



Southern China International MUN

Human Rights Council: On measures to strengthen legal protection for immigrants experiencing labor exploitation.

Agenda overseen by: Paul Park

1. Description of the Issue

1.1 History of the Issue

Labor migration has long been a defining feature of the global economy, which was driven by disparities in income, employment opportunity, political stability, and living standards between countries. Throughout history, immigrant labor has been essential to the development of agriculture, construction, manufacturing, domestic work, and service industries in both developed and developing states. However, despite their critical economic contributions, immigrant workers have consistently faced heightened vulnerability to exploitation, discrimination, and abuse within labor markets. These vulnerabilities are often rooted in structural inequalities, weak legal protections, and restrictive migration policies that place immigrants in precarious employment conditions.

Exploitation of labor: The exploitation of labor occurs when workers are made to work in unfair, unsafe, or illegal working conditions. These may include, but are not limited to: unpaid or poorly paid wages, long work hours, dangerous work environment, debt bondage, forced labor, restriction of freedom of movement, seizure of identity documents, and deportation threats. Foreign workers are more prone to exploitation through the use of language difficulties, ignorance of the law in the foreign land, dependence on employers for visas in foreign countries, fear of employer retaliation in foreign countries.

Historically, most national labor protection frameworks were designed to protect citizens; it either excluded or inadequately covered migrant populations. In many states, immigration status has been directly linked with a specific employer through sponsorship or a temporary work visa system. This leads to power imbalances, which employers can utilize by exploiting workers with little accountability. Most drastically, such systems have enabled conditions of modern slavery, particularly in sectors such as domestic labor, agriculture, construction, and manufacturing.

Internationally, the problem of labor exploitation has slowly received recognition in the latter half of the 20th century, coinciding with the intensification of the process of globalization and the increase in international labor migration. However, the establishment in 1919 of the International Labour Organization (ILO) can be seen as the first step in the quest to achieve equal labor standards worldwide, although in the earlier conventions, only nationals were recognized. As time passed, various international agreements were adopted, including the Convention on Forced Labour (No. 29 Convention), the Abolition of Forced Labour

Convention (No. 105 Convention), and the International Convention on the Protection of the Rights of All Migrant Workers, which aimed to specifically target the problem of labor exploitation.

With the rise in global migration of workers during the 21st century, primarily driven by conflict, climate change, and economic uncertainty, the scope of labor exploitation involving immigrants naturally escalated. The most affected group, in this case, includes undocumented immigrants, refugees, asylum seekers, and temporary migrants, who are mostly hired for work in the unorganized or unregulated sector where labor inspections are not easily carried out. The outbreak of the COVID-19 pandemic, for instance, naturally flawed this situation, where immigrants are largely employed in critical yet risky sectors while at the same time not being protected at work.

Current issues that make labor exploitation of immigrants a great concern for human rights issues include economic inequality, management of migration, trafficking, and justice for all. Enhancing protective legal frameworks for these groups is also important not only for ensuring respect for the dignity and rights of migrant worker immigrants but also for ensuring respect for justice and the rule of law at both local and international labor markets.

1.2 Recent Development

Labor exploitation of immigrant populations has become increasingly urgent in recent years, with a growing recognition of the international community's need to take action. Reports from the United Nations, ILO, and numerous non-governmental organizations have documented the continued prevalence of forced labor and other forms of labor abuse in supply chains around the world. In fact, according to the ILO, there were still an estimated millions of migrant workers worldwide caught in abusive employment conditions that generated billions of dollars in illegal profits annually.

Various states have started implementing labor reforms to ensure worker protection as well. These provisions include a guarantee of a minimum wage irrespective of immigration status, improved occupational health and safety, and tougher penalties for labor rights abuses committed by employers. In other nations, “firewalls” have been established to ensure a split within a country’s immigration and worker protection agencies so that immigrant employees can seek help without fear of deportation.

Internationally, there has been a renewed focus on the issues of corporate accountability and the conduct of due diligence. There are laws at the governmental and regional level that mandate monitoring by corporations to end the exploitation of employees. There are also bi-lateral labor agreements being initiated between labor-exporting and labor-importing countries to control recruitment methods and protect employees from deceptive labor contracts and high recruitment costs.

