



Forum: 1st Committee (Human Rights)

Issue: Protection of Employment Rights of Youth with Special Attention to Minors

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Introduction

At the present stage, one of the urgent problems is the protection of rights of youth with special attention to minors. This is one of the important activities of any modern state. According to the growth of development and consolidation in the legislation of different countries of the mechanism of protection of the rights of minors, it is possible to judge the level of maturity of society, its values and moral condition. Currently, many minors are willing to find a job, not only to gain economic independence from their parents, but primarily for self-realization and the establishment of social contacts in society. But there is another problem-the number of jobs that can provide an employer for minors. Practice shows that minors are one of the most vulnerable groups in the population, because employers either do not want to employ minors, or accept them, but disregard the rules of law in terms of the conditions of employment. That is why states are faced with the task of developing a set of new preventive measures for the illegal use of minors' labor, including social and pedagogical protection. It is necessary to raise the desire of minors to work in accordance with the labor legislation. Knowledge of their rights and obligations in labor relations in conjunction with the desire of the child to work provide a solid foundation, both for the protection of his rights and for the education of an active citizen who has an idea of social values.

Definition of key terms:

Minor – a person under a certain age, usually the age of majority, which legally demarcates childhood from adulthood

The Universal Declaration of Human Rights (Universal Declaration) – an international document that states basic rights and fundamental freedoms to which all human beings are entitled.

Youth unemployment – a socio-economic phenomenon in which able-bodied youth are in search of work and are ready to start it, but are unable to exercise their right to work, thus losing their basic means of subsistence.

Background information

The problem of the youth employment, especially the use of child labor, may be dated back to the times of the Industrial Revolution of the 18th-19th century. During this period more and more people moved from villages to the cities, the industrial centers, and started to work on factories. Even though the Industrial Revolution was a serious booster for numerous economic spheres and the world's economy as a whole, the average living standards for most of the factorial workers did not grow up with the necessary speed. In contrary, it was very difficult for many of them to support their needs. As a result, in many families children and teens were forced to work as well, and sometimes even under the same conditions as adults. During the 19th and early 20th centuries, many children aged 5–14 from poorer families still worked in Europe, the United States and various colonies of European powers. These children mainly worked in agriculture, home-based assembly operations, factories, mining and in services such as news boys. Some worked night shifts lasting 12 hours. The problem became more and more urgent, and, consequently, the problem of child labor came into sight of legislators that started to develop special labor laws. Thus, we can see that at this period of time the main goal was to prevent children from being involved into harmful, unjust and illegal labor.

Nowadays, when in many countries of the world childhood is protected by the state and international laws and conventions, another aspect of the youth employment comes into site. This problem now concerns teenagers and youth more than children, as it is connected with the difficulties they face when they have all legal groundings to start working (if they are willing to), but cannot find a suitable job. Initially, this problem appears due to a number of reasons. First, adolescents lack sufficient information about the methods of earnings, career growth, demand occupations, etc. second, the lack of practical knowledge about the process that stems from lack of experience. Third, there is a huge competition among young people who are also desperately looking for a good job. The employer, who sees dozens of young professionals without experience, has no choice but to give preference to the most experienced and proven specialist who will stand out from these people.

As a consequence of these factors, young people face barriers to decent work and especially to first jobs. In addition, in difficult economic times, young people are often the first to be fired, which further complicates their lives and prevents them from consistently building up their skills and experience. Ultimately, many young people face long periods of unemployment or underemployment.

In general, it is quite difficult for young people to start their employment activities, but these problems are gradually eliminated over time. The main difficulty of employment is the lack of work experience.

The importance of the issue of international legal regulation of youth labour is evidenced by the provisions set out in the outcome document of the Vienna meeting, which concluded on 19 January 1989, stating, inter alia, that "States parties recognize the importance of promoting the involvement of young people in professional life. They will continue their efforts to provide the necessary conditions for the education and training of young people and to promote the creation of employment opportunities for young people in various sectors of the economy"

Major Organizations Involved

The United Nations (UN)

An intergovernmental organization that was tasked to maintain international peace and security, develop friendly relations among nations, achieve international co-operation and be a centre for harmonizing the actions of nations.

The International Labour Organization (ILO)

A United Nations agency that sets international labour standards and promotes social protection and work opportunities for all.

