



**iForum:** Human Rights Council

**Topic:** Regulation of labour rights in developing countries, aiming for the advocacy of marginalised groups

**Student Officer:** Stefania (Stefi) Gkania

**Position:** Deputy President

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## PERSONAL INTRODUCTION

Dear delegates of the Human Rights Council,

My name is Stefi Gkania and I am a 10th grade student at Platon School. I am honoured to serve as a Deputy President for this year's SCMUN conference in the HRC. I am thrilled to have the opportunity to work alongside you and my fellow co-chairs whilst being guided by the esteemed Secretariat members, as I learn and grow from their experience.

My journey in MUN began in 7th grade when I was only 12 years old and I am immensely grateful to have come this far into a community that I respect and value so highly. I hope that you too pursue your goals and aspirations, regardless of the obstacles that may lie ahead.

I have chosen to be a part of the Human Rights Council as I am very passionate about humanitarian issues and I presume so must the majority of you too. Additionally, I was interested in how our conference's topics are connected with "Post Wars and Societies" which is this year's SCMUN theme. I recognize that this is a beginner committee and a number of you might not be familiar with MUN. That is why I will be present to encourage and guide you through this memorable experience whilst you find your voice and learn to evolve as individuals.

The HRC aims to tackle global issues regarding human rights. More specifically, this guide will cover the topic "Regulation of labour rights in developing countries, aiming for the advocacy of marginalised groups." A significant issue to discuss, taking into consideration that discrimination against marginalised groups, is a daily occurrence which takes a toll on the lives of multiple people and their families.

I expect and hope for a fruitful debate, so I would like to clarify that this study guide is for introductory purposes only and should absolutely not be used as your only source of information. It will not fully cover all required knowledge, but just assist you in the start of your research. If you have any questions or need any clarifications, do not hesitate contacting me by sending me an email at [gania.stefania@platon.gr](mailto:gania.stefania@platon.gr).

I cannot wait to meet you all in person in February!



Yours truly,

Stefi Gkania

## TOPIC INTRODUCTION

'All labour that uplifts humanity has dignity and importance and should be undertaken with painstaking excellence.' -Martin Luther King Jr.<sup>1</sup>

Marginalised groups translate as individuals who have a high risk of discrimination, isolation and exploitation due to their backgrounds, current conditions, beliefs and more specifically, unique characteristics that do not align with the stereotypes our society has created. Workplace equality is a fundamental human right that marginalised groups have been repeatedly deprived of throughout history. This is catastrophic for their livelihoods, especially in the cases of such societal groups that live in poverty, seeing as being denied their labour rights does not only threaten their mental health stability, but also eliminates their means of survival.

Developing countries do not solely suffer from insecure living conditions, but also from strict beliefs, past policies, and ethics. It is much more difficult for one to express themselves in a developing country since punishment for such freedom could have both direct and indirect consequences. Direct in terms of uncontrolled violence and indirect in terms of excluding and dismissing certain groups from society whilst ensuring they are denied their human rights.

As of August 30 2018, 93% of the world's informal economy belongs to emerging and developing countries.<sup>2</sup> Developed countries depend on the imports which originate from developing countries. Therefore, the regulation of economic marginalisation in developing countries is highly beneficial on a global scale seeing as without complete and impartial cooperation between their employees, their society and economy will collapse.

The United Nations General Assembly has recognised, and therefore has included, this issue that could negatively impact their success, into the Sustainable Development Goals (SDGs). Namely, in number eight "Decent Work and Economic Growth", number ten "Reduced Inequalities", and number sixteen "Peace and Justice". All above are to be tackled by the agenda of 2030 which seeks to strengthen global sustainability through achieving 17 goals whilst eliminating threats.

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<sup>1</sup> "All Labor That Uplifts Humanity Has Dignity and Importance and Should Be Undertaken with Painstaking Excellence." –Dr. Martin Luther King J." [www.linkedin.com/pulse/all-labor-uplifts-humanity-has-dignity-importance-should-peter-nathan](http://www.linkedin.com/pulse/all-labor-uplifts-humanity-has-dignity-importance-should-peter-nathan). Accessed 2 Nov. 2023.

<sup>2</sup> "More than 60 per Cent of the World's Employed Population Are in the Informal Economy." Informal Economy: More than 60 per Cent of the World's Employed Population Are in the Informal Economy, 30 Apr. 2018, [www.ilo.org/global/about-the-ilo/newsroom/news/WCMS\\_627189/lang--en/index.htm](http://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_627189/lang--en/index.htm).



## DEFINITION OF KEY TERMS

### Discrimination

"The unjust or prejudicial treatment of different categories of people, especially on the grounds of ethnicity, age, sex, or disability."<sup>3</sup>

### Diversity

Society holds certain stereotypes that assemble a perfect person. To be diverse translates as being different from said stereotypes. Different on grounds of ethnicity, age, sex, disability, etc.

### Economic Marginalisation

Economic marginalisation refers to the deprivation of job opportunities or wealth due to discrimination against societal groups.

### Exploitation

"The act of using someone unfairly for your own advantage."<sup>4</sup>

### Inclusion

"The act or practice of including and accommodating people who have historically been excluded (because of their race, gender, sexuality, or ability)."<sup>5</sup>

### Informal Labour

"Informal employment refers to working arrangements that are in practice or by law not subject to national labour legislation, income taxation, or entitlement to social protection or other employment guarantees; for example, advance notice of dismissal, severance pay, or paid annual or sick leave."<sup>6</sup>

### Labour Rights

"Workers rights encompass a large array of human rights from the right to decent work and freedom of association to equal opportunity and protection against discrimination. Specific

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<sup>3</sup> "Discrimination+definition." Yahoo!, [search.yahoo.com/search?fr=mcafee\\_uninternational&type=E210GR885G0&p=discrimination%2Bdefinition](https://search.yahoo.com/search?fr=mcafee_uninternational&type=E210GR885G0&p=discrimination%2Bdefinition).

