

**Committee: Economic and Social Council (ECOSOC)**

**Issue: Safeguarding the rights of workers in Less Economically Developed Countries (LEDCs) and Newly Industrialized Countries (NICs)**

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**INTRODUCTION**

Respect for the rights of workers has long be considered a sign of commitment both to social justice and to economic development. Although many view these two as inversely proportional (the classic rivalry between effective and just) this is not the case. It would even be fair to say that these two goals are so interconnected that achieving the former guarantees the success of the latter. However, it would be incorrect to think that economic growth cannot be achieved without social justice. All the same, the values of the United Nations dictate one common international aim: the presence of both in every society in our world.

It took a reasonably long time for the world's larger economies to understand the importance of ensuring the rights of workers; a delay mainly due to the radical reforms that required in the process of production that was already on set. Nowadays many of these economies (with a not unreasonable number of exceptions) can boast serving social justice while maintaining a substantial rate of growth. Although there is still room for improvement, it is only reasonable to expect that today most effort regarding this issue present in LEDC's, should be taken on primarily by larger economies and non-governmental organizations (NGO's).

LEDCs, as well as NICs (newly industrialized economies), tend to be countries with little history of competitive economic growth compared to countries with developed markets. Even though free trade and global market liberalization have allowed for all countries to experience better growth than before, protection of workers remains an issue of paramount importance. This applies more for LEDCs than NICs, since the former experience a more labor-intensive growth compared to the latter. Therefore the protection

of workers in these countries should not only be prioritized, via the means of a problem-centered approach but also due to the subjects' great number.

With regard to the NICs, attention must be drawn to their impressive record of economic growth from the 1970s and onwards, which allowed countries such as the East Asian tigers, China and India to achieve an economic development close to the one of developed countries, whilst moving away from an agriculture-based economy to a more industrialized one.

## **DEFINITION OF KEY TERMS**

### **Rights of Workers (also known as International Labour Standards)**

International Labor Standards are legal instruments which define basic minimum standards (such as minimum income) in the world of work. They are drawn up by representatives of governments, employers and workers in a tripartite fashion and thereby represent the work-related principles of the major actors in the global economy. As instruments of law which can be ratified by governments, the standards are part of the legal framework in which the international community develops, as it (the international community) confronts and adjusts to the effects of globalization. But they also serve as "guide posts" for organizations, companies and individuals concerned with basic principles and rights at work. (International Labor Organization)

### **LEDCs (Less Economically Developed Countries)**

The World Bank and the United Nations use different terminology to define "developing countries," also known as "less economically-developed countries." The latter organization also uses the term "least developed countries," to describe "small islands and developing states," as well as "landlocked developing countries." The World Bank's main criteria for classifying economies are gross national income (GNI) per capita, previously referred to as gross national product, or GNP. The United Nations has stated that: "There is no commonly agreed definition of developing countries." (...) In the United Nations and World Bank lists, the number of developing countries ranges from 104 to 152. The 2008 List of Developing Countries compiled by the World Bank has 152 countries. (Library of Congress)

### **NICs (commonly known as Newly Industrializing Economies)**

This subgroup of the developing countries (LDCs) has experienced particularly rapid economical industrialization over the past years. They were formerly known as the newly industrializing countries (NICs). Amongst the first countries to fall under the category of NICs were the East Asian tigers in the 1970s. As these countries have over years achieved a growth and power comparable to the one of developed markets, new countries have emerged that match the criteria and exhibit high growth rates. An illustration of this point can be found in the cases of China, India, Brazil and South Africa amongst others. It hereby becomes obvious that a country being newly industrialized does not render its economy as non-important. It is often the case that these countries constitute attractive destinations for investors.

## **BACKGROUND INFORMATION**

The International Labor Standards dictate the allowed forms of labor as well as the right conditions for labor to take place. The allowed forms of labor can be identified if one excludes the ones the ILO rejects (specifically Forced Labor and Child Labor). The right conditions for labor to take place under are regulated by the Health and Safety standards, the value of labor, the fairness in labor regardless of the identity of the worker and finally the absence or presence of the right the subject has to fight for all the aforementioned.

### **Child Labor**

Child labor is the situation in which children participate in any form of work even though they are too young to be doing so, or the form of this work is unsuitable for them. However, not all work done by children should be regarded as child labor indiscriminately. Some forms of occupation do not interfere with the development of the child, physically, psychologically or pneumatically, and therefore are acceptable. The factors that constitute child labour (if present) are:

- a) Age of the child
- b) Type of the form of work in question
- c) The conditions in which the child has to work

Child labor is a type of labor that interferes with the International Labor Standards and is considered present in many developing countries. Therefore it should be definitely taken into account as a specific sub-issue, since it might impair the proper development of the child, both physically and mentally.

