



United Nations High Commissioner  
of Human Rights (UNHCHR)

HEIMUN 2019

#### TOPICS

1. Combating child labour/slavery in South-East Asia
2. Improving the situation of under-aged refugees in Western countries

#### CHAIRS

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## Introduction

In economically developed countries child labour is not existent in everyday normality but it is still a part of a lot of children's daily routine. Western countries face a part of their history when looking at child labour, whilst this is common and part of a day-to-day life in other parts of the world like Asia. This shows that child labour is still a major problem in our world, which affects millions of children. Children's Rights and human Rights are violated everyday in Asia and throughout this world it is the mission and duty of the UNHRC to protect these Rights and prevent violations. To point it out these children, who's rights are violate, are our age and younger.

Child labour and slavery, despite actions and a decline, still affects 168 million children aged 5-17, proving that this is in fact a major problem. A problem that prohibits children from education, harms them mentally, socially, physically, morally and violates their human rights. Millions of these children suffer from the worst forms of child labour, including drug trafficking, forced labour, slavery and sexual exploitation.

The exploitation of cheap workforce and the necessity of pure surviving forces them, violently and not violently, into hard harmful work. An exploitation and harm of an extreme degree mainly due to poverty, an exploitation nobody could support ethically and an exploitation, which is an act against humanity itself.

Over all this poses a threat to the health, development, personal development and well being of children all over the world.

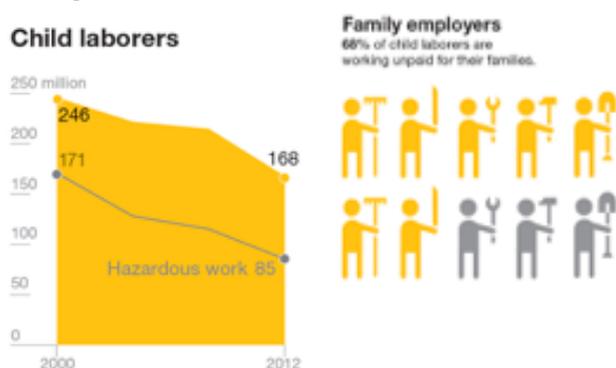
## Background

Many countries including European countries practiced child labour at one point in time and abolished it for different reasons. The first step towards the ban of child labour was in Germany and Europe due to the need of soldiers as the children were to weak from the work and therefore useless in the military. This led to the banning of child labour in Europe with a rather egoistic and not ethical reason.

Today countries in Asia still have child labour caused by multiple reasons and according to the World Bank it decreased from 25% to 10% between 1960 and 2003 and this still includes 168 million children. UNICEF describes the decrease as far too slow and it won't increase until the causes are either minimized or completely eliminated.

The figure shows the steady decline from 2000 to 2012 and from the 168 million children 85 still do hazardous work. One can see the progress but the number is still too high for a world, which is wealthier than never before.

Looking at this the question rises, what causes the ongoing persistence of child labour. As mentioned above it is often caused by multiple factors but the ILO suggests that poverty is the greatest cause.



Poverty is mostly combined with other factors, such as lack of meaningful alternatives, migration, social norms condoning it, which all reinforce each other. Due to poverty especially in rural regions child labour mostly occurs within their own families, as 68% of the employers are families. This work is mostly in agriculture for example helping on the field. Families in these regions are directly dependent on their children as they make up to 40% of the household income.

