

RENMUN VII

Peace in Permanence



March 5-6, 2022

Chair Report

Chair Introduction

Greetings delegates,

It's truly a pleasure to welcome you all to ECOSOC at RENMUN VII! We are Sam Hui, from Island School, and Tsang Yeuk Wa, from Diocesan Girls' School, and we are delighted to welcome you all to this council. The economic and social concerns of the world are often close to life and while less grand than geopolitical events, nevertheless are important in its impact, especially on the most vulnerable groups around the world. As one of the 6 principal organs of the United Nations System, established by the UN Charter in 1945, ECOSOC coordinates economic, social and related work globally.

We look forward to witnessing an engaging and immersive debate, as well as the shaping of valuable memories and long-term friendships. Together, we hope to explore the various actions communities can take to improve the livelihoods of their civilians, as well as carry out a thoughtful discussion on the impact of the international community. We aim to foster a dynamic atmosphere for debate, and hope you all gain something meaningful from this conference. We wish you all the best with your preparation and we'll see you soon!

Since ECOSOC is a beginner committee, we hope delegates will not shy away from any speaking opportunities. Instead, with MUN's objective of diversity and inclusion, we look forward to providing delegates with a comfortable, immersive environment to express themselves and share their opinions. The upcoming two days will definitely witness a controversial and thoughtful debate, and we highly encourage delegates to utilize this opportunity to stretch their public speaking skills, through engaging in purposeful and meaningful discussions in this collaborative open-minded environment. That said, please make sure to read both of the chair reports, but these documents should not be the only sources to consult with; we request each delegate to complete additional research when preparing the materials. That said, the chairs hope that all the delegates thoroughly enjoy themselves during the conference. If you have any enquiries on any of the topics above - please feel free to email us anytime!

Best wishes,

Head Chair Sam Hui (tszhin.hui@online.island.edu.hk) and
Deputy Chair Tsang Yeuk Wa (s171158@student.dgs.edu.hk)

Addressing the legal protection and rights of migrant workers

Ever since the growing prominence of globalization led to the expansion of labour across the globe, workers have migrated between countries to seek jobs and improve their living standard. The distribution of different stages of production implies the demand for different forms of labour in different countries, such as manufacturing or domestic labour. Certain states such as Qatar or Saudi Arabia receive large numbers of migrant workers, which compose of a majority or significant portion of their population, relying on them to some extent economically.

While citizens of a country may be guaranteed labour rights, such as minimum wage, standard working hours, in legal protection, these are not shared by migrant workers without citizenship. Furthermore, while local workers may have greater bargaining power with employers due to the collective strength of unions, migrant workers are often excluded from such and lack a voice in negotiations with employers. The vulnerability of migrant workers can lead to exploitation, such as abuse of employers, wage theft and poor working conditions. However, states might not have the incentive to implement more protection for migrant workers in order to maintain low production costs and further economic development.

How may the international community collaborate to eliminate the gap between protections for migrant workers and local workers? Can an international standard be established, and what action may be taken, both in the legal sphere and with regard to firms? How may states be incentivized to participate in such policies?

Key Terms

Term	Definition
Migrant Worker	A person who migrates from one country to another (or who has migrated from one country to another) with a view to being employed other than on his own account, including any person regularly admitted as a migrant for employment
Labour Rights	Rights to which workers are entitled universally by the ILO Declaration on Fundamental Principles and Rights at Work, of which the most fundamental are: 1) Freedom of association and the effective recognition of the right to collective bargaining;

	<ul style="list-style-type: none"> 2) Elimination of all forms of forced or compulsory labour 3) Effective abolition of child labour 4) Elimination of discrimination in respect of employment and occupation
Labour force	All persons employed or unemployed above a working age threshold (e.g. 15)
Kafala System	System implemented by many Arab states or GCC states where migrant workers require a citizen or employer sponsor to be allowed to stay and work in the country, and delegating the sponsor to provide accommodation for migrant workers
Labour Importer	Countries receiving significant number or proportion of migrant workers
Labour Exporter	Countries of origin for migrant workers from which they depart
International Labour Organisation (ILO)	A UN agency established since 1919 with 187 member states to set labour standards, develop policies and devise programmes promoting decent work for all women and men

Background Information

As of 2019, the number of migrant workers are estimated to be 169 million around the world by the UNDESA. This comprises 4.9 percent of the global labour force in their destination countries, contributing a remarkable portion to the economy. This is particularly true in countries with dominant labour-intensive industries, where migrant workers are critical in infrastructure construction or domestic labour.

