



**UNICEF**



**LANGUAGE: ENGLISH**  
**TOPIC: CREATE YOUTH EMPLOYMENT**  
**OPTIONS WITHOUT VIOLATING THEIR RIGHTS**

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## **I. Welcoming letter**

Honorable delegates, we would like to welcome you to The United Nations Children's Fund (UNICEF) committee. It is a pleasure for us to be able to accompany you during your 2023 United Nations process. We hope you enjoy this experience in which you can develop your full potential, demonstrating and improving your skills for debate and Research. We hope that you learn and enjoy this model, remember that this is an opportunity for giving the best of yourself and taking your acknowledgment to the limit.

As presidents, we want to see the best version of you, empowered and always unbiased. We hope you know that we are here for you, to guide you and help you through the process and with any doubts you may have. It is a pleasure for us, your presidents, to share our knowledge with you. This space is made for helping you improve academically and personally, in which you can develop your skills by learning techniques of persuasion, negotiation, writing, and oratory, in an environment of tolerance and respect for diversity. It helps you understand that the best way to resolve conflicts is through dialogue and negotiation. Also, it'll be a fun experience in which you can create new friendships and have a lot of fun. Telling you this from our own experiences. We want you to enjoy the most of it and learn from everything you can. I wish you the best in this amazing experience.

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## **II. Introduction to the committee**

### **2.1 History of the committee**

The United Nations Children's Fund (UNICEF) was created by the United Nations General Assembly on December 11 of 1946, to provide emergency food and healthcare to children and mothers in countries that had been devastated by World War II. By 1950, UNICEF's mandate was extended to address the long-term needs of children and women in developing countries everywhere. In 1953 it became permanent in the United Nations and the organization's name changed from the United Nations International Children's Emergency Fund to the actual name, retaining the original acronym.

### **2.2 Powers and competencies**

UNICEF can advocate, influence, and negotiate to reflect the needs of children, women, and young people in discussions with key decision-makers. It can also collaborate with other UN entities, and public and private sector partners, sharing knowledge and contributing to best practices. This committee mobilizes political will and material resources to help countries, particularly developing countries, ensure a "first call for children" and to build their capacity to form appropriate policies and deliver services for children and their families.

## **III. Topic A:**

Create youth employment options without violating their rights

### **3.1 Introduction**

Youth is a period of transition from dependence to independence and autonomy. This transition occurs at the same time that different rights appear for them, for example with regard to education, employment, and sexual and reproductive health, among others depending on the socioeconomic context.

Young people deal with discrimination and obstacles to completely enjoy their rights, limiting their potential. Young people worldwide are three times more likely than adults to be unemployed, and when they are employed, they often face poor working conditions and thus lack quality jobs and access to social protection.

Youth employment is mostly important for middle-income countries, in which youth unemployment is really high, and for low-income countries where youth work in low-earning jobs in the informal sector, or often under poor conditions as unpaid laborers.

But sometimes, this unemployment of youth can be better for a part of this group. 168 millions of minors all around the world have a full time job that can consume most of the kid's time, since they end up not having enough time to even go to school nor play; without letting them have a childhood.

### **3.2 Historical context**

Youth employment can be shown in different ways, such as work unpaid within the family structure, like helping with housework or collaborating in craft or agricultural work, and paid work outside the family context.

In the start of the XVIII century, youth work existed, but it was limited to the family structure as an initiation process in professional tasks, these tended to be proportionate to the child's condition. But when the industrial revolution arrived, this started to change for bad, children went from working on farms for their families to ending up in factories. Institutionalized exploitation began. Regardless of the protection or needs of minors, Social Darwinism was harshly applied to them.

In the 18th century, workers were paid low wages that barely allowed them to afford the cost of living associated with their rent and food. Because of this, many of these families needed the extra income that their children earned while working.

Factory owners started to hire children because it could benefit them in several ways. First, children usually made a lot less money than adults for the same work; therefore the owners would save much more money by hiring children. Also, children were generally a lot more obedient and easy to control than adults when completing work and accepting punishments. Finally, as mentioned before, children were hired during the industrial revolution because they were smaller and could fit into tight places. This was especially important in the new mechanized factories of the late 18th century.



During the 18th & 19th centuries, factories and mines were really dangerous. The workers faced really bad working conditions, they had long hours of work (12-16 hour shifts), low wages, and workplaces with little or no rights. Besides, children often faced incredible hardships and suffered abuse in the workplace.

Children would operate complicated machines with no protection at all, not even shoes; they would use clothing that did not fit, and because of this, there happened terrible accidents where their clothes got stuck in the machine parts and they would die in a horrific way. Dangerous parts of the machinery were unfenced, causing children to become injured since they were working dangerously close to spinning belts and shafts that powered the machines. They were also tasked with unclogging machines that stopped operating, which sometimes started working again when they still had their hands in them, causing them to suffer horrible injuries.