<sup>4</sup> Cambridge Dictionary. "EXPLOITATION | Meaning in the Cambridge English Dictionary." Cambridge.org, 2019, [dictionary.cambridge.org/dictionary/english/exploitation](https://dictionary.cambridge.org/dictionary/english/exploitation).

<sup>5</sup> "Inclusion Definition & Meaning." Merriam-Webster, [www.merriam-webster.com/dictionary/inclusion](https://www.merriam-webster.com/dictionary/inclusion).

<sup>6</sup> Asia-Pacific Employment and Social Outlook, [www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---sro-bangkok/documents/publication/wcms\\_764084.pdf](https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---sro-bangkok/documents/publication/wcms_764084.pdf).



rights related to the workplace include health and safety in the workplace and the right to privacy at work, amongst many others.”<sup>7</sup>

## Labour Law

Legislations and regulations set to ensure the abidance of the rights and responsibilities of employees and employers.

## Marginalised Groups

“Different groups of people within a given culture, context, and history at risk of being subjected to multiple discrimination due to the interplay of different personal characteristics or grounds, such as sex, gender, age, ethnicity, religion or belief, health status, disability, sexual orientation, gender identity, education or income, or living in various geographic localities.”<sup>8</sup>

## Minimum Wage

“The minimum amount of remuneration that an employer is required to pay wage earners for the work performed during a given period, which can not be reduced by collective agreement or an individual contract.”<sup>9</sup>

## Wages

“A particular amount of money that is paid, usually every week, to an employee, especially one who does work that needs physical skills or strength, rather than a job needing a college education.”<sup>10</sup>

## BACKGROUND INFORMATION

### Historical Background

#### Labour Movement

Inappropriate conditions in work environments date back to the period of the industrial revolution when major labour injustice was witnessed. Due to the technological innovation that developed with the invention of machines, farmers were forced to move from their farms to the cities, in order to work as employees in factories. The circumstances in the industry did not take long to exacerbate. In fact, due to the demanding schedules and inhumane

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<sup>7</sup> “Workers’ Rights.” National Action Plans on Business and Human Rights, 6 July 2021, [globalnaps.org/issue/workers-rights/](https://globalnaps.org/issue/workers-rights/).

<sup>8</sup> “Marginalized Groups.” European Institute for Gender Equality, [eige.europa.eu/publications-resources/thesaurus/terms/1175?language\\_content\\_entity=en](https://eige.europa.eu/publications-resources/thesaurus/terms/1175?language_content_entity=en). Accessed 09 Oct. 2023.

<sup>9</sup> International Labour Organisation. “Definition and Purpose.” [ilo.org](https://www.ilo.org/global/topics/wages/minimum-wages/definition/WCMS_439072/lang-en/index.htm), 3 Dec. 2015, [www.ilo.org/global/topics/wages/minimum-wages/definition/WCMS\\_439072/lang-en/index.htm](https://www.ilo.org/global/topics/wages/minimum-wages/definition/WCMS_439072/lang-en/index.htm).

<sup>10</sup> “Wage.” Cambridge Dictionary, [dictionary.cambridge.org/dictionary/english/wage#google\\_vignette](https://dictionary.cambridge.org/dictionary/english/wage#google_vignette).



conditions, workers began to die at a rapid pace.<sup>11</sup> Another issue was that they received minimum wage for their services, while their superiors kept the supermajority of the profit. Hence, seeing as most men were unable to provide and support their families which was what they were meant to do at the time, children and women were forced to join the workforce. The conditions that women had to endure in the industry were worse than men, since, as a marginalised group, women were deeply neglected and paid even less than men were. Simultaneously, they were expected to care for their family and, as a result, they suffered greatly. Eventually, they decided to fight for their rights in order to eliminate this injustice they had no other choice but to otherwise endure.

On May 1st 1886, in Chicago, the Haymarket affair took place. It was supposed to be a protest in favour of the eight-hour work-day instead of the ten-hour work-day that was the standard at the time. However, violent acts began taking place by May 3rd. On May 4th, during the end of the speeches, a bomb went off and took the lives of many. That is why, to acknowledge and be reminded of this tragedy and the reason behind it, May 1st is a worldwide celebrated date that represents the significance of labour rights. A point worth noting considering that marginalised groups currently suffer under similar labour exploitation.

Another movement that emerged in the 1920's was the Labour Feminism movement. The conditions and circumstances that women continued to face were unfathomable. Hence, they decided to unite and battle for their rights through legal means such as protests and the demand for fair hearings.

Through this union, inspirational women rose to the spotlight by their bravery and determination and are now a significant part of our history. Women such as Rosa Parks, Leonora O'Reilly, and Grace Lee Boggs, who refused to give in to a law that denied them appropriate labour, which was treated like a privilege back then, rather than a basic human right.

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<sup>11</sup> History.com Editors. "Industrial Revolution." *History*, A&E Television Networks, 29 Oct. 2009, [www.history.com/topics/industrial-revolution/industrial-revolution](http://www.history.com/topics/industrial-revolution/industrial-revolution).



Figure 1: Women demanding higher wages in a protest<sup>12</sup>

### **Nelson Mandela**

A suitable representative for the significance of impartial labour rights in developing countries is Nelson Mandela. Nelson Mandela was born July 18, 1918 and died December 5, 2013. Throughout these years he made it his life's purpose to free himself and other oppressed black individuals from the racism enacted upon them. He was a human rights activist and the first black president of South Africa, serving from May 10 1994 to June 14 1999. His impact was so prominent that South Africans often refer to him as the Father of the Nation. Although racism has not ceased to exist, Nelson Mandela serves as an inspiration with his peace, negotiation, and reconciliation achievements and the sacrifices he made for his race. Namely, he risked going to prison to organise an illegal strike (due to racial limitations) in favour of equal rights to all. When freed, he put an end to apartheid, a legal system in South Africa that limited the rights of all racial groups excluding whites, through negotiation with State President F.W de Klerk. As a result he had a great impact on violations of human rights, globally.