While Arab states such as Qatar, Saudi Arabia and the United Arab Emirates are significant importers of foreign labour and receive the benefits of economic contributions of migrant workers, these workers often do not receive legal or other forms of protection of their labour rights, leaving them vulnerable to exploitation. For example, the maximum working hours in the UAE is 8-9 hours per day depending on the sector, and the state has even shortened its work week to 4.5 days recently. In contrast, migrant workers are often forced to work more hours than expected, such as 12-13 hours each day. Discrepancies in promised and actual salary are also common, and points to a general problem of breaching of work contracts.

Such experiences of exploitation are often due to the Kafala system implemented in the UAE, Qatar, Saudi Arabia, Kuwait and other Gulf countries. Under this system, migrant workers require a sponsor from a citizen or company to be allowed to work in the country. This renders the workers highly dependent on their sponsors, who are the providers of accommodation and working opportunities for the migrants, making it more difficult for them to speak against any exploitation they face.

Other malpractices are also found, such as employers confiscating the passports and documents of migrant workers, as well as denying them a copy of their contract, which they may not be able to read due to language barriers, isolating and weakening the worker's ability to negotiate or protect their rights. Migrant workers also face illegal deduction of wages, of which they cannot easily complain or bring to prosecution, with their employers as their guarantee for staying in the country. These activities are often subtly encouraged or overlooked by the state to allow the continued exploitation of migrant workers, maintaining low labour costs in economic development.

Apart from the Kafala system, living and working conditions of migrant workers are poor and there is little legal regulation on their behalf, or that such regulations are not enforced strictly. Migrant workers are housed sometimes with employers, but also in overcrowded work camps, with unsanitary food and drink, having to share hygiene facilities with many others or clean them by themselves, which is supposed to be the responsibility of the employer. As for working conditions, many workers report unpaid sick leaves and overtime work, further adding to their financial burden.

It is also concerning to see the correlation between importation of migrant workers and human trafficking, as well as the differences between promised work and actual conditions that implies coercion on the part of employers. Many migrant workers are recruited by agencies without full knowledge of their expected work. Workers also find difficulty taking leave at their preferred time, or depend on the approval of sponsors to leave the country, further showing a situation of work without full and clear consent.

From a humanitarian perspective, migrant workers could not easily integrate into their host countries. With a language barrier preventing communication and little interaction outside of work, they may face racial discrimination from locals who perceive them as competitors for work. At the same time, long-term separations from family members in their origin countries are damaging to relationships and psychological health, as well as depriving migrant workers of supportive community networks that they would have in their home countries.

Certain demographics from migrant workers may be particularly vulnerable, such as women, which are 41.5 percent of international migrant workers. They may be employed in low quality work, face large gender pay gaps, and face workplace violence or harassment particularly in domestic contexts. Female workers have also reported being forced to share crowded accommodation with men, failing to provide them an environment of safety and comfort. Lack of mobility further exacerbates the vulnerability of women without access to a judicial system in a language foreign to them.

Migration of workers may also affect relations over states with significant labour importation and exportation. Concerns over retention of labour and flow of economic development may lead to states with large numbers of outgoing migrants to change their policy and limit migration, while recipients of migrant workers may damage their relationship with countries of origin over issues of working conditions and possible infringement of the rights of their nationals.

