

**Oasis International School Model United Nations**

Human Rights Council

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Guiding Package - Guide de Recherche

Topic 1: **Measures to reinforce the rights of the workers during infrastructure constructions**

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# Abstract

With the exponential progress recently occurring in the infrastructure and real estate industry, an ethical problem arises which is the treatment of the workers behind the modern urbanization of our lands. In the last 15 years, urban migration has rapidly increased which consequently led to a higher demand for jobs in the market. Jobs in the construction market were one of the most targeted with the upthrust in real estate businesses. Even though technology has effectively helped in classic industries and led to the birth of others, humankind remains the major workforce in construction. Therefore their treatment, as well as their wages, remains a moral dilemma because they might be seen by one party as easily replaceable individuals but might be seen by another party as vulnerable people looking for a job and trying to grow financially. In both cases, the workers remain part of the human race and should not be dehumanized. Child labor is also amongst that the problems that the infrastructure industry faces frequently. However, this age varies from country to country and is set by each country’s government. The term “modern slavery” has also recently trended with the mistreatment of laborers, and has brought up the question of whether slavery is still present nowadays or not. Furthermore, laborers’ rights consist of a huge part in basic human rights, and the international community has a moral and legal duty to help them stay protected. Many establishments and NGOs have taken it upon themselves to take care of this matter.

# Introduction

 “Everyone has the right to work, to free choice of employment, to just and favorable conditions of work and to protection against unemployment”[[1]](#footnote-1). Nowadays, the construction industry has become one of the largest sources of employment in the world and provides much needed employment for many of the world’s poorest and most vulnerable people. Despite its significant importance, it is also the area where the number of work-related accidents is growing the most.

[[2]](#footnote-2)

Unfortunately, constructor workers experience abuses, long working hours and extreme hazardous conditions that consequently lead to death.

In 1973, the International Labor Organization (ILO) adopted the Minimum Age Convention. The minimum age of labor varies from a nation to another, however it is frequently infringed due to the ignorant way of thinking of some companies, as well as many governments that are lenient towards this infringement.

**Definition of Key Terms:[[3]](#footnote-3)**

Infrastructure: the basic equipment and structures (such as roads and bridges) that are needed for a country, region, or organization to function properly

Workers: a person who does a particular job to earn money

Labor: physical or mental effort especially when difficult or compulsory

Employee: a person who works for another person or for a company for wages or a salary

Construction: the business of building things (such as houses or roads)

Workplace: the office, factory, etc., where people work

Slavery: the state of being a slave

Urbanization: the process by which towns and cities are formed and become larger as more and more people begin living and working in central areas

Stigmatization: describe or regard as worthy of disgrace or great disapproval

**Background Information**

Nowadays, the infrastructure industry is booming, and with such great power, control over employees becomes increasingly difficult. On a larger scale, the importance of infrastructure projects is also very much noticed in establishing and improving the housing for homeless and poor people. The UN Habitat 2013 'State of the World Cities' Report cited that by 2050, the inhabitants of urban areas in Africa would grow from 400 million to 1.2 billion. In the very same report, it was shown that over 30% of Asia's urban population inhabited slums. At the same time, it is also true that governments in Asia improved the lives of an estimated 172 million slum-dwellers in attempting to complete the Millennium Development Goal Target 11 Goal 7.

The stigmatization against certain demographic groups has become very common in infrastructure projects, which had led to the exclusion of the laborers, and also led to the deterioration of their mental health. *“The industry has one of the highest rates of work-related injuries and suicides”*[[4]](#footnote-4) Issues unrelated to racism may include: mental distress, muscoskeletekal pain, depression, anxiety, workplace injuries (blood cuts and broken bones) and panic disorder. The abuse of laborers at work is a grave matter and that is significantly associated with construction companies.

To minimize and optimize the costs of production, numerous multinational enterprises and construction companies take advantage of vulnerable poor little children. “Around 218 million children aged 5 to 17 could be regarded as child laborers”[[5]](#footnote-5). The biggest threat that child laborers are obligated to face is the hazardous nature of most jobs in the infrastructure industry.

Moreover, in a country as developed as The Great Britain, 3% of construction workers suffer from work related illness every year and 65,000 self-reported workplace injuries including 35 fatally injured in 2014/15[[6]](#footnote-6). According to the Occupational Safety and Health Administration, one in ten construction workers are injured every year.