### **Marginalisation Based on Race**

The act of excluding or prioritising certain groups in the workplace due to their race is racial discrimination. Racism has been imprinted in our history and unfortunately, is still a current battle people are fighting. Blacks were once slaves by whites. Their rights were detained and their purpose was to obey. Individuals such as Nelson Mandela, have fought bravely to tackle racism. According to the Integrated Postsecondary Education Data System: Asians, whites,

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<sup>12</sup> "How a 'right to Your Job' Law Could Help Unions Fight Back against 'Right to Work.'" Machinists Union Local 264 Boston, [iam264boston.com/how-a-right-to-your-job-law-could-help-unions-fight-back-against-right-to-work/](http://iam264boston.com/how-a-right-to-your-job-law-could-help-unions-fight-back-against-right-to-work/).



hispanics, blacks, american indians and native hawaiians are the seven main racial classifications.<sup>13</sup> The deprivation of labour rights due to race usually stems from general beliefs and images, portrayed through society about racial groups. For instance, when one group might be considered unsuitable candidates due their alleged involvement in illegal activities whilst another group might be considered suitable candidates due to their alleged academic skills and hard work. It is significant to acknowledge the harm and negative impact misinformation and stereotypes like so have on individuals and instead, focus on each individual's inner values and willingness.

### **Marginalisation Based on Gender**

Feminism translates as gender equality. A woman's purpose used to be marriage, birth, beauty and overall the creation and carrying of a family. Their world used to necessarily revolve around the choices that the men in their lives made for them, usually their father's and partner's choices. The women's rights movement began in the United States with the 1848 Seneca Falls Woman's Rights Convention. It took seventy years since then for women to gain voting rights. In the meantime, they were continuously underestimated and paid much less wage than men were. Naturally, the transition from the exclusion of women in labour, to their inclusion was a difficult one. Men did not trust them to fulfil positions adequately due to their doubt of a woman's education and skills. However, women made sure to prove themselves and have currently claimed most of their labour rights. Although many will argue that women are currently equal to men in the labour sector, this statement is proven false by a report uploaded by the World Bank on May 1st 2022. Suggesting that 'in 86 countries, women face some form of job restriction and 95 countries do not guarantee equal pay for equal work.'<sup>14</sup> Additionally, the Gender Pay Gap is a major contributor to gender based marginalisation. It highlights the pay gap between men and women. Despite women having higher chances of education, they are more likely to work in low-paying jobs that offer fewer benefits. More specifically, 'on average, women working full time, year round are paid 83.7% of what men are paid. This inequality is even greater for Black and Hispanic women.'<sup>15</sup>

### **Marginalisation Based on Sexuality**

Sexual orientation is a very complex issue that contains various factors worth investigating. However, what is certain is that acceptance of each individual, no matter their sexuality, is imperative. Diversity is not commonly welcomed in developing countries. Especially when it has to do with a topic that just recently started being openly discussed. The LGBTQ+ community are not only denied their labour rights, but are also penalised and prohibited from

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<sup>13</sup>"The Integrated Postsecondary Education Data System." Nces.ed.gov, nces.ed.gov/ipeds/report-your-data/race-ethnicity-definitions.

<sup>14</sup> The World Bank. "Nearly 2.4 Billion Women Globally Don't Have Same Economic Rights as Men." World Bank, 1 Mar. 2022, [www.worldbank.org/en/news/press-release/2022/03/01/nearly-2-4-billion-women-globally-don-t-have-same-economic-rights-as-men#:~:text=In%2086%20countries%2C%20women%20face](https://www.worldbank.org/en/news/press-release/2022/03/01/nearly-2-4-billion-women-globally-don-t-have-same-economic-rights-as-men#:~:text=In%2086%20countries%2C%20women%20face).

<sup>15</sup> Chun-Hoon, Wendy. "5 Fast Facts: The Gender Wage Gap." DOL Blog, 14 Mar. 2023, [blog.dol.gov/2023/03/14/5-fast-facts-the-gender-wage-gap](https://blog.dol.gov/2023/03/14/5-fast-facts-the-gender-wage-gap).





seeking them. This is illustrated by the fact that, at least 67 countries criminalise same sex conduct (e.g. Afghanistan, Ghana, Malawi, etc.), at least 9 countries criminalise gender expression, targeting transgender individuals (e.g. Saudi Arabia, Brunei, South Sudan, etc....) and at least 7 countries enforce the death penalty as punishment for same sex conduct (e.g. Uganda, Yemen, Iran, etc.).<sup>16</sup> All countries included in the examples above are either developing countries or underdeveloped countries.

### **Marginalisation Based on Disability**

Disabilities limit the job opportunities one has. Behavioural disabilities, sensory impaired disorders, physical disabilities and developmental disabilities are the four main categories of disabilities. Disability marginalisation is a very common obstacle when applying for a job. More specifically, an example for mental impairment discrimination in the workplace is when a candidate has a disability such as autism, dyslexia, depression or bipolar disorder and is denied a job opportunity due to the idea that they would be incapable of executing it properly. Additionally, physical impairment marginalisation is illustrated by a severe issue that is currently occurring, the one kidney village in Nepal. Nepal falls in the category of least developed countries in the world, placing its citizens in great vulnerability and poverty. Countless of Nepalis have been witnessed without a kidney due to them selling it for minimum wage or them being victims of its theft. This does not only damage their health, but also their labour rights and capabilities. Thus, without a kidney and with the presence of marginalisation concerning disabilities, there is a slim chance that said individuals would be accepted for a job both in Nepal and neighbouring countries.

