides loans and social protection programs to assist child laborers.¹⁷ Through this program, children have been rescued and relocated to government-funded schools.

Vietnam

According to the International Labor Organization, 9.6 percent of children between the ages of five and seventeen are child laborers in Vietnam.¹⁸ These child laborers usually live in the countryside and work in agriculture, sacrificing education for long hours spent on the fields or in clothing factories. Many do so out of necessity, craving the little money multinational corporations like Nike will pay them. Others are taken from their homes and trafficked to metropolitan areas to work in small garment workshops. Most traffickers are usually punished by administrative sanctions. Rapid economic growth has reduced the poverty rates in both rural and urban areas, but a lack of international oversight has led to worsening sweatshop conditions.¹⁹

Brazil

Child labor has been a consistent problem in Brazil since it was colonized. Child labor in Brazil is fueled by poverty. When the adults in the family are unable to provide sufficient income, the children are expected to work in order to provide for the family. Children work in many different occupations, including agriculture, ceramics, clothing production, quarry work,

¹⁶ <https://www.dol.gov/ilab/reports/pdf/2012tda.pdf>

¹⁷ <http://164.100.47.134/intranet/childlabor.pdf>

¹⁸ <http://www.laborrights.org/our-work/forced-labor-vietnam>

¹⁹ http://www.usfashionindustry.com/pdf_files/WRC-Report-Vietnam.pdf

and sexual exploitation, human trafficking, and drug trafficking. The Brazilian government actively works to stop child labor, implementing inspections and changes in law and creating numerous agencies. Currently child labor is 3.5% for children ages 5 to 14 years age in Brazil. Brazil hopes to eliminate all Child labor hopefully by 2020.²⁰

Nigeria

Child labor is a continuing issue in Nigeria, where poverty, unemployment, and a bad education system are lead causes. The Nigerian government has tried to enforce laws and restrictions against child labor, yet they have not been effective. The education system is not helping, as it is hard to enforce children to go to school, and at school some teachers even exploit the children, leading to child labor being more prevalent. Due to budget constraints, the Nigerian government is unable to strengthen enforcement and fix issues in their current system. Furthermore, the terrorist group Boko Haram also takes children off the street to become child soldiers. Children in Nigeria also work in many other areas, including agriculture, mining, construction and more. This has led to 31.1% of all children ages 5 to 14 years olds. Nigeria is trying to prevent child labor, but they have been unable to stop it.²¹

Somalia

²⁰ <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/brazil>,
<http://www.coha.org/made-in-brazil-confronting-child-labor/>,
<https://laboreconomics.wordpress.com/2012/05/03/over-one-million-children-at-work-in-brazil/>

²¹ <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/nigeria>

The Federal Government of Somalia ratified ILO C. 182 on the Worst Forms of Child Labor, and is participating in the "Children, Not Soldiers" campaign to prevent the recruitment and use of children by national armed forces. They have participated in to strengthen the national criminal justice response to trafficking in persons since 2014. However, children in Somalia are still engaged in labor; including street work, agriculture, armed forces, and prostitution. The terrorist group al-Shabaab remained the main perpetrator of the abduction and use of child soldiers in Somalia.²² This conflict has weakened Somalia's already weak government since september of 2011 when they were forced out of the capital. The country lacks an established labor and criminal law enforcement systems.²³ Because the country lacks an established labor and criminal law enforcement system, companies or terrorist groups that take advantage of underaged kids will have zero repercussions. The Somali National Police Force is severely undertrained and understaffed, and has begun a referral process with the help of unicef to hand over the identities of children that have been soldiers for al-Shabaab. The UN has stated that Somalian child trafficking has to stop, and has proceeded to have UNSOM work with the nation.

