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SLAVERY

CONSULTATIONS CONCERNING THE DESIRABILITY OF A SUPPLEMENTARY CONVENTION ON SLAVERY AND ITS POSSIBLE CONTENTS

The Secretary-General of the United Nations has the honour to communicate to the Economic and Social Council herewith, in connexion with his report on consultations concerning the desirability of a supplementary convention on slavery and its possible contents (E/2540), the following communication, dated 9 April 1954, from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations:

UNITED KINGDOM

Letter dated 9 April 1954, to the Secretary-General of the United Nations from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations

"The Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations presents his compliments to the Secretary-General and, with reference to the U.K. reply dated 25 February 1954 to His Excellency's Note No. SOA.321/05 of the 18 June 1953, which has since been distributed in connection with item 15 (a) of the Seventeenth Session of the Economic and Social Council as document E/2540/Add.1, now has the honour to enclose the draft of a Supplementary Convention on slavery, as promised in paragraph 3 of the reply under reference.

"In so doing the Head of the United Kingdom Delegation wishes to emphasize that the draft Supplementary Convention should be read in conjunction with the comments contained in document E/2540/Add.1, and in particular with paragraphs 2 to 6 of those comments."

DRAFT CONVENTION ON THE ABOLITION OF SLAVERY AND SERVITUDE

The States signatories of the present Convention,

Considering that Article 4 of the Universal Declaration of Human Rights proclaims as one of the aims of the United Nations that no one shall be held in slavery or servitude,

Recognizing that the International Convention with the Object of Securing the Abolition of Slavery and the Slave Trade signed at Geneva on September 25, 1926, represented the widest undertaking upon which agreement could be reached at that time,

Considering that further progress has been made towards elimination of slavery and practices of a similar nature from the world,

Believing that the provisions of the aforementioned Convention of 1926, which remains fully operative and the custody of which by the Secretary-General of the United Nations has been confirmed in a Protocol dated December 7, 1953, can now appropriately be augmented by the conclusion of a supplementary convention,

have agreed as follows:

Article 1

All practicable and necessary measures, including legislation where appropriate, shall be taken to bring about, progressively and as soon as possible, the complete abolition or abandonment of the following institutions and practices, where they still exist.

- (a) debt bondage, i.e. the status or condition arising from a pledge by a debtor of his personal services or those of a third person under his control as a security for a debt where the value of those services rendered is not applied towards the liquidation of the debt and the person pledged has to serve the creditor until the debt is repaid.

- (b) Serfdom, i.e. the servile hereditary tenure of land whereby the tenant is by law, custom and agreement bound to live and labour on land belonging to another person and render some determinate service to his landlord whether for reward or not and is not free to change his status.
- (c) any institution or practice whereby:
 - (i) a woman, without the right to refuse, is given in marriage on payment of a consideration in money or in kind to her parents, guardian, family or clan; or
 - (ii) the husband of a woman, his family or his clan has the right to transfer her in his lifetime to another person for value received; or
 - (iii) the woman on the death of her husband is liable to be inherited by his heir-at-law.
- (d) any institution or practice whereby a child or young person is delivered by either or both his natural parents or his guardian to another person, whether for reward or not, under conditions which permit that person to exploit the child or young person or his or her labour; except that this Article shall not be construed so as to prohibit or hinder bona fide adoptions intended to promote the welfare of children or young persons.

Article 2

- (a) The act of conveying slaves on the high seas or slave raiding shall be deemed to be an act of piracy, and subject to appropriate penalties.
- (b) Public vessels under the control of parties to this Convention shall have the same rights in relation to vessels or persons engaged in such act as they have in relation to vessels and persons engaged in acts of piracy.
- (c) All slaves so captured shall be set at liberty.

Article 3

In a country where the abolition of servile status is not yet complete, any person who mutilates, brands or otherwise marks another person to indicate that status, and any person accessory to such an act, shall be guilty of a criminal offence and liable to punishment.