In the athletic industry, a lot of controversial acts against workers have sparked in the last decade. With the rise of the popularity of sport events such as the Olympics and the World Cup, huge deals of workers rights infringements took place such as Qatar and Brazil. Living and working conditions for many migrant workers are appalling in many developed countries. In Qatar’s bid for the 2022 World Cup, around 1200 deaths of Far Eastern workers have occurred, as well as many contract breaches with the workers. Workers have reportedly stated that they have not received their full wages, which has caused a financial crisis. Soon enough, this backlash was forgotten however the HRC has to take it into consideration and find efficient solutions.

**Major countries and organizations involved:**

1. *Fair Labor Association:*

Since 1999, the Fair Labor Association has helped improve workers' lives by collaborating with universities, civil society organization (CSOs) and companies to find sustainable solutions to labor issues. They have set workplace Code of Conduct and affiliated companies agreed to uphold them. In addition, FLA conducts assessments and investigations while providing training and resources to help companies and factors meet standards and improve working conditions.

1. *Social Impact Assessment (SIA)*

The social impact assessment is the process of analyzing and managing the social consequences of development. In fact, the SIA played a significant role in reinforcing the rights of the workers by settling construction labor monitoring routine in countries with labor rights infractions, or for projects with large work forces or a large proportion if migrant workers. Construction labor monitoring can play a key role to ensure that projects fulfill requirements that protect the workforce, promote respectful work relationships with equality, and provide safe and healthy working and living conditions

1. *Occupational Safety and Health Administration (OSHA) Hazard Communication Standards*

 OSHA Hazard Communication Standards gives rights to employees working in construction sites to be informed about the possible hazards and dangers in the work site. Thus, OSHA standards are rules that describe methods that employers must use to protect their employees from any risks and implement safety and health programs. Employers are usually required to provide information about workplace risks, the dangers probably posed by the equipment and the health risks associated with working at construction site.

1. *Brazil:*

As thousands of football fans enjoy beautiful games in Sao Paolo every year, many rural migrants head to Brazil to work and build infrastructure projects including stadiums and much more. Civil construction is the industry that generates the most jobs in Brazil but it is also the area where work-related accidents happen the most with 62 000 injuries in 2012. Sadly, these workers devote their lives to their jobs, and in return, experience severe abuses including long working hours and dangerous working conditions during the World Cup stadium construction, a total nine workers lost their lives. The workers have to face inhumane conditions such as inauspicious shelter and work threatening through physical abuse. According to Antonio de Souza Ramalho[[7]](#footnote-7): “The construction workers are among the poorest in Brazil and are often not aware of their rights. And the world soccer body FIFA has never shown any concern about the workers.”[[8]](#footnote-8)

1. *Qatar*:

Migrant workers from Bangladesh, India, Nepal and other countries are working on the construction of Khalifa Stadium in Doha for the 2022 World Cup while suffering systematic abuses and forced labor. In fact, they are not allowed to change jobs, leave the country and they often wait months to get paid. In addition, more than 234 thousand construction workers are being exploited, threatened and continue to live in dirty, overcrowded and unsafe accommodation. Moreover, the authorities arbitrarily restricted the rights of freedom of expression. “For players and fans, a World Cup stadium is a place of dreams. For some of the workers who spoke to us, it can feel like a living nightmare,” said Amnesty International Secretary General Salil Shetty”[[9]](#footnote-9).

1. *United States Of America:*

With over 11 million workers, construction is one of the largest industries in the United States. However, the industry has one of the highest rates of work-related injuries and suicides. A 2012 study found that 40% of construction workers over age 50 had chronic back pain. Another 2012 study found that injured workers were 45% more likely to be diagnosed with depression than non-injured workers. Other recent studies have found construction workers to have double the suicide rate of the general population.

**UN Involvement:**

In 1919, The United Nations founded the “International Labour Organization” (ILO) that tackles until today the problem of slavery, social protection and minimum wages. The ILO accords an annual conference where member states are presents, and labor problems are discussed. Member states are able to submit resolutions to present potential solutions.

The OHCHR (Office of the United Nations High Commissioner for Human Rights) was also established targeting many goals, one of which is protecting the world from slavery, and laborer oppression.

In 1990, The International Convention on the Protection of the Rights of All Migrant Workers and Members of their families was signed by over 20 states. In 2003, the convention was put into action aiming to eradicate clandestine and illegal movements by migrants, while encouraging the legal implementation of migrants in the labor market.