Aside from Arab states, Southeast Asian states are also often sources or recipients of migrant workers. Despite not having the Kafala system, imbalance of power may also be present due to demographics showing similar heavy reliance on migrant workers that form a large part of the labour force. At the same time, political instability may also be a cause of labour migration, with migrants seeking work after fleeing their countries of origin. These countries could also seek examples and cooperation in resolving the exploitation of migrant labour alongside Arab states.

Potential Clashes

Immigration and labour policies of countries importing and exporting the most migrant workers can severely impact their flow worldwide. While significant labour importers struggle to maintain the precarious systems of controlling migrant workers, labour exporters are beginning to consider limiting the migration of workers to retain labour for internal development.

Maintaining Economic Growth

GCC states host a disproportionately large number of migrant workers in contrast to the size of their local labour force. 35 million migrants reside in GCC states according to UNDESA as of 2019, and more than 80% of the population of Qatar and the UAE are foreign nationals. These states may not be inclined to introduce more legal protection of migrant workers and continue to allow exploitative practices, with the intent of maintaining low labour costs to facilitate economic development.

Citizens and firms of GCC states are often complicit in enabling exploitation of migrant workers through their participation in the Kafala system. They are unlikely to

welcome changes in foreign labour policy, as they themselves hold power over migrant workers through their sponsorship of employees, and may not want to see their own labour rights and privileges of citizenship extended to foreign nationals.

GCC states may also draw the ire of labour exporter states, as they may be perceived as depriving the latter of their labour force, or creating unpleasant work environments for their citizens. This has led to conflicts in the past, such as pressure from Philippines leading to improvement in conditions in Kuwait.

Exploitation of Labour

While the Kafala system is mainly implemented in GCC states, the phenomenon of migrant workers and subsequently their exploitation is not limited to these countries. Other states across the world may also have large populations of migrant workers or disproportionately distributed workforces, especially in the sector of domestic work.

Many migrant workers come from Asian countries such as Myanmar, Indonesia or Philippines, and aside from GCC states, they may also have other Southeast Asian states as their destination. For example, Thailand receives 2.5 to 3 million migrant workers, mostly from Myanmar and Cambodia. Singapore and Malaysia rely greatly on foreign labour, such as domestic workers from Indonesia.

Despite the revenue migrant workers bring to their countries of origin, whose income often exceeds that of jobs within the country, labour exporter states may consider limiting the outgoing flow of labour. This is due both to the exploitation of workers abroad and the desire to retain workers for internal economic development, providing a labour force for its own job opportunities.

Key Stakeholders

Stakeholder	Involvement with the Issue
Qatar	Qatar's labour force has a significant proportion of migrant workers, being 94% of all workers. Though Qatar has introduced changes to its labour law meant to increase mobility for migrant workers, it has been criticized as not enough of a change to improve conditions.
United Arab Emirates	The UAE also has a startling demographic, with 90% of its population being foreign nationals, many of which are migrant workers, and thus is

	<p>very likely to be concerned by any changes in the status of migrant workers who form a large part of its labour force.</p>
Saudi Arabia	<p>Saudi Arabia hosts around 9 million migrant workers as of 2014 which form over 50% of its labour force. It has also rejected signing labour agreements with Philippines and continues to host the third largest migrant population in the world as of 2019.</p>
Kuwait	<p>Kuwait has been forced in the past to mitigate certain practices of Kafala for Filipino workers due to pressure from Philippines, such as confiscation of passports. It remains a country where foreigners form the majority of the population.</p>
Indonesia	<p>Indonesia is a country of origin for many migrant workers, with more than 9 million Indonesians working abroad as of 2017. While overseas labour may bring home economic benefits, this also shows that there are few opportunities for economic growth locally.</p>
Philippines	<p>Philippines is also a country exporting many workers overseas and has been noted for its efforts to improve the conditions of its citizens abroad, through bilateral labour agreements with countries receiving its nationals as migrant workers.</p>
Myanmar	<p>Myanmar is a country of origin for many migrant workers and the largest source of migrant workers in Thailand. Political instability within the country, especially in light of its recent coup, is a cause of migration and contributes to the migrant worker population of its neighbours.</p>

Possible Solutions

Citizenship offers:

States with large populations or large proportions of migrant workers may consider extending citizenship to them, thus allowing them access to benefits of citizenship and equal labour rights and protections by law. This may be done with plans such as granting citizenship after a given amount of years of work in the country, or a gradual plan extending increasing benefits to migrant workers on long stays.