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North Korea

The Democratic People's Republic of North Korea is founded on forced labor. Right now because of the recent effective collapse of the Korean economy, many people are forced into labor for the Korean government with little to zero recompense for their work. Not working is

²² <http://www.bbc.com/news/world-africa-15336689>

²³ <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/somalia>

²⁴ <http://www.un.org/apps/news/story.asp?NewsID=53541#.V3WjG5MrLBI>

punishable by months to years in labor camps. This includes students from schoolchildren to college students. If they missed a day of work their body could be inflicted with beatings. The North Korean Government doesn't seem to have any signs of stopping.²⁵ The jobs range from ceramics factories to mines. The UN has admitted North Korea into the General Assembly, but North Korea has not allowed the UN help its economy or anything on its own turf. The North Korean government is proud of its self reliance and would like to keep it that way.²⁶

Afghanistan

In Afghanistan, child labor is prohibited by law; it is illegal for children under the age of 14 to work.²⁷ However, many families are so stricken with poverty that children sacrifice their well being and education in order to survive. Children in Afghanistan are engaged in a variety of workspaces; one of the most common and hazardous jobs happens to be the forced production of bricks, one of the worst forms of child labor. And, as reported by the US Department of Labor, Afghanistan's labor inspectorate does not have legal authority to enforce child labor laws, and their government lacks programs to eliminate child labor in certain sectors.²⁸

Afghanistan mandates that children must attend school up until the ninth grade. There has been more than a 350 percent increase in enrollment in schooling since the situation under the Taliban in 2000; however, child labor in Afghanistan is still a prevalent issue, with well more than half still not in enrolled in school.²⁹

²⁵ <https://www.hrw.org/news/2012/06/13/north-korea-economic-system-built-forced-labor>

²⁶

<https://www.washingtonpost.com/news/worldviews/wp/2016/05/02/its-party-time-in-north-korea-workers-party-party-time/>

²⁷ <http://borgenproject.org/child-labor-afghanistan/>

²⁸ <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/afghanistan>

²⁹ http://www.policyinnovations.org/ideas/briefings/data/afghan_child_labor

Mexico

Household poverty contributes to the need for children to sacrifice and join the workforce in Mexico. Child labor is still a prevalent issue in the country today, with over 870,000 million children working under the age of 13. According the World Bank, the majority of children affected by child labor live in the countryside, where they engage in agricultural work.³⁰ Fortunately, the issue of child labor in Mexico is slowly going away. Policy action in Mexico's education in the 1970s and 80s helped many children to receive a better education. When these people became parents, they were less inclined to allow their children to work. Thanks to government action, 40% less children work compared to the previous decade, and well more than 90% attend schools.³¹

Role of Companies

The Committee will have Nike, Victoria Secret, Adidas, and Alternative Apparel present as they all represent the spectrum of this discussion. Nike is known for underpaying Its employees in Bangladesh, having employees beaten, and having their employees working extra hours for zero pay. The company used the allegations to become a forerunner in making sure its factories become better. Using transparency to child rights organizations into their factories, and posting their audit data, and their standards. Victoria's Secret on the other hand is known for underpaying, beating, and overworking its underaged employees. Victoria Secret receives 20% of its cotton from Burkina Faso from children that are forced into labor. Several boycotts have

³⁰ <http://www.worldbank.org/en/news/feature/2013/01/18/children-at-work-in-mexico-still-a-major-issue>

³¹ <http://www.worldbank.org/en/news/feature/2013/01/18/children-at-work-in-mexico-still-a-major-issue>

been staged against the unchanging company, while the company leaves time to brush the allegations under the carpet. Alternative Apparel pays its employees over minimum wage, keeps them from being beat, and keeps their factories safe with several organizations looking over its several factories around the world. Alternative Apparel also makes sure that the factory has dies that do not poison their employees. The company also make sure that the children that work are over the legal age to work legally.

Most companies exploit children by paying them less than what is legal even up to half the minimum wage because they know that the children have nowhere else to work because it is illegal to work at their age. The companies also expose the children to harmful chemicals, and do not second check certain safety precautions most buildings should have. Some Companies like Nike had placed a used fire extinguisher in the wall, and when a fire did finally come about they had nothing to put the fire out with. Some children are beaten for not working, and even beaten for just not fulfilling their quotas. The children can sometimes even be forced into work by their parents, inadequate education, gender inequality, and poverty.