### **Marginalisation Based on Age**

Young individuals are often preferred over older ones in labour, especially nowadays due to major technological innovations. Adjectives such as slow, stubborn and inexperienced are used when describing their relationship with technology. Although older candidates usually have more experience, they are often undermined by young minds. Ageism denies them promotions, employment and encourages harassment, termination. The result of such inequalities harms their financial security, their means to provide for their family and health. The three most common jobs that involve ageism are the tech industry, physical jobs and the media sector.

### **Marginalisation Based on Religion**

Developing countries usually hold specific religious beliefs such as Christianity, Hinduism, Islam and Buddhism. Religion is a very sensitive topic to handle. However, in no case should someone's religion cloud their humanity and perception of other individuals. It is important to note, that in the past, there was close to no acceptance between religions. For instance, as

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<sup>16</sup> Human Rights Watch. "#OUTLAWED: "the Love That Dare Not Speak Its Name."" *Features.hrw.org*, [features.hrw.org/features/features/lgbt\\_laws/](https://features.hrw.org/features/features/lgbt_laws/).





recently as 2014 in Syria and Iraq, a militant islamic fundamentalist group, referred to as Daesh, unleashed a wave of atrocities that took a toll on numerous lives. Their target was to harm, discriminate and frighten religious minorities, especially Christians and Yazidis. Member States are urged to reflect on past mistakes of religious discrimination and intolerance, by the UN. However, multiple developing countries and their citizens have maintained discriminatory tendencies and therefore, deny either atheists or individuals who believe in a religion that they choose to not acknowledge, job opportunities.

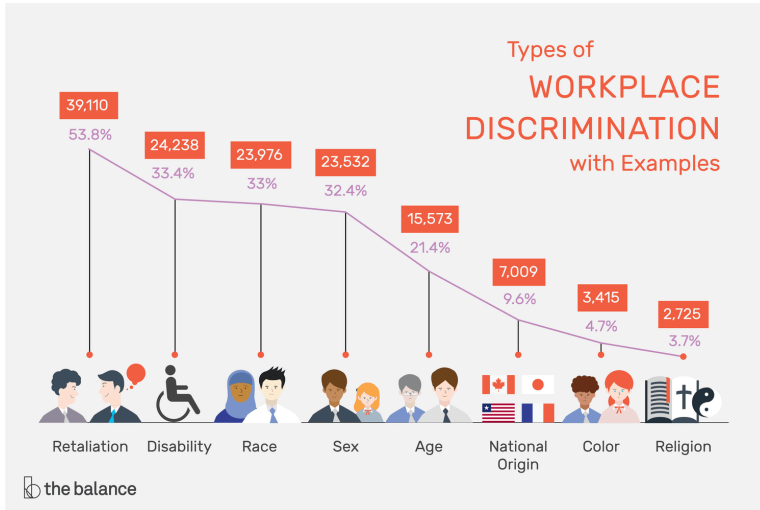


Figure 2: types of workplace discrimination with examples<sup>17</sup>

### Source of problem

#### Upbringing

As it has already been established, developing countries usually hold strong beliefs which limit their citizens freedom of expression and diversity. The environment someone is raised in often defines them as a person. When one is raised to abide by specific moral ethics and policies by their families, it is difficult to alter them. Especially when one has believed a negative perception on the rights of marginalised groups is correct rather than wrong.

#### Education

School is one of the primary sources people have. The curriculum students are provided with follows each country's history, point of views, and legal frameworks. Through school years, children form their characters and evolve as individuals. Education follows the influence that

17 "Types+of+Workplace+discrimination+with+example." Yahoo!, [images.search.yahoo.com/search/images; ylt=AwrhbTu.MSplxT8axhBXNyoA; ylu=Y29sbwNiZjEEcG9zAzEEdnRpZAMEc2VjA3BpdnM-?p=types%2Bof%2Bworkplace%2Bdiscrimination%2Bwith%2Bexample&fr2=piv-web&type=E210GR885G0&fr=mcafee\\_uninternational#id=0&iurl=https%3A%2F%2Fwww.liveabout.com%2Fthumb%2FYC2GDNETGercUWf-SxpHyCriR4Y%3D%2F1500x0%2Ffilters%3Ano\\_upscale\(\)%3Amax\\_bytes\(150000\)%3Astrip\\_icc\(\)%2Ftypes-of-employment-discrimination-with-examples-2060914-v2-1c97a4c15c1a45508d6f4514cae5ac33.png&action=click](https://images.search.yahoo.com/search/images; ylt=AwrhbTu.MSplxT8axhBXNyoA; ylu=Y29sbwNiZjEEcG9zAzEEdnRpZAMEc2VjA3BpdnM-?p=types%2Bof%2Bworkplace%2Bdiscrimination%2Bwith%2Bexample&fr2=piv-web&type=E210GR885G0&fr=mcafee_uninternational#id=0&iurl=https%3A%2F%2Fwww.liveabout.com%2Fthumb%2FYC2GDNETGercUWf-SxpHyCriR4Y%3D%2F1500x0%2Ffilters%3Ano_upscale()%3Amax_bytes(150000)%3Astrip_icc()%2Ftypes-of-employment-discrimination-with-examples-2060914-v2-1c97a4c15c1a45508d6f4514cae5ac33.png&action=click)



youth have after and during their upbringing. To educate someone should encompass raising awareness and informing them on a specific issue, not providing a personal opinion for them to follow. It is very significant for family members and educators to be aware of this in order to prevent youth from growing up with a misled mindset. Instead, young individuals should seek to strengthen their knowledge on global matters through experience and valid sources.

### **Online Influence**

Nowadays, social media plays an essential role in the influence all ages receive concerning global issues. Misinformation is a great threat to the mindset of our population. Since there are close to no restrictions to who posts what, the media can be a poor source of information. Yet, the majority tends to seek its guidance nevertheless. There is a great distinction between false information, propaganda, personal opinions, news, etc., but only reliable sources that do not aim to influence, instead aim to educate, should be trusted. An individual should reach a final conclusion about a topic through the collection of data, information, statistics, experiences and facts.