Such a plan may face pushback from citizens however, who may not want to share their benefits with migrants. The state may also be wary of possible increases in production cost from greater spending on welfare for a larger population of citizens, making the country less competitive and attractive for investment as well.

Decrease dependency on migrant workers:

As GCC states may be economically dependent on migrant workers, they may decrease importation of labour in order to lessen the impact of any changes in foreign labour policy. A smaller effect on overall labour force may give states more leeway to improve working conditions of migrant workers without creating severe disincentives for employers in economic development.

However, the labour of migrant workers, usually considered low-skilled or mid-skilled, will have to be taken up by citizens and locals, who usually prefer jobs considered high-skilled. This may increase expenses of both governments and firms to motivate labour supply for jobs locals may be unwilling to do.

Repeal the Kafala system:

The Kafala system has often been identified as the cause of the exploitation of migrant workers. By repealing the system, alternatives could be made and bring migrant workers under jurisdiction of the state or other responsible organizations, removing employers from the position of sponsorship. This would eliminate the severe imbalance of power, and introduce transparency to work contracts, and allow government oversight on foreign employment.

While this is likely to be beneficial for migrant workers, states may be hesitant to overhaul a longstanding system which lowers labour costs and may be difficult to replace without complicating existing contracts and bringing risk to its economic development.

Increased monitoring and regulation:

Presently the conditions of migrant workers are managed by employers, who governments recognize as a legal guarantee for their stay. To prevent exploitative practices, states may choose to increase government monitoring of workplaces and accommodations, ensuring a proper standard that does not fall short of similar provisions for citizens. International regulations can be of use in determining such

standards. Regulations can be more strictly enforced, and a more proactive role can be taken by the state to facilitate contracts and negotiations.

As a less radical approach, this may be a method more feasible to employ. Yet, if the significant role of employers as sponsors is unchanged, these measures mean little to the migrant workers whose legal status and ability to work are still dependent on employers' approval.

Past Actions

The International Labour Organization, as a UN agency, has considered eight conventions on labour fundamental to labour rights, and four others as bearing priority. While labour conventions can be useful in establishing global consensus in labour practices, it may not be applicable to countries that are not signatories. The ILO's Domestic Workers Convention, for example, has not been ratified by many Arab states and thus could not be used to hold states to a higher standard.

Attempts at improving the conditions of migrant workers have been taken by several states, though without much effect. Qatar has introduced small reforms to its labour laws, which creates opportunities for repeal and conditional change in jobs for migrant workers. However, these reforms are considered limited, such as Amnesty International's view that the change can "barely scratch the surface of an abusive system". Qatar remains under scrutiny especially in face of its status as host country for the 2022 football World Cup.

International pressure has been shown to be useful in certain cases, such as Philippines advocating for its nationals overseas, signing 12 bilateral labour agreements with countries receiving its workers. This is helpful towards creating regulations and improving conditions, and can avoid the isolation of workers from support networks. Yet, this requires the approval of both countries, and is not always feasible, such as the lack of support from Saudi Arabia, Singapore and Japan in such agreements.

Guiding Questions

Should the practice of labour migration be limited? Does the problem lie only in states' labour policies or inherently in labour migration?

How can states heavily reliant on migrant workers be incentivized to increase legal protections and prioritize their rights? Is it the responsibility of the state or the employers to regulate living and working conditions?

How may changes in labour migration impact labour importer and exporter states?
Should workers be advised to remain in their own country for work instead?

How can the international community establish standards that are enforceable and capable of monitoring the situation in various states? How may human trafficking under the name of labour migration be identified and prevented?

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