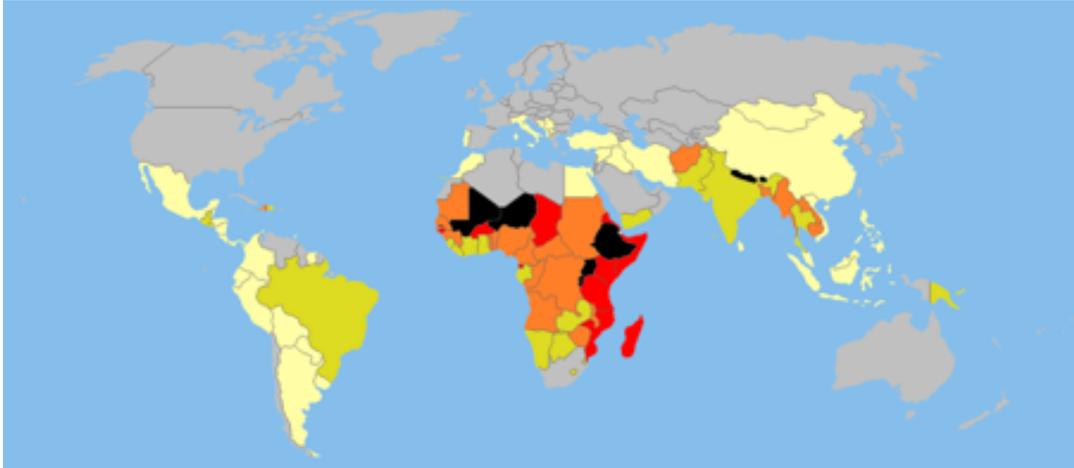
These families are constrained to non-violently force their children to work as their survival can depend on it when they are on the edge of survival. This is due to the lack of education and adequate school facilities in rural communities. The reasons and issues mentioned above violate many articles of the children Rights including a few basic Rights like article 6 “Every child has the inherent right to life, and the state has an obligation to ensure the child’s survival and development” and article 4 “The state must do all it can to implement the rights contained in the convention”. These articles include the duty of the state to protect the children, which opens up a whole new side including the states.

China for example to quote the U.S Department of State report “[...] the Chinese Criminal Law criminalizes forced labour but prescribes punishments of a fine or no more than three years imprisonment, and only if the circumstances are found to be ‘serious’ – penalties which are not sufficiently stringent” doesn’t have severe consequences for child labour. Further in article 28 “The Child has a right to education, and the states duty is to ensure that primary education is free and compulsory” which is not met in most to all cases especially in these rural regions.

Overall child labour in families is not violently forced, but caused by pressure of survival. The other side of child labour is the violently forced work, which includes forms, such as sex trafficking, drug trafficking and mining and even organ extraction. Children working in these areas are partly kidnapped or even sold from their parents. These forms of child labour often come with child abuse and not only harm the children physically but extremely mentally. All of the violently forced labour forms break a lot of the child Rights, such as article 11 “The state has an obligation to prevent and remedy the kidnapping or retention abroad of children by a parent or third party”, article 19 “Freedom from abuse”, article 27 “A standard of living”, article 29 “ Personal development”, article 34 “Freedom from sexual exploitation”, article 35 “Freedom from human trafficking” and article 36 “Freedom from exploitation”. Manufacturing, e.g clothes, in Myanmar covers 12% of child labour and this is only one country of all in Asia.

According to the United States Department of State an estimated 20000 children are kidnapped every year in China and are e.g. sold overseas and to manufactures etc. These kinds of labour and the kidnapping are mostly due to poverty and exploitation but in China baby girls and girls are sold to men due to the inequity of genders in regions such as the Henan region. One can see that a new cause rises as in some forms of child labour/trafficking there is not only a demand but also a supply. To take the example of China, poor families sell their babies to get another attempt at a boy who can be more successful. This kind of trafficking was mostly with women aged 20-50 but also girls as young as 12 years old were smuggled according to Cindy Chu and goes as far as baby trafficking. Further children in areas where natural disasters and military conflicts lead to displacement and refugees are particularly vulnerable to these heinous crimes. Other victims especially in Nepal include orphans and socially excluded children due to HIV and ethnic differences. The communities ignore the well being of these children, which makes them extremely vulnerable for kidnappers and traffickers.

Over all one can conclude that in Asia the laws are either not existent or not enforced strongly and strict enough, which bring us to different approaches for change.



## Past achievements

Past achievements include all kinds of law enforcements, plans for eliminating child labour and different NGO and government actions.

Oldest actions against child labour are IPEC and DWCP, who work together with countries such as Nepal and Myanmar to provide better work conditions and less child labour. IPEC was created in 1992 and since then has strengthened the capacity of countries to deal with the problem and eliminate child labour. It's approaches and actions, such as Corporate Social Responsibility try to reduce child labour especially in businesses, which also increases the company values and image.

Further the ILO cooperates with Myanmar on its first National Action Plan (NAP) on Child Labour, that includes the list of hazardous work prohibited to children under 18.

The actions mentioned above are all part of the ILO Conventions, like Convention No. 182 on the worst forms of child labour in December 2013.