Children not only were forced to work in dangerous conditions, but in really hot and cramped factories, since they did not have enough ventilation for the heat of the machines to circulate. Besides, if they were injured on the job they had little to no rights to receive compensation, this because the government did not have the initiatives

to force factories to protect workers or to compensate them when they became injured and could no longer work.



This situation was shown in a report from the British House of Commons in 1832, which commented that “workers are often abandoned from the moment that an accident occurs; their wages are stopped, no medical attendance is provided, and whatever the extent of the injury, no compensation is afforded.”

In every way, child labor was a common feature of the Industrial Revolution and made children suffer under horrible and abusive conditions. Whether it was in factories, mines or other workplaces, children were expected to work in hot and dangerous conditions for low amounts of pay and long grueling hours.

In the XIX century, most of the protests were made against child labor. In the UK, the Factory Act of 1833 prohibited work for children of 9 years or less and limited the youth working hours to a maximum of 13 hours. By the end of the XIX century, new laws were made in some countries (like Netherlands and Switzerland), which wanted children to stop working in factories.

Not only adults, but even children thought they shouldn't be working; they made complaints about it, emphasizing their own rights. For example: in 1925 children made a protest in which they were confronting their employment situation. In numerous meetings, marches, assemblies about this topic, children participated, sometimes they even made talks in these. This is something that clearly shows that the population was always against youth being employed. But now, there's numerous nations that have found a way for teenagers to work, without violating their rights.

### **3.3 Current situation**

Nowadays, youth employment is different from what it used to be in the past; it can be seen as a good or bad strategy for the countries. Nearly 1 of 10 children are subjected to youth labor all around the world. Almost half of them are in hazardous work that endangers their health and moral development.

Child labour can result in extreme bodily and mental harm, and even death. It can lead to slavery and sexual or economic exploitation. And in nearly every case, it cuts children off from schooling and health care, restricting their fundamental rights and threatening their future.

In many cases, migrant and refugee children tend to be the ones that are forced to work and sometimes, they even end up being trafficked; especially if they are migrating alone or taking irregular routes with their families. One of the worst cases is when they end up being trafficked, where children are often subjected to violence, abuse and other human rights violations. For girls, the threat of sexual exploitation looms large, while boys may be exploited by armed forces or groups.

Youth work not only has a negative impact, as mentioned before, but it can also be a great thing for society. It can be a great start for teenagers to get to know this working world.

There are nations that have little or no options for youth work, but there are also countries that have the best options for them, which on the report of research entails that the top five countries to start a career, according to young adults around the world are Russia, Poland, Spain, United Arab Emirates, Singapore and France. These countries have great options for those who want to start working at a young age because of the increasing demand for skilled labor and falling unemployment levels, qualified staff in high demand, along with others.

But in most countries youth work isn't so great, mostly when minors are the ones working and human rights are violated. In most occasions, child work can be violating really important human rights: in the article 3 of human rights when



says that "No one shall be subjected to torture or to inhuman or degrading treatment or punishment.", since, in the way that child work is mostly shown, is happening in the world; in the article 4, when it mentions "No one shall be held in slavery or servitude.", that does happen when children are obligated to work; in the article 26 when it says "Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.", which is violated when the minors have a full time work that doesn't let them have a proper education.

Even if child work "only" violates these 3 human rights in a direct way, its consequences can form a chain where more human rights violations are generated, creating lifetime circles that can last generations and can be really hard to get out of.

But when it's correctly managed, finding the right age and the right job, it can help kids who need to start saving money. Research shows that the best ages for teenagers to start working are when they are between 15 and 16 years old; as well, there are jobs that can be better for them, like, being a private teacher for other student, doing deliveries, babysitting, camp counseling, lifeguarding, take care of other people's pets, temporary jobs in ETT and-so-forth.

All of these jobs clearly have to let teenagers have an education, a social life, and rest hours, so they have to be short time jobs for it to be completely good for adolescents.

As you can see, youth work can have a lot of benefits and a lot of disadvantages, this is why we'll be talking about this topic, because we really need to find a balance in this so young people can win money if they need or want, but without any of their rights being violated.

### **3.4 Legal framework**

#### **3.4.1 International standards**

- Minimum Age Convention, 1973 (No. 138)

This fundamental convention sets the general minimum age for admission to employment or work at 15 years (13 for light work) and the minimum age for hazardous work at 18 (16 under certain strict conditions). It provides for the possibility of initially setting the general minimum age at 14 (12 for light work) where the economy and educational facilities are insufficiently developed.