### **Consequences**

#### **Individuals**

Marginalised groups are victims of great suffering in the workplace. They are denied the opportunity to prove themselves for a position, due to their diverse characteristics. This limits their chances of being accepted at a job and therefore, slims their means of survival. The deprivation of one's labour rights could lead to multiple results which have to do with the individual. One could react by remaining silent and enduring oppression and exploitation to the point that they live in poverty, inhumane conditions and isolated. Whilst also enduring psychological violence and mental health illnesses that have arisen through the hate that has been targeted towards them. Another individual could focus on the emotion of rage and therefore resort to violence in terms of retaliation. Ultimately, an individual could resort to criminal activities due to the obstacles they faced when attempting to work in a legal workplace.

#### **Developing Countries**

Developing countries are at a high risk when it comes to labour rights marginalisation. They depend on the production that developing countries provide them with. However, with the unwelcoming environment marginalised groups forcefully face, the number of employees are bound to decrease. Which means that the economy of an area will also decrease due to the slowing of the production process. Therefore, developing countries will lose important opportunities and clients. If marginalised groups are accepted into workplaces and instead of being oppressed are used to the advantage of the country, then developing countries will benefit further. Additionally, the acceptance and inclusion of marginalised groups in a developing country's society, will help with its economic and social development since



employment status plays a key role in exiting poverty.

### TIMELINE OF EVENTS

Date of the Event	Event
May 1-May 4 1886	This day marks the Haymarket affair, located in Chicago. Where numerous lives were taken by a bombing during the finalisation of the speeches in favour of the eight hour workday.
1920	Labour Feminism Movement, women protest in favour of higher wages after being continuously denied of impartial labour
June 10 1963	EEOC approves the Equal Pay Act 1963 which aims to tackle gender-based economic marginalisation in the USA
July 2 1964	Adoption of Title VII of the Civil Rights Act which criminalises labour marginalisation in the USA
10 May 1994	Nelson Mandela, first came into the office as the first black president of South Africa which positively altered a few circumstance blacks were forced to endure at the time
18 June 1998	Declaration on Fundamental Principles and Rights at Work is a resolution proposed by the ILO, highlighting the abidance by labour rights from specific labour groups
September 2015	The UNGA adopts the UNSDGs, a set of 17 goals promoting sustainability that include issues that aim to be tackled by the agenda of 2030. It is significant to this topic since economic marginalisation is included in three of said goals.
April 2016	Chief Executives Board (CEB) proposes the Equality Framework to the UN in hopes of promoting equality and international abidance by labour rights



February 19 2022	Operation Dudula is a prominent example that illustrates the current dispute between whites and blacks in South Africa
April 18 2023	The adoption of the first resolution concerning social and solidarity for the sustainable development
June 23 2023	Follow up report to the Declaration on Fundamental Principles and Rights that raises awareness on the current economic marginalisation situation in Member States

## MAJOR COUNTRIES AND ORGANISATIONS INVOLVED

### Bangladesh

Bangladesh allows limited labour rights to marginalised groups. A report uploaded in 2021 by the Human Rights Watch claims that due to the pandemic, in 2020, more than 1 million garment workers, the majority of which were women, were laid off. Additionally, a great number did not receive their owed wages. Companies took this to their advantage and therefore, demanded workers work for lower wages in order to maintain or regain their positions. Alongside this, working women were denied fundamental human rights such as equality and rejection of healthcare and sick leaves. The government attempted to fix this issue by loaning US\$600 million to companies to support the wages in the garment sector. However, it is not clear how these wages were divided and used as well as how women who probably did not have financial access or control, benefit from this.<sup>18</sup>

A different report uploaded by the UN News, asserts that tea workers, which are dominated by females, are one of the most marginalised groups in Bangladesh. A fact that results in them not being able to provide healthcare and education to their children. Although Bangladesh is one of the world's leading tea exporters and therefore tea workers should be valued and granted their rights, that is not the case. The hours and dedication women give to their workplace is not reciprocated with their minimum wage.

The Asia Foundation has played a crucial role in Bangladesh's economic marginalisation. It has investigated both issues discussed above and attempted to raise awareness to the world, empower marginalised groups and regulate this issue by promoting Labor Rights in Bangladesh.

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<sup>18</sup> "World Report 2021: Rights Trends in Bangladesh." Human Rights Watch, 13 Jan. 2021, [www.hrw.org/world-report/2021/country-chapters/bangladesh](https://www.hrw.org/world-report/2021/country-chapters/bangladesh).



## South Africa

South Africa is a Less Economically Developed Country (LEDC) which was consumed by marginalisation. The Black people inhabiting it were treated very poorly and lived in horrible conditions. They had no access to their human rights and therefore, were denied their labour rights. Nelson Mandela fought bravely in the battle to end black exploitation and ended up freeing black folks from strict and unethical oppression but his work was left incomplete when he passed away.

During the outbreaks of the Covid19 pandemic, 2020-2022, the economy of South Africa exacerbated and workers became unemployed. Migrants were targeted as xenophobia protests grew uncontrolled. A recent demonstration of the events that took place is Operation Dudula, located in Zulu and perpetrated by anti-migrant South Africans. A mob of 2,000 people were witnessed on February 19 2022 cornering and accusing migrants of “stealing jobs that belong to South Africans.”<sup>19</sup> Such events have fumed the dispute between white and black inhabitants of South Africa. The source of this issue is the apartheid-era strategy that has compelled wealthy and middle-class whites to live in cities and blacks to live in outside townships. It is difficult to resolve unemployment rates as South African laws reduce the ability of companies to hire more workers.