### **Forced Labor**

Forced labor is not only a form of labor incompatible with the International Labor Standards but also a violation of a fundamental human right, since it could easily be referred to as the modern face of slavery, which is condemned in the 4<sup>th</sup> article of the UN Declaration of Human Rights. Almost 21 million people (according to the ILO Labor Organization) are still subjected to forced labor, and this fact therefore remains a big problem for many countries, especially developing ones, which often lack the proper infrastructure to ensure that the mandate of the ILO is carried through.

### **Health and Safety Standards**

Every year almost 2 million people die from work related accidents and diseases according to the ILO. The ILO also suggests that almost 4% of the world's annual GDP is lost due to these accidents and diseases. This is exactly why social justice is not inversely but rather directly proportional to economic growth. The ILO has adopted almost 40 standards and several model practices regarding Health and Safety issues at work. Basically, a foundation or business that does not follow these standards is deemed dangerous towards its employees and run a serious risk of being terminated (and at times fined).

### **Living Wage**

Work is the means for people to secure the income, via which they can secure goods and services vital for their survival. However, at certain instances reward for one's labor is not always ensured. Specifically, nobody can guarantee that the wages are going to be regularly paid and what form they are going to have. There have been recorded instances in which repeatedly the wages have been paid in bonds, manufactured goods or even alcohol. Sometimes when the living wage is not ensured, normal labor standards give their place to other forms of labor, namely concealed forced labor, since the employees are reliant on the employer for their livelihood.

### **Precarious Work**

A precarious worker is one who fills permanent working positions, but without permanent employee rights. This might be showcased in the form of reduced wages, extended schedule, and lack of compensation should the individual be made redundant. "Precarious Work" is the term used to describe the work offered by companies which

actively try to reduce their legal obligations. People who belong to certain social cycles, are often more likely to receive such treatments. At times this may include women, minorities, or immigrants. Generally, people who deemed as “easy targets” are those who are unlikely to voice their dissatisfaction with the working conditions. This obviously has major consequences when it comes to a society’s well-being.

### **Discrimination**

Many people all around the world are denied employment, paid less or restricted generally, simply due to their personal identity. By personal identity one refers to the sex, ethnicity, beliefs, and sexual orientation of an individual. Such discrimination is a human right violation and it definitely applies to the setting of work. Everyone should have equal right to the opportunities provided by employment regardless of their identity and according to merit and overall capacity. Social and financial standing are irrelevant when it comes to providing an individual with an adequate form of income.

### **Right to Organize and Bargain**

Freedom of Association is a basic right ensured by the founding values of the International Labor Organization. The self-organization of workers, which is targeted at the security of their rights through a process of open dialogue, should be universally ensured. However, that appears to not be the case, since in many countries it is not a rare sight, to witness members of labor unions being treated unfairly or even be officially prosecuted for their activities.

The right of collective bargaining takes the freedom of Association a step further. Its basic principle is that not only do workers deserve to have a voice, via which they can voice their concerns, but also have this voice be heard by the responsible authorities. It has been noticed by the ILO that in countries where the Right to Bargain is ensured collectively, all the other Labor Standards are in a better condition, and therefore the production rises higher, than countries where these rights are not present.

## **MAJOR COUNTRIES AND ORGANIZATIONS INVOLVED**

### **International Labor Organization**

Founded in 1919 as a part of the League of Nations and later integrated into the United Nations the ILO is the organization mostly in charge of the issue at hand. The ILO is the organization that sets and ensures the implementation of the rights of workers in an international level. Although it has not been actively trying to solve the specific issue of Labor Standards being violated in LEDCs and NCI, it is clear that it is the institution without which social justice and labor would be terms completely strange to each other.

### **World Trade Organization**

Although the World Trade Organization is quite secondary to the issue at hand, it should certainly be noted since it is the organization that is absolutely necessary to persuade the international community that social issues should sometimes be restrictive for trade agreements. It is the organization that has rendered (because of its disagreement to the aforementioned claim) many previous attempts to solve the issue unsuccessful.

### **United States of America**

The United States of America is the country, which has more than any other, worked for an applicable solution to this issue to be found. This could be justified by an attempt of an international purification of the adopted policies of neoliberalism by the country as well as by certain theories that connected domestic economic problems to “unfair” competition caused by developing countries with workforces deprived of fundamental rights.

### **China**

Although China has faced several charges by international organizations concerning the rights of workers, several steps have been made to improve the situation in the country. Child labor, which was one of the main problems of China, has been reduced in the past year. Still further action needs to be taken in order to fully eradicate such problems.

### **European Union**

The European Union has also tried to solve the issue in ways more moderate but at the same time more effective than the ones of the USA. It is certainly a Union worth mentioning for its struggle for social justice in developing countries, since it has more than

once attempted to fight acts violating human rights (in the fields of social justice, and providing a safe and just working environment for everyone) and while their goals are mainly aimed at the country members, courses of action regarding the nations outside the union are also present.