However, some challenges still exist. This is because the enforcement gaps exist because of the labor inspection capacity, a lack of access to legal recourse for immigrants, and the criminalization of undocumented migrants. Conflicts, economic crises, and climate change-induced displacement of affected persons are expected to drive more migrants to look for

employment in the foreign countries under the said dangerous conditions. This has made the need to improve the legal rights of immigrants a challenge.

Key Terms

Labor Exploitation – The unfair illegal treatment of workers for profit, including wage theft, excessive working hours, unsafe conditions, coercion, and forced labor.

Immigrant Workers – Individuals employed in a country of which they are not citizens, including documented, undocumented, temporary, and seasonal workers

Forced Labor – Work extracted under the threat of penalty and for which the workers have not offered themselves voluntarily, as defined by the International Labor Organization.

Human Trafficking – The recruitment, transportation, or harboring of persons through coercion or deception for the purpose of exploitation.

Legal Protection Frameworks – National and international laws, regulations, and enforcement mechanisms designed to safeguard workers' rights.

2. Emphasis of the Discourse

2.1 Stance of Developed Countries

Developed countries, characterized by advanced economies, strong institutional frameworks, and high demand for migrant labor, occupy a central position in discussions surrounding immigrant labor exploitation. These states often rely heavily on immigrant workers to sustain key sectors such as healthcare, agriculture, construction, hospitality, and domestic services. While many developed countries possess comprehensive labor laws, immigrant workers frequently experience unequal access to these protections in practice.

On one hand, developed nations have demonstrated increasing commitment to human rights standards through legislative reforms, labor inspections, and international cooperation. Many support initiatives promoting ethical recruitment, corporate accountability, and worker access to legal remedies. On the other hand, restrictive immigration policies and employer-tied visa systems continue to undermine these protections by deterring workers from reporting abuse.

As a result, developed countries face the dual responsibility of maintaining economic competitiveness while ensuring that immigrant labor is not sustained through exploitative practices. Their role in shaping international norms, funding enforcement mechanisms, and setting precedents for labor protections is critical to global progress on this issue.

2.2 Stance of Developing Countries

Developing countries are often labor-sending states, with large portions of their population seeking employment abroad due to limited domestic opportunities. Remittances from migrant workers represent a significant source of national income for many of these countries, which can complicate their stance on labor exploitation.

While developing states generally advocate for stronger protections for their citizens working overseas, limited diplomatic leverage and economic dependence on labor exportations can constrain their actions. Some have pursued bilateral agreements and pre-departure training programs to better protect workers, while others struggle to regulate recruitment agencies and prevent exploitative practices before migration occurs.

Developing countries also face internal labor exploitation challenges, particularly involving undocumented migrants from neighboring states. Strengthening legal protection frameworks domestically and internationally is therefore essential to balancing economic interests with human rights obligations.

3. Possible Solutions

3.1 In Favor of Developed Countries

Developed countries play a central role in addressing labor exploitation experienced by immigrant workers, as they're often major destination states that rely heavily on migrant labor to sustain key sectors of their economies. As such, one of the most significant measures these countries can take is to strengthen and uniformly enforce labor laws that apply to all workers regardless of nationality or immigration status. Legal frameworks that explicitly guarantee minimum wage protections, maximum working hours, workplace safety standards, and freedom from discrimination are essential, but these protections must be meaningfully accessible to immigrant workers in practice rather than existing solely on paper.

A crucial policy approach involves reforming employer-tied visa and sponsorship systems. In many developed countries, immigrant workers' legal status is directly dependent on a single employer, creating severe power imbalances that discourage workers from reporting abuse. Developed states can address this by allowing workers to change employers without risking deportation, introducing open or sector-based work permits, and providing grace periods for workers who leave abusive employment. Such reforms reduce dependency and increase workers' bargaining power, thereby limiting opportunities for exploitation.

Enforcement mechanisms must also be significantly strengthened. Developed countries generally possess the financial and institutional capacity to expand labor inspection systems, particularly in high-risk sectors such as agriculture, construction, domestic work, hospitality, and manufacturing. Increasing the number of trained labor inspectors, conducting unannounced workplace inspections, and imposing meaningful penalties on employers found guilty of exploitation can act as strong deterrents. Importantly, inspection agencies should be institutionally separated from immigration enforcement bodies to ensure that workers can report abuse without fear of detention or deportation.