According to the World Bank Johannesburg, South Africa, ‘has one of the highest and most persistent inequality rates in the world. Which is perpetuated by a legacy of exclusion.’<sup>20</sup> Hence, on April 12th 2020, the South African president Cyril Ramaphosa, signed the Employment Equity Amendment Bill 2020, aiming to eliminate racial inequality in labour. Yet, years later, no progress has been achieved and black people’s unemployment can be witnessed all throughout South Africa.

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<sup>19</sup> Young, Sean. “Human Rights Policies and Labor Regulation in South Africa.” *International Relations Review*, 20 Apr. 2022, [www.irreview.org/articles/human-rights-policies-and-labor-regulation-in-south-africa](http://www.irreview.org/articles/human-rights-policies-and-labor-regulation-in-south-africa).

<sup>20</sup> Mabasa, Nkateko. “South Africa’s Controversial ‘Race Quota’ Law Stirs Debate.” *Unemployment News | Al Jazeera*, Al Jazeera, 28 July 2023, [www.aljazeera.com/news/2023/7/28/south-africas-controversial-race-quota-law-stirs-debate](http://www.aljazeera.com/news/2023/7/28/south-africas-controversial-race-quota-law-stirs-debate).



Figure 3: unemployed men hold placards offering casual employment services in Johannesburg, South Africa<sup>21</sup>

### United States of America (USA)

The USA has been a present and effective participant in the attempt to resolve discrimination against marginalised groups in labour sectors, especially when it comes to developing countries despite being a developed country.

The Fair Labour Standards Act (FLSA) is a US Labour law established in 1939. It applies to jobs that are not governed by any other federal law and aims to prevent inequality and unfair actions in labour. FLSA has two classifications: exempt employees and non-exempt employees. Through the FLSA law, four main principles are highlighted: 'minimum wage, overtime pay, record keeping and youth employment standards.'<sup>22</sup> Which apply to the state, local governments as well as private and federal sectors. In order to be able to use FLSA, it is imperative for an employee to abide by its requirements and policies.

The Equal Pay Act 1963 aims to tackle gender based wages and discrimination. It was approved and adopted on June 10 1963 by the Equal Employment Opportunity Commission (EEOC) and was later amended. It is built on a variety of legislations that prohibits the violations of a woman's labour rights. Whilst demanding exemptions for minimum wages and maximum hours, criminalising gender based acts, implementing penalties such as fines and imprisonment and providing investigations and collection of data.

Contrary to what the majority tend to believe, most workplaces in the USA are considered at-

<sup>21</sup> Mabasa, Nkateko. "South Africa's Controversial 'Race Quota' Law Stirs Debate." Unemployment News | Al Jazeera, Al Jazeera, 28 July 2023, [www.aljazeera.com/news/2023/7/28/south-africas-controversial-race-quota-law-stirs-debate](http://www.aljazeera.com/news/2023/7/28/south-africas-controversial-race-quota-law-stirs-debate).

<sup>22</sup> MH3313. "The Fair Labor Standards Act of 1938 (FLSA)." RMN Law, 3 Apr. 2020, [www.rmn-law.com/post/the-fair-labor-standards-act-of-1938-flsa](http://www.rmn-law.com/post/the-fair-labor-standards-act-of-1938-flsa).



will employment which means that employers have the right to fire their employees at any time for any reason other than unlawful reasons such as discrimination. Title VII of the Civil Rights Act, signed into law by President Lyndon Johnson on July 2 1964, is an immensely significant law since it criminalises workplace discrimination. In other words it prohibits economic marginalisation based on race, religion, national origin, colour, gender, sexual orientation and pregnancy. Possible employee claims that are supported through this act are disparate treatment, disparate impact, sexual harassment, retaliation and negligence.

### **European Union (EU)**

The European Union includes multiple developing countries and therefore, has constructed a EU Labors Rights Law in hopes of regulating impartiality. Said law ensures that employees are met with health and safety at work, equal opportunities for both genders, protection against discrimination, fixed term contracts, appropriate working hours and appropriate wages. Furthermore, the EU has made sure to create legal frameworks and legislations that prohibit all forms of marginalisation specifically. For instance, the EU currently has a legal framework against age discrimination that is supported by the Directive 2000/78/EC. Although the EU solely concerns European Countries, it poses a great influence worldwide and is significant for the elimination of economic marginalisation.

### **International Labour Organisation (ILO)**

The International Labour Organisation (ILO), is an organisation created by the UN for the core reason of resolving labour issues whilst promoting and ensuring the abidance of labour rights. It has been the most invested organisation in eliminating economic marginalisation in developing countries than any other. It includes 187 Member States and 189 conventions. ILO does not cease to create new legislations, legal frameworks, treaties, regulations, resolutions, articles, reports and events that empower marginalised groups and ensure their safety and equality in labour. They concern both developing and developed countries and aim to urge and influence them positively to implement similar measures. Specific examples are illustrated throughout this guide.

## **RELEVANT UN TREATIES CONVENTIONS AND RESOLUTIONS**

### **Declaration on Fundamental Principles and Rights at Work 1998**

The Declaration on fundamental principles and Rights at Work was adopted on 18 June 1998 by the International Labor Organisation (ILO). It expresses the obligation and commitment of organisations, governments, employees, employers that are members of ILO to adhere to labour rights. It is valuable to socioeconomic lives as it confirms the acknowledgment and participation of numerous significant groups.

There are five evident points included in this declaration. Namely, 'freedom of association and the effective recognition of the right to collective bargaining; The elimination of all forms





of forced or compulsory labour; The effective abolition of child labour; The elimination of discrimination in respect of employment and occupation; And a safe and healthy working environment.”<sup>23</sup>

However there has been some controversy concerning the legitimacy of this declaration and if it focuses on core labour rights. In other words, if it is beneficial to the labour regime or not.

### **Follow up to Declaration on Fundamental Principles and Rights<sup>24</sup>**

Follow up reports were published on June 23 2023, documenting the conditions of Member States, divided in the following parts: Africa, North and South America, Arab States, Asia and Pacific, Europe and Central Asia. The purpose of the said report is to raise awareness on Member State's current positions in order for each country to be able to reflect upon it and improve their legal, social and economic grounds.