Several companies such as Victoria's Secret do these things to outsource their labor as cheaply as they can. This means getting more product for less, which can happen in several ways. Including sweatshops overworking children and then not paying them for the work. They also prey on children because they know that they don't have the power to start unions. Several companies beat their children to keep them from leaving the factory before fulfilling their extra time. The dyes that the companies use are usually poisonous. Factory safety conditions are also subpar because buying safety equipment and keeping buildings up to code takes a lot of money

that they would rather keep in their pocket. Most violations and child labor happen because of monetary reasons.

Possible Solutions

Many international and non-governmental organizations have moved from awareness to actions in the fight against child labor. UNICEF has worked to cut down cultural and legislative barriers to children's education. In Lesotho, UNICEF realized the rooted tradition of herding livestock in childhood but collaborated with the government to establish learning posts across the country's mountainous terrain. Though they were unable to eliminate a longstanding, but abusive institution, UNICEF's schoolhouses give children a safe place to gather in after work and learn fundamental skills. Recognizing that parents often send their children to work as live-in domestics or bonded laborers because of dire financial circumstances, UNICEF has issued small loans to families. These loans give parents the opportunity to earn enough income to pull their children out of work and enroll them in schools. In India's Uttar Pradesh region, loans have reduced the necessity for child labor in many families and succeeded in reducing children's employment in carpet factories. In committee, the Dais encourages delegates to examine child labor on a case-by-case basis that takes the needs and traditions of all countries into consideration.

In addition to breaking barriers to children's education, UNICEF has focused much of its efforts on destroying the worst forms of child labor, including military recruitment and sexual exploitation. Aggravated by warfare and HIV/AIDS, these children are the most vulnerable to human trafficking. In both the Democratic Republic of the Congo and Sri Lanka, UNICEF contacted armed opposition groups to persuade them to stop recruiting children. Even after

demobilization, UNICEF must facilitate the reintegration of these children into their respective families—an especially difficult task if the children fought against their hometowns.³² Furthermore, UNICEF has supported non-governmental organizations that counsel and rehabilitate sexually abused children and has pushed governments to provide more educational facilities and opportunities.³³ While working in committee, delegates should address issues of human rights related to child labor.

The International Labor Organization has also played a key role in setting international standards regarding child labor. Its laws have not been ratified by some countries, and their implementation has depended on individual national policies. The ILO recommends a universal ratification of the conventions and the strengthening of monitoring and enforcement mechanisms. Past conventions (i.e. 182, 183) have urged the raising of national minimum age for employment, the abolishment of the worst forms of child labor, and the banning of child pornography.³⁴

Other strategies combating child labor include holding companies accountable for their actions. For example, the International Labor Rights' Fund has pursued legal actions against multinational companies (i.e. Coca Cola) for labor abuses.³⁵ In Vietnam, the sports company Adidas encountered inconsistencies when inspecting its supplier's factory and determined that a sizeable portion of the workers were below the legal age of employment. Vérité—an NGO—worked with Adidas to ensure that the child workers enrolled in schools while still

³² http://www.unicef.org.uk/Documents/Publications/ecechild2_a4.pdf

³³ http://www.unicef.org.uk/Documents/Publications/ecechild2_a4.pdf

³⁴ <https://www.winrock.org/wp-content/.../04/winrockenglish.pdf>

³⁵ <http://www.ilo.org/ipecc/projects/global/protect-respect-remedy/lang--en/index.htm>

receiving the financial assistance necessary for their family's survival. Smaller enterprises often agree to hire back the children once they have completed compulsory education.

Most non-governmental organizations agree that an accessible public education system promotes the elimination of child labor. Each organization, however, advocates for different measures to “force” parents to send their children to government schools: strengthening international standards, creating economic incentives, raising public awareness.³⁶

Though UNICEF and other non-governmental organizations have raised awareness and sparked change in many countries and companies, universal charters and conventions have failed time and again to create implementable standards that would dovetail the needs of the economy with dire humanitarian concerns. Poverty, starvation, and tradition have led many families to forgo education and instead send their children into bonded labor.

Questions to Think About

- **How can delegates work with multinational companies to balance humanitarian and economic needs?**
- **How can the United Nations come to a general consensus when faced with different laws on child labor in varying countries?**
- **How can states motivate impoverished families to send children to schools?**

³⁶ <http://gcc.concernusa.org/content/uploads/2014/08/Child-Labor.pdf>

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