## TIMELINE OF EVENTS

Date	Description of Event
1919	Founding of ILO
1930	ILO - Forced Labor Convention
1948	ILO - Freedom of Association and Protection of the Right to Organize Convention
1949	ILO - Right to Organize and Collective Bargaining Convention
1951	ILO - Equal Remuneration Convention
1956	ILO - Abolition of Forced Labour Convention
1958	ILO - Discrimination Convention (Employment and Occupation) Convention
1973	ILO - Minimum Age Convention
1976	International Covenant on Economic, Social and Cultural Rights
1998	Declaration of the Fundamental Principles and Rights at work

## UN INVOLVEMENT: RELEVANT RESOLUTIONS, TREATIES AND EVENTS

### Universal Declaration of Human Rights

The Universal Declaration of Human Rights or UDHR was adopted by the United Nations in 1948. The purpose of the declaration is to define fundamental human rights, including the rights of workers.

### International Covenant on Economic, Social and Cultural Rights

The International Covenant on Economic, Social and Cultural rights is a treaty adopted by the General Assembly in 1956. It pursues the rights of individuals in Non Self-governing Territories including labor rights.

### **Declaration of the Fundamental Principles and Rights at Work**

It was essentially a statement made by the ILO aimed at states that had signed but not ratified the ILO conventions. It demanded that all states are obliged to follow the fundamental principles of the conventions, regardless of whether or not they have ratified them.

### **PREVIOUS ATTEMPTS TO SOLVE THE ISSUE**

There have been a few recorded attempts of countries and organizations which have attempted to tackle the issue of the continuous disregard for the International Labor Standards, for the sake of economic growth. These attempts all have a common rationale, which associates social justice with the right of practicing trade. Specifically, there has been much discussion in (and between) international organizations that influence multilateral trade agreements (ILO, WTO) as well as in and between individual countries on whether social clauses should be included in trade agreements. This social clause would render respect for part of, or exactly the International Labor Standards, a prerequisite for the implementation of the trade agreements by their parties. Such efforts were made in more than one occasion. For example this measure was suggested during the Uruguay Round talks but was finally excluded from the agreement. On the contrary the US has managed to include such social clauses in several agreements with trade partners such as in the U.S. - Caribbean Basin Trade Partnership (CBTPA).

There is a variety of reasons as to why the previous attempts to solve the issue have failed to do so; the main one was the fact that usually the countries that would be economically weakened by it found it very absolute, and that makes it unjust for the vast majority of the developing countries. The association of trade with the consolation of human rights experts though, could form the basis of other solutions such as incentives in trade agreements (especially for countries that comply with the International Labor Standards). This has already been implemented by the European Union, with a common Trade ministerial decision (May 1998) for countries that allow collective bargaining and are actively fighting child labor.



## **POSSIBLE SOLUTIONS**

Solving the specific issue is not something easy, namely because it involves many sub-issues, each of reasonable severity. Exactly due to the presence of these sub-issues, there are only two ways to approach the subject, and come up with plausible solutions: the first one is the general approach, through which the measures presented apply to the general issue and to every sub-issue, whereas the other is the analytical, with which each sub-issue is targeted independently. Therefore, once every sub-issue has been successfully resolved, it becomes reasonably easier to combat the core issue, or the above-mentioned issue has been made redundant. Although analytical solutions have advantages in their implementation due to their being specific and despite the broadness of the issue, it allows for several general solutions.

One of these solutions would certainly have to be the raising of awareness among the population of developing countries regarding the International Labor Standards. The principle behind this course of action is fairly simple; since the average employee is aware of his rights, they are going to fight for their ability to implement them. However, there are several parameters to take into account when implementing such a measure, such as the literacy rates of many developing countries.

A second set of solutions could be labeled as “The International Co-operation” solution. This would provide developed countries with the framework in which they could facilitate developing nations with their expertise and resources in order to ensure the implementation of the already existent laws.

A third set of solutions would be for countries that resist to adjust their legislation to the International Labor Standards. Keeping in mind that failing to accept the legislation, would cause a steep rise in human rights violations, it is only natural that we act to ensure that all member countries accept the measures suggested. However, due to the democratic nature of today’s society, they cannot be forced into accepting anything.

A solution which would be applicable to countries with advanced markets would be the creation of legislation regarding transparency in the supply chain. Checks could regularly be made on countries with heavy industries, without a warning or any form of announcement to introduce the arrival of the parties responsible for these quality checks.

Companies that have been caught acting against the above mentioned rules and legal framework will be fined accordingly.

These are just some solutions which could be put into institutional frameworks so that they can be turned into some real-life measures. However, they are just a starting point when it comes to completely battling the issue. Keep in mind that such a broad issue cannot be tackled with general clauses and ideas; it is advisable that you construct arguments aimed to combat problems on a specific level.

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