### **A/77/L.60<sup>25</sup> (Promoting the social and solidarity economy for sustainable development)**

The resolution on promoting the social and solidarity economy for sustainable development was adopted by the UN General Assembly (UNGA) on 18 April 2023. And was welcomed by the ILO Director-General, Gilbert F. Hounbo. Seeing as it is the first of its kind, it is extremely significant in the tackling of economic marginalisation. Ultimately, it requests that Antonio Guterres, the current UN Secretary General (UNSG), prepare a report for this resolution's implementation with the assistance of the UN Task Force on the Social and Solidarity Economy.

It is a global resolution which seeks social justice, international cooperation, decent work, enterprises, multilateral systems, sustainable development, and a social and solidarity economy. The requirements for the social and solidarity economy are voluntary cooperation and mutual aid, democratic or present governance, autonomy and independence, which all seek to regulate marginalisation limits in Member States.

One of the primary reasons for the adoption of this resolution is the importance of social and solidarity economy for the achievement of the UNSDGs. Subsequently, the placement of an

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<sup>23</sup> “ILO Declaration on Fundamental Principles and Rights at Work (Declaration).” Declaration on Fundamental Principles and Rights at Work (DECLARATION), [www.ilo.org/declaration/lang--en/index.htm](http://www.ilo.org/declaration/lang--en/index.htm).

<sup>24</sup> “2022 Annual Review under the Follow-up to the ILO 1998 Declaration - Compilation Of Baseline Tables, by Country.” Country Baselines: 2022 Annual Review under the Follow-up to the ILO 1998 Declaration - Compilation of Baseline Tables, byCountry, 23 June 2023, [www.ilo.org/declaration/follow-up/annualreview/countrybaselines/WCMS\\_886079/lang--en/index.htm](http://www.ilo.org/declaration/follow-up/annualreview/countrybaselines/WCMS_886079/lang--en/index.htm).

<sup>25</sup> “ILO Welcomes New UN Resolution on Social and Solidarity Economy.” Social and Solidarity Economy: ILO Welcomes New UN Resolution on Social and Solidarity Economy, 19 Apr. 2023, [www.ilo.org/global/about-the-ilo/newsroom/news/WCMS\\_877429/lang--en/index.htm#:~:text=The%20resolution%2C%20Promoting%20the%20social,Sustainable%20Development%20Goals%20\(SDGs\)](http://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_877429/lang--en/index.htm#:~:text=The%20resolution%2C%20Promoting%20the%20social,Sustainable%20Development%20Goals%20(SDGs)).



item on promoting the social and solidarity economy for sustainable development on the provisional agenda for the 79th UNGA meeting in 2024, is also included in the resolution.

**72/279<sup>26</sup> (United Nations Sustainable Development Goals)**

In September 2015, the UN officially adopted the UN SDGs. The UN SDGs are a set of seventeen goals aimed to be achieved by the agenda of 2030. Said targets include global issues that are necessary to tackle.

The abidense of impartial labour rights in developing countries is included in three of the Sustainable Development goals. Number eight, 'decent work and economic growth' includes fair labour rights to marginalised groups in order for developing countries to experience economic growth. Number ten, 'reduced inequalities' promotes diversity and denies marginalisation. And number sixteen, 'peace and justice' highlights the significance and existence of the justice system.

It seems since no UN SDG has currently been met that the possibility of the agenda of 2030 being successful is very unlikely. However, the UN SDGs are a target that influences and urges organisations and countries to reduce world-wide issues and improve their conditions, on a daily basis.



Figure 4: image of SDGs<sup>27</sup>

**Chief Executives Board (CEB) equality framework<sup>28</sup>**

The Chief Executives Board (CEB) equality framework has as a title the phrase 'Leaving no one behind: equality and non-discrimination at the heart of the development.' It is a United Nations system shared framework for action that was proposed in hopes of eliminating

<sup>26</sup> "The 17 Goals | Sustainable Development." *United Nations*, [sdgs.un.org/goals](https://sdgs.un.org/goals).

<sup>27</sup> "Sustainable Development Goals Report 2020." *United Nations*, [www.un.org/en/desa/sustainable-development-goals-report-2020](https://www.un.org/en/desa/sustainable-development-goals-report-2020).

<sup>28</sup> *Leaving No One behind - United Nations System*, [unsceb.org/sites/default/files/imported\\_files/CEB%20equality%20framework-A4-web-rev3.pdf](https://unsceb.org/sites/default/files/imported_files/CEB%20equality%20framework-A4-web-rev3.pdf).



obstacles so that the UNSDGs succeed. Additionally, Antonio Guterres, the UNSG, has written a report upon the equality framework that is attached to the resolution.

The members of the UN CEB committed to the imperative of elimination of global inequalities, in April 2016. It has encouraged numerous Member States to strive for equal rights in accordance with the UN Charter. The statement and the framework for the CEB equality framework was produced by three evident organisations. Namely, the High-Level Committee on Programs (HLCP), the Office of the United Nations High Commissioner for Human Rights (OHCHR), and the United Nations Entity for Gender Equality and the Empowerment of Women (UN Women).

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

### **Diversity Equity and Inclusion (DEI)**

DEI highlights three pressing values which, despite their distinctions in targets, fall under the same umbrella and so complement each other. Diversity refers to the advocacy of marginalised groups. Equity refers to the fair treatment of all, especially in labour sectors where injustice is usually witnessed. Inclusion refers to the emotions of marginalised groups and whether they feel accepted, valued, heard or not.

The purpose of DEI is to tackle the dominance and privileges taken advantage of in workspaces whilst ensuring fair opportunities and treatment. Due to recent legislations and regulations implemented on companies, the situation in work environments has eased, but still remains intensely existent. DEI seeks to educate and urge companies to act upon labour rights. And reflect on how they treat marginalised groups and how they can improve their ethics and actions in order to eliminate labour injustice.