Access to justice is another critical component. Developed countries can establish accessible, multilingual reporting mechanisms and provide free or low-cost legal aid to immigrant workers. Specialized labor courts or ombudsperson offices can help ensure timely resolution of complaints. Additionally, providing temporary legal status or protective visas to victims of labor exploitation encourages cooperation with investigations while preventing further victimization.

Corporate accountability represents an increasingly important area of action. Developed countries can implement mandatory human rights due diligence laws requiring companies to monitor labor practices throughout their supply chains, including subcontractors and recruitment agencies. Transparency requirements, reporting obligations, and civil liability

provisions can help ensure that corporations take responsibility for preventing exploitation linked to their operations.

Finally, developed countries can support international cooperation through funding capacity-building initiatives, sharing best practices, and supporting global labor rights institutions such as the ILO. By combining domestic reform with international leadership, developed states can significantly reduce labor exploitation while setting global standards for ethical labor governance.

3.2 In Favor of Developing Countries

Developing countries, many of which are major labor-sending states, also have a critical role in strengthening legal protections for immigrants experiencing labor exploitation. While these states may face financial and institutional limitations, they can adopt targeted measures to protect their citizens abroad and prevent exploitation throughout the migration process. One of the most effective approaches is regulating recruitment practices, as exploitation often begins before migrants even depart their home countries.

Governments can implement strict licensing and oversight mechanisms for recruitment agencies, prohibiting excessive fees, deceptive contracts, and fraudulent job offers. Transparent recruitment systems, standardized employment contracts, and pre-departure verification processes can significantly reduce vulnerability to exploitation. In addition, developing countries can criminalize exploitative recruitment practices and establish complaint mechanisms that allow workers and families to report abuse safely.

Pre-departure education and training programs are another key measure. By providing migrants with information about their labor rights, host-country laws, contract terms, and available support services, governments can empower workers to recognize and respond to exploitative situations. Such programs may also include language training and financial literacy education, which can further reduce dependency on employers.

Diplomatic and consular support is particularly important for protecting migrant workers abroad. Developing countries can strengthen their embassies' labor attaché systems, enabling trained officials to assist workers facing abuse, mediate disputes, and coordinate with host-country authorities. Shelters, emergency hotlines, and legal assistance programs run or supported by embassies can provide immediate protection to exploited workers.

At the bilateral and regional levels, developing countries can negotiate labor agreements with destination states that establish minimum labor standards, wage protections, dispute resolution mechanisms, and joint monitoring systems. While negotiating power may be limited individually, collective regional cooperation can increase leverage and ensure more equitable outcomes for migrant workers.

Developing countries must also address labor exploitation within their own borders, particularly where undocumented migrants or refugees are employed in informal sectors. Strengthening domestic labor laws, extending protections to non-citizens, and improving enforcement capacity contribute to broader regional labor rights norms and prevent a race to the bottom in labor standards.

Finally, long-term solutions require reducing the economic pressures that drive unsafe migration. Investment in domestic job creation, education, and social protection systems can provide alternatives to high-risk migration pathways. While such strategies require sustained effort, they are essential for addressing the structural roots of labor exploitation and ensuring that migration is a choice rather than a necessity.

4. **Keep in Mind the Following**

When researching your country's stance on strengthening legal protection for immigrants experiencing labor exploitation, delegates should consider the following guiding questions:

- How does your country legally define labor exploitation, and do these definitions explicitly apply to immigrant and non-citizen workers
- Are immigrant workers, including undocumented or temporary workers, covered under national labor laws such as minimum wage, workplace safety, and working hour regulations?
- How is immigration status linked to employment in your countries, and does this relationship increase workers' vulnerability to exploitation?
- Does your country separate labor rights enforcement from immigration enforcement, allowing exploited workers to report abuse without fear of detention or deportation?
- What mechanisms exist for immigrant workers to access justice, such as legal aid, labor courts, hotlines, or reporting platforms, and are these mechanisms linguistically and culturally accessible?
- How effective are labor inspection systems in your country, particularly in high-risk sectors that rely heavily on immigrant labor?

5. **Evaluation**

Labor exploitation of immigrants remains a persistent global challenge rooted in legal gaps, power imbalances, and inadequate enforcement. Strengthening legal protection for immigrant workers is essential not only to uphold human rights, but also to ensure fair labor markets and sustainable economic development. Addressing this issue requires coordinated legal reform, international cooperation, and a commitment to protecting human dignity. Delegates are encouraged to engage critically, collaboratively, and creatively in developing solutions to this complex issue.

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