**Possible solutions:**

In every problem, there are solutions provided; bellow are examples of a couple that can be useful and helpful.

Monitoring enterprises’ administrative offices to assure that the actions taken by them are legal and not offensive to any of the laborers employed by the companies. Through the monitoring, it will be possible to identify whether there is any form of discrimination against any demographic group. However, this potential solution yields ineffective in the case of an underground business (for example the black market).

Finally, if many organizations helped and cooperated in combatting this issue, then it will be easier to prevent torture from happening. Thus, inviting international and non-governmental organizations such as FLA, SIA and OSHA to conduct and lead investigations to check on the working conditions laborers face during constructions.

**Guiding Questions:**

1. How is slavery defined?
2. Is child labor ethically wrong?
3. Is it possible to survey firms to assure the good treatment of laborers?
4. Should the minimum wage be accorded depending on identity of laborers?
5. Should limits be imposed upon the employment of laborers in infrastructure firms?
6. How should firms be punished when found guilty of infringing workers’ rights?
7. What is your country’s policy in addressing child labor, fair wages for workers and improving work conditions for workers?
8. What precautions and regulations has your country taken to protect workers’ rights?

**Useful links:**

KARLSSON, Ida. *World Cup workers struggle for basic rights,* available on: <http://www.aljazeera.com/humanrights/2014/07/world-cup-workers-struggle-basic-rights-2014738261599591.html>, consulted

BURGER, Rachel, *13 Shocking Construction Injury Statistics*, available on: <http://blog.capterra.com/13-shocking-construction-injury-statistics/>

International labor organization, available on: <http://www.ilo.org/ilostat/faces/home/statisticaldata/ContryProfileId?_afrLoop=636639959834065#!%40%40%3F_afrLoop%3D636639959834065%26_adf.ctrl-state%3D10evggkfbt_154>

# Qatar: Abuse of World Cup workers exposed, available on: <https://www.amnesty.org/en/latest/news/2016/03/abuse-of-world-cup-workers-exposed/>

Marge Dwyer, *Construction workers struggle with pain, stress from injuries,* available on: <https://www.hsph.harvard.edu/news/features/construction-workers-struggle-with-pain-stress-from-injuries/>

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MANTOUVALOU, Virginia, *Workers’ rights really are human rights,* available on: <http://injury.findlaw.com/workers-compensation/osha-and-construction-workers-right-to-a-safe-workplace.html> , consulted august 8th 2016

ROWAN, Marielle, *Importance of Construction Labour Monitoring as Social Impact Assessment Mitigation in Infrastructure Projects*, available on: <http://conferences.iaia.org/2013/pdf/Final%20papers%20review%20process%2013/Importance%20of%20Construction%20Labour%20Monitoring%20as%20Social%20Impact%20Assessment%20Mitigation%20in%20Infrastructure%20Projects%20.pdf> , consulted august 8th 2016

BURGER, Rachel, 13 Shocking Construction Injury Statistics, available on: <http://blog.capterra.com/13-shocking-construction-injury-statistics/> , consulted august 10th 2016

World Day Against Child Labour, available on: <http://www.un.org/en/events/childlabourday/background.shtml>, consulted on the 19th of September 2016

1. Article 23 from The Universal Declaration Of Human Rights [↑](#footnote-ref-1)
2. <http://www.bbc.com/news/business-27778196> [↑](#footnote-ref-2)
3. Oxford Dictionary of English [↑](#footnote-ref-3)
4. DWYER, Marge. Available at: <https://www.hsph.harvard.edu/news/features/construction-workers-struggle-with-pain-stress-from-injuries/> [↑](#footnote-ref-4)
5. <http://www.un.org/en/events/childlabourday/background.shtml> [↑](#footnote-ref-5)
6. <http://www.hse.gov.uk/statistics/industry/construction/> [↑](#footnote-ref-6)
7. president of the Sintracon-SP civil construction workers union of Sao Paulo [↑](#footnote-ref-7)
8. <http://www.aljazeera.com/humanrights/2014/07/world-cup-workers-struggle-basic-rights-2014738261599591.html> [↑](#footnote-ref-8)
9. <https://www.amnesty.org/en/latest/news/2016/03/abuse-of-world-cup-workers-exposed/> [↑](#footnote-ref-9)