A debate has been triggered regarding DEI. More specifically, it has been stated that DEI has been attacked by various conservative legislators such as Texas Government Greg Abbott and Florida's Government Ron DeSantis. Abbott explained in his speech that DEI measures are illegal. Various claims support this argument and even go as far as saying that the programs and help given by DEI resort to violence and theft. Reports have been made on the universities funding DEI and DeSantis characterises it as "an indoctrinating program."<sup>29</sup>

### **Workers Representative Organisations (WROs)**

Workers Representative Organisations (WROs) are independent groups that work in accordance with the labour law and through which employees can have open dialogue concerning the workspace without supposed interference from the communist authorities. They were initially created by the International Labor Organisation (ILO) and form labour

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<sup>29</sup> "ABC News DEI." *ABC News*, ABC News Network, [abcnews.go.com/US/dei-programs/story?id=97004455](https://abcnews.go.com/US/dei-programs/story?id=97004455).



unions or trade unions.

The representation of workers on a global scale is essential for economic marginalisation, especially in developing countries where it is more likely for employees to be oppressed and denied their labour rights.

A number of Member States deem the representation of workers mandatory, when others do not. However, it is significant to note that in recent years there have been claims that WROs do not fulfil their position adequately. For instance, Vietnam being one of the world's fastest growing economies included WROs in a trade union. The workers' representation reports were spotless despite workers having shown dissatisfaction. Hence, it was made apparent that WROs were influenced by other bodies, seeing as they are a small and highly influential organisation.

## **POSSIBLE SOLUTIONS**

### **Access to education, training and support**

Marginalised groups often do not have the opportunity for education and therefore are denied job opportunities with the excuse that they are not qualified. Additionally due to exploitation and isolation, they do not have the support and guidance to free themselves from such a position. Educational, training and support programs could be funded by organisations such as the World Bank Group, supported by the Human Rights Watch and protected by the Red Cross.

Education will be provided in terms of two years with weekly sessions. Through these sessions independent, professional and impartial educators will teach marginalised groups separately. The separation will be based on the level of education each individual initially possesses: no education, decent education, close to completed education. The education provided will be based on the curriculum and educational system of each country. Ultimately, marginalised groups will receive a diploma highlighting their ensured qualifications.

Independent and impartial bodies provided by the organisations stated above will train marginalised groups. The training schedule will consist of a one month training-one month practice system. Namely, for a span of a year, marginalised groups will be trained on a specific assignment for a month and the next month they will be examined and tested on how they execute it. Throughout the practice months, marginalised groups will encounter real workplaces and therefore will be paid appropriately. Training programmes will be divided into groups as well, seeing as, for instance, marginalised groups based on disabilities can not be trained on all the same aspects as marginalised groups based on gender can.

Support will be accessible in terms of both physical and mental support. Accommodation will be provided to marginalised groups that do not have a roof on top of their heads throughout



the timeline of the educational and training programs, due to being denied labour. This will also give individuals a chance to socialise with other marginalised populations and find closure. Additionally, mental support will be provided in terms of psychologists and therapists that are willing to discuss with the marginalised and help them according to each individual's needs. So that finally, marginalised groups will feel and be strong and adequate.

### **Labour opportunities**

Non-marginalised groups are continuously prioritised over marginalised groups which goes against all aspects of labour law and therefore, should be regulated. Hence, legislations and regulations implemented in international labour law should demand impartial and unbiased distribution of work positions.

The ILO should cooperate with organisations such as the EU and Non-Governmental Organisations (NGOs) such as the Human Rights Watch to create new workplaces in developing countries and promote diversity. As well as find job opportunities for marginalised groups in desperate need of them.

The World Health Organisation's (WHOs) inclusion is very valuable. To ensure health mandates in the workplaces are adhered to and that new job opportunities also provide them.

### **Cooperations between Member States**

Since developed countries depend on the production of developing countries and economic marginalisation poses a great threat to this, they should seek to be more involved in tackling this issue. Neutral meetings located in neutral and protected areas should be hosted between the governments of developing countries and developed countries. For instance, the P5 (France, Russian Federation, USA, UK, China) should provide their knowledge and experience concerning this issue. Especially countries such as the USA which have been a persistent and present fighter in the elimination of this topic, having created significant laws, should influence and advise vulnerable countries such as South Africa. An effective possible solution could also be the cooperation of said countries to form international resolutions, conventions and treaties that benefit and are flexible to every Member State.

### **United Nations (UN) Supervisory body**

In order to ensure the correct execution of the international mandate to not discriminate against marginalised groups in the workplace, the involvement of a UN Supervisory Body is necessary. Developing countries are in desperate need of acceptance of diversity and without official and professional help from the UN they might not be able to free their oppressed citizens.

A UN supervisory body is an appointed group of experienced persons, given the responsibility to oversee operations, organisations, agencies, projects and ensure they are functioning



appropriately whilst abiding by the law. In this case, it is encouraged that the International Labor Organisation (ILO) cooperates with said bodies and guides them through the supervisory process based on their experience with this issue.

The supervisory process will take place once a year in each developing country. Workplaces will be examined, data and information will be gathered, circumstances and conditions will be reviewed, employees and employers will be heard, witnesses will be interviewed. Assessments and tests will be held and wages and medical assistance will be noted down to ensure marginalised groups are treated impartially and respectfully. Taking into account that companies might provide false information, data and images to the bodies whilst actually enforcing marginalisation, it will be highlighted that this is criminalised. Therefore, punishments such as fines and imprisonment will be implemented. Ultimately, reports will be written at the end of the supervision and compared with previous reports to track the progress of each developing country. Depending on the conclusion, the UN Supervisory Body will decide how to proceed best.

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