- Worst Forms of Child Labour Convention, 1999 (No. 182)

This fundamental convention defines a "child", a person under 18 years of age. It requires ratifying states to eliminate the worst forms of child labour, including all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict; child prostitution and pornography; using children for illicit activities, in particular for the production and trafficking of drugs; and work which is likely to harm the health, safety or morals of children. The convention requires ratifying states to provide the necessary and appropriate direct assistance for the removal of children from the worst forms of child labour and for their rehabilitation and social integration. It also requires states to ensure access to free basic education and, wherever possible and appropriate, vocational training for children removed from the worst forms of child labour.

#### **3.4.2 Rules and regulations (for some countries)**

Non Agricultural Jobs

- Hour restrictions:

- Youth 18 years or older may perform any job, whether hazardous or not, for unlimited hours.
  - Youth 16 or 17 years old may perform any nonhazardous job for unlimited hours.
  - Youth 14 or 15 years old may work outside school hours in various nonmanufacturing, non mining, non hazardous jobs. They can work only between the hours of 7 a.m. and 7 p.m., except from June 1 through Labor Day, when they are able to work between the hours of 7 a.m. and 9 p.m. They may not work more than 3 hours per day on school days, including Fridays; more than 18 hours per week in school weeks; more than 8 hours per day on non school days; or more than 40 hours per week when school is not in session.
- Job restrictions:
    - A youth 18 years or older may perform any job, whether hazardous or not.
    - A youth 16 or 17 years old may perform any job not identified as hazardous by the Secretary of Labor.
    - A youth 14 or 15 years old may not work in hazardous jobs.

#### Agricultural Jobs

- Hour restrictions:

The hour restrictions are the same for all youth, including migrant youth.

- At 16, there are no restrictions for the number of hours, the days, or the jobs that youth can work in agriculture.
- At 14 or 15 years old, a young person can work in agriculture, on any farm, but only during hours when school is not in session and only in nonhazardous jobs.
- A youth 12 or 13 years of age can only work in agriculture on a farm if a parent has given written permission or a parent is working on the same farm. The work can be performed only during hours when school is not in session and in nonhazardous jobs.
- Youth under 12 can work in agriculture on a farm only if the farm is not required to pay the federal minimum wage.

## Unpaid Internships

Although unpaid internships can provide opportunities for youth to explore new careers and gain on-the-job experience, the Supreme Court has ruled on the understanding of circumstances under which individuals who participate in for-profit private sector internships or training programs may do so without compensation. The determination of whether an internship or a training program meets this exclusion depends on all the facts and circumstances of each such program.

The following six criteria must be applied when making this determination:

- The internship, even though it includes actual operation of the facilities of the employer, is similar to training that would be given in an educational environment.
- The internship experience is for the benefit of the intern.
- The intern does not displace regular employees, but works under close supervision of existing staff.
- The employer that provides the training derives no immediate advantage from the activities of the intern, and on occasion its operations may actually be impeded.
- The intern is not necessarily entitled to a job at the conclusion of the internship.
- The employer and the intern understand that the intern is not entitled to wages for the time spent in the internship.

If all the factors listed above are met, an employment relationship does not exist under the FLSA, and the FLSA's minimum wage and overtime provisions do not apply to the intern. This exclusion from the definition of employment is necessarily quite narrow because the FLSA's definition of "employ" is very broad.

### 3.5 Key concepts

- Human trafficking: the recruitment, transportation, transfer, harbouring or receipt of people through force, fraud or deception, with the aim of exploiting them for profit.
- Human rights: rights inherent to all human beings, regardless of race, sex, nationality, ethnicity, language, religion, or any other status. Human rights include the right to life and liberty, freedom from slavery and torture, freedom of opinion and expression, the right to work and education, and many more. Everyone is entitled to these rights, without discrimination.
- Unpaid labor: work that produces goods or services but isn't rewarded.
- Industrial revolution: the process of change from an agrarian and handicraft economy to one dominated by industry and machine manufacturing. These technological changes introduced novel ways of working and living and fundamentally transformed society. This process began in Britain in the 18th century and from there spread to other parts of the world.
- Human exploitation
- Social Darwinism: the theory that individuals, groups, and peoples are subject to the same Darwinian laws of natural selection as plants and animals.
- Low wages: wages lower than two-thirds of the median salary in the population.
- Slavery: a condition of having to work very hard without proper remuneration or appreciation.

### 3.6 QARMAS

- Has my country created any special rules or regulations for youth work?
- Is my country part of the nation that allows the rights of young people to be violated?
- How has youth employment been over the years in my country?
- What has my country done to improve child labour?
- From the point of view of my country, how can we find a balance between youth employment and violating minors rights?
- What are the best viable options for minors to work?
- Are there cases of child exploitation in my country? If there are, are they being regulated?
- Is there a way minors can work in my country?

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