Actions like law enforcement against trafficking in China, which were triggered by the Chinese government ratifying the UN Trafficking in Persons Protocol in December 2009 obligated China to prohibit all forms of trafficking and bring domestic laws into conformity with international standards. According to the U.S Department of State that China arrested 19 of the country's 20 most wanted traffickers and the laws against trafficking are extremely severe but suffer under the weak enforcement and corruption.

Through a program of terre des hommes 208 children have been rescued from the worst forms of child labour, in India 299 children have been given the opportunity to go to school and many smaller steps towards less child labour. This program is just an example as there are many more, who's results add up to a larger number.

## Major Member States Involved

### United States of America

The United States of America ratified the Convention on the Rights of the Child and the Worst Forms Convention 182, lead by the ILO. Active in different programs, like the Child Protection Compact Partnership with the Philippines, the USA supports the combat against child labour throughout the world. Their Office to Monitor and Combat Trafficking in Persons (TIP Office) works together with foreign governments and NGO to develop and implement strategies against human trafficking and child trafficking.

### India

India as the country with 478 million children (one out of five in the whole world) wants to enforce and envisage a rights-based approach in priority areas, such as protection. To quote Shri Sharad Tripathi a Hon'ble Member of the Parliament "The Constitution of India has extensive provisions for promoting the rights of the child and for enabling their development and welfare"<sup>1</sup>, shows the support to the fight against child labour, trafficking and slavery.

<sup>1</sup>73<sup>rd</sup> UNGA Third Committee Agenda Item 70: Promotion and Protection of the Rights of Children

### China

Mentioned above, according to the U.S China lacks by the enforcement of laws and struggles with corruption. Still their position to child labour is clear as they want to pursue the fulfillment of their "international responsibility, actively participate in international cooperation and work towards better protection and promotion of children's rights"<sup>2</sup>.

<sup>2</sup>Statement by the Chinese Delegation on the Agenda Item of "Rights of Children" at the Third Committee of the 73<sup>rd</sup> Session of the UN General Assembly

### Myanmar

The ethnic cleansing of the Rohingya Muslims in Myanmar through the government triggered child labour on a large scale. This persecution of a minority, lead to a displacement of thousands of children in the Rahakine state and a violation of human Rights and the Rights of the Child. Despite

the effort of the international community the cleansing continues with extreme consequences. Due to the displacement children are forced to work because of the pressure of survival and no other options.

### Bangladesh

Despite their high percentage of child labour (20-30%) they pursue a political course to stronger enforce Human Rights and protect them. To quote Hon'ble Prime Minister Sheikh Hasina "Bangladesh is a proud contributor to UN peacekeeping and our peacekeepers are deployed in many conflict-prone areas [...] addressing conflict related sexual violence and violence against children"<sup>3</sup>, showing the two sides, the political course for Human Rights and the continuing child labour in Bangladesh.

### Nepal

Earthquakes in Nepal lead to displacement of children and trafficking, which leads to exploitation and abuse. Disasters like earthquakes increase the risk of trafficking and the consequences need to be minimized. Therefore the Nepal Police and the children's agency work together to reduce this risk, as well as UNICEF with the Nepalese government.

## Possible Solutions

Eliminating child labour will require concerted actions by governments, the UN and NGO's. No approach that tackles only one cause is sufficient, they must simultaneously address causes, such as poverty and inequity. National laws need to be established and the enforcement of these must be effective and strict. These laws should include the illegalization of trafficking and general child labour and the necessity of improving the education in poor and rural regions. This can be achieved through international cooperation and the support of NGO's.

Improving education with nowadays technology is easier than ever as it is now possible to have accesses to education with every smartphone and computer. Although these technologies are expensive governments could take this step to bring education in regions where there are no or not qualitative school facilities. This would also eliminate the need of a lot of teachers and therefore money for these technologies.

Further the law enforcement could be strengthened through actions against corruption and more effective persecution of e.g. traffickers.

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Fig.1+2: <https://news.nationalgeographic.com/2015/09/2015-09-26-data-points-children-behind-child-labor/>

Fig.3: [https://upload.wikimedia.org/wikipedia/commons/f/fa/Enfants\\_au\\_travail\\_dans\\_le\\_monde.png](https://upload.wikimedia.org/wikipedia/commons/f/fa/Enfants_au_travail_dans_le_monde.png)