The United Nations International Children's Emergency Fund

An international organization operating under the auspices of the United Nations. Firstly created in order to provide food and healthcare to those children who suffered during the WWII, UNICEF now aims at developing practical ways of implementing the rights of children and women.

Relevant Treaties and UN Resolutions

Universal Declaration of Human Rights (1948)

This is one of fundamental and the most important documents aimed at protecting the rights of all people. It was proclaimed by the United Nations General Assembly in Paris on December 10, 1948 as a common standard of achievements for all peoples and all nations. According to the Article 23 of the Declaration, *'everyone has the right to work, to free choice of employment, to just and favorable conditions of work and protection against unemployment'*.

The United Nations Convention on the Rights of the Child (UNCRC)

This document, adopted by the United Nations General Assembly on November 20, 1989, is the basis for all of UNICEF's work and upholds children's rights all over the world. Under this convention, the child is defined as *any human being under the age of eighteen, unless the age of majority is attained earlier under national legislation*.

Speaking about the employment of minors, the UNCRC, calls for *the protection of children from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development*. It also states that the Member States should *provide for a minimum age or minimum ages for admission to employment; appropriate regulation of the hours and conditions of employment; and appropriate penalties or other sanctions to ensure the effective enforcement of the measures described*.

International Covenant on Economic, Social and Cultural Rights

This treaty was adopted by the UN GA on December 16, 1966. It commits its parties to work toward the granting of economic, social, and cultural rights (ESCR) to the Non-Self-Governing and Trust Territories and individuals, including labour rights and the right to health, the right to education, and the right to an adequate standard of living.

Convention № 138 of the International Labour Organization 'On the Minimum Age for Employment' (1973)

This Convention requires ratifying states to pursue a national policy designed to ensure the effective abolition of child labour and to raise progressively the minimum age for admission to employment or work. It is advised that the minimum age for legal employment should not be less than 15 years. However, minimum working age may be set as 13 or 14 under certain conditions, i.e. it should not harm child's health or school work.

The Youth Guarantee

The Youth Guarantee is a commitment by all Member States to ensure that all young people under the age of 25 years receive a good quality offer of

- employment,
- continued education,
- apprenticeship,
- traineeship

within a period of four months of becoming unemployed or leaving formal education.

Previous Attempts to Resolve the Issue

As can be seen from the adopted international documents and historical overview the main aim of the global society was to protect children from illegal and/or harmful employment on international level. Now, when so much is achieved on this path in the international scale, the world should turn to the teenagers and youth, who are seeking for their first job, and fail very often. In different countries the issue is addressed on the state level: specialized regulations are enforced in order to protect the employment rights of minors; special agencies are created in order to provide suitable jobs for teenagers that would comply with all relevant regulations; important steps are taken on the level of high education when universities are cooperating with business in order to find potential employers for graduating students; educational programs in many universities also include one or several semesters of working or studying practice in relevant spheres.

One of the most important actions on an international level was the Youth Guarantee (YG) commitment. According to the European Commission report, this initiative has helped to improve the lives of millions of young Europeans. For example, since 2014, each year more than 3.5 million young people registered in the YG took up an offer of employment, continued education, a traineeship or an apprenticeship. As a result, youth unemployment in the European Union has dropped from a peak of 23.7% in 2013 to 18.7% in 2016, as well as the share of 15-24 year olds not in employment, education or training (NEETs) that has fallen from 13.2% in 2012 to 11.5% in 2016.

Possible Solutions

When developing their proposals on how to deal with the issue under discussion delegates must address their own country's experience in this topic as well as the experience and models implemented in other states. It is important to understand what has already been implemented on a states level, and what is yet to be achieved.

Generally speaking, it is necessary to take into account the development trends of our society, and in particular the younger generation. In this regard, it is necessary to apply new educational technologies, including in relation to the formation of legal culture and legal literacy of minors in the field of labor.

Reliable and Useful Sources:

<https://www.ohchr.org/EN/ProfessionalInterest/Pages/CRC.aspx>

<https://www.ilo.org/global/topics/youth-employment/lang--en/index.htm>

http://vmo.rgub.ru/files/resol_64_134-146-2.pdf

<https://www.ncbi.nlm.nih.gov/books/NBK230173/>

<https://ec.europa.eu/social/main.jsp?catId=1036>

<https://ec.europa.eu/social/main.jsp?catId=1079&langId=en> (the Youth Guarantee)