Article 4

Any person shall be guilty of a criminal offence and liable to punishment who attempts, or is an accessory to an attempt, or takes part in a conspiracy, to enslave another person or to induce another person to give himself, or a person dependent upon him, into slavery or any other form of servitude.

Article 5

With a view to bringing to an end the institutions and practices mentioned in Article 1(c) of this Convention the Contracting Parties undertake to prescribe where appropriate a minimum age of consent in marriage and to encourage the use of facilities whereby the consent of both parties to a marriage may be freely expressed in the presence of a recognized marriage officer who shall register such marriage.

Article 6

The contracting parties undertake to co-operate with each other to give effect to the foregoing provisions, and to communicate to each other through the Secretary-General of the United Nations copies of any laws and regulations enacted to implement the provisions of this Convention.

Article 7

Any State may when signing this Convention or when depositing its instrument of ratification or accession, or when making a notification under Article 10, make a reservation in respect of any particular provision of the Convention to the extent that any law then in force in its territory or territories is not in conformity with the provisions thereof. Reservations of a general character shall not be permitted. Any reservation made under this Article shall contain a brief statement of the law concerned.

Article 8

(1) Any question or dispute concerning the interpretation or application of this Convention which arises between Contracting States both or all of which are parties to the Statute of the International Court of Justice shall be referred to the International Court of Justice, unless in any specific case it is agreed by the parties to have recourse to another mode of settlement.

(2) If the Contracting States between which a dispute has arisen are not parties, or any one of them is not a party, to the Statute of the International Court of Justice, the dispute shall, if the State concerned so desires, be submitted, in accordance with the constitutional rules of each of them, to an arbitral tribunal established in conformity with the Convention for the Pacific Settlement of International Disputes signed at The Hague on October 18, 1907, or to any other arbitral tribunal.

Article 9

This Convention shall be open for signature by any State whether or not a member of the United Nations until (date). It shall be ratified. Ratification shall be effected by the deposit of a formal instrument with the Secretary-General of the United Nations who shall inform each signatory and acceding State.

After (same date) this Convention shall be open to accession by any State whether or not a member of the United Nations. Accession shall be effected by the deposit of a formal instrument with the Secretary-General of the United Nations who shall inform each signatory and acceding State.

Article 10

Any State may at the time of its ratification or accession or at any time thereafter declare by notification addressed to the Secretary-General of the United Nations that the present Convention shall extend to all or any of the territories for whose international relations it is responsible. The Secretary-General shall inform the other signatory and acceding States.

Article 11

(1) Any Contracting State may denounce the present Convention by a written notification addressed by that State to the Secretary-General of the United Nations, who shall notify all other Contracting States of each such notification and the date of the receipt thereof.

(2) The denunciation shall take effect one year after the receipt of the notification by the Secretary-General of the United Nations, and shall operate only as regards the State effecting the denunciation.

(3) Any Contracting State which has made a declaration under Article 10 of this Convention may, at any time thereafter, by notification to the Secretary-General of the United Nations, declare that, one year after the date of the receipt by the Secretary-General of the aforesaid notification, the Convention shall cease to extend to a territory or territories named in the declaration.

Article 12

This Convention shall enter into force on the date on which two States have become parties thereto and thereafter shall enter into force in respect of each State and territory on the date of deposit of the instrument of ratification or accession of that State or notification of extension to that territory.

Article 13

In accordance with paragraph 1 of Article 102 of the Charter of the United Nations and the regulations pursuant thereto adopted by the General Assembly the Secretary-General of the United Nations is authorized to effect registration of the present convention and to publish it as soon as possible after registration.

Article 14

The present Convention, of which the Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited in the Archives of the United Nations Secretariat. The Secretary-General shall prepare a certified copy thereof for communication to States parties to the Convention as well as to all other States Members of the United Nations.

In witness whereof the undersigned, being duly authorized thereto by their respective Governments, have signed the present Convention on the date appearing opposite their respective signatures.

Done in the Headquarters of the United Nations, New York,
this day of 19 .