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COMMISSION ON HUMAN RIGHTS  
Sub-Commission on Prevention of  
Discrimination and Protection  
of Minorities  
Fiftieth session  
Item 6 of the provisional agenda

CONTEMPORARY FORMS OF SLAVERY

Mr. Maxim, Mr. Sang Yung Park, Ms. Warzazi, Mr. Weissbrodt  
and Mr. Yimer: draft resolution

1998/... Report of the Working Group on Contemporary Forms of Slavery

The Sub-Commission on Prevention of Discrimination and Protection of  
Minorities,

Taking note of the report of the Working Group on Contemporary Forms of  
Slavery on its twenty-third session (E/CN.4/Sub.2/1998/14) and in particular  
the recommendations contained in chapter VI,

Deeply concerned at the information it contains relating to the exploitation  
of domestic and migrant workers, slave and child labour, the sexual exploitation of  
children and the exploitation of the prostitution of others, and the illegal  
activities of certain religious and other sects,

Noting that the status of ratification of the Supplementary Convention on the  
Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to  
Slavery of 1956 and the Convention for the Suppression of the Traffic in Persons  
and of the Exploitation of the Prostitution of Others of 1949 is still  
unsatisfactory,

Considering the necessity of promoting the implementation of international norms and standards on trafficking in persons and exploitation of the prostitution of others, and of creating a mechanism for the implementation of the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others,

Acknowledging that the Internet can be a valuable medium of communication, and noting that article 19 of the Universal Declaration of Human Rights identifies the right to freedom of expression as a fundamental human right and that all recommendations must be implemented to protect this right,

1. Expresses its appreciation to the Working Group on Contemporary Forms of Slavery for its valuable work and in particular for its continued attention to the problems submitted to it;

2. Recommends once again that the General Assembly express its solidarity with the victims of contemporary forms of slavery by proclaiming 2 December as the international day for the abolition of slavery in all its forms.

I. TRAFFIC IN PERSONS AND EXPLOITATION OF THE PROSTITUTION OF OTHERS

3. Urges States to address the factors contributing to the traffic in persons and the exploitation of the prostitution of others;

4. Encourages States to enact and revise national laws to ensure adequate protection and assistance to victims and survivors of trafficking and the exploitation of prostitution, to develop and enforce laws and law enforcement strategies that depenalize these victims while penalizing those who exploit them, to provide for a system of civil compensation from their exploiters and to promote the reintegration of the victims and survivors of trafficking and related practices of sexual exploitation through the provision of shelter, counselling, medical care, legal services, education, job training and employment;

5. Also encourages States to review, amend and enforce existing laws, or to enact new laws on trafficking, the exploitation of prostitution, forced labour and slavery-like practices to ensure that prosecution and punishment are appropriate to the seriousness of the crime;

6. Urges States to strengthen the monitoring, prosecution and punishment of police and government officials who are responsible for complicity in trafficking and the exploitation of prostitution, as well as to adopt policies for active monitoring, prosecution and punishment of such activities;

7. Once again invites States to formulate training manuals for law enforcement and medical personnel and judicial officers who handle cases of gender-based violence, taking into account current research and materials on traumatic stress and gender-sensitive counselling techniques, with a view to sensitizing them to the needs of the victims;

8. Encourages States to facilitate, through financial support and other means, the efforts of non-governmental organizations in their work in this field;

9. Also encourages States to collaborate with non-governmental organizations which have expertise in the field to develop national plans of action in accordance with the 1996 Programme of Action for the Prevention of the Traffic in Persons and the Exploitation of the Prostitution of Others (E/CN.4/Sub.2/1995/28/Add.1), to ensure the coordination of laws and implementing agencies relevant to the prevention of trafficking and the exploitation of prostitution and the empowerment of their victims and survivors, and to transmit such plans of action to the Working Group on Contemporary Forms of Slavery for its consideration;

10. Invites the Committee on the Elimination of Discrimination against Women and the Committee on the Rights of the Child to elaborate general recommendations to clarify State reporting procedures with regard to the traffic in persons and related practices of sexual exploitation;

11. Decides to follow closely the work being done on the proposed optional protocol to the Convention on the Elimination of All Forms of Discrimination against Women and the proposed optional protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography;

12. Invites States, United Nations bodies, specialized agencies and intergovernmental, regional and non-governmental organizations to provide information to the Working Group at its twenty-fourth session on aspects of trafficking and the exploitation of the prostitution of others, as well as the measures taken or necessary to implement the 1996 Programme of Action;

13. Expresses its appreciation to the Special Rapporteur on the sale of children, child prostitution and child pornography for her role in making the sexual exploitation of children a matter of national and international concern and priority;

14. Invites the Special Rapporteur on the sale of children, child prostitution and child pornography to continue to address, within her mandate, the problem of trafficking and related practices of exploitation and to recommend specific measures to strengthen the regime against the traffic in persons and the exploitation of the prostitution of others;

15. Invites the Special Rapporteur on violence against women to follow up her investigation on the traffic in women and girls and related sexual exploitation as reflected in her report to the Commission on Human Rights at its fifty-third session (E/CN.4/1998/54 and Add.1) and to conduct studies and engage in a consultative process with Governments, non-governmental organizations and other interested persons on issues such as: (a) an assessment of the global sex industry and measures to identify and penalize the perpetrators of the global sex trade; (b) the legal status of prostitution and the decriminalization of the victims of trafficking and the exploitation of prostitution; (c) international standards regarding the prevention of trafficking and related practices of sexual exploitation and the protection of its victims; (d) the rights of victims and survivors of trafficking and the exploitation of prostitution, including the right to compensation from their exploiters; and (e) the responsibility of the customer in creating a demand for trafficking and the exploitation of the prostitution of others;

16. Decides that the Working Group on Contemporary Forms of Slavery should examine during its twenty-fourth session, in 1999, as a matter of priority and with the active participation of non-governmental organizations, the issue of the traffic in persons and the exploitation of the prostitution of others;

17. Invites the Special Rapporteur on violence against women and the Special Rapporteur on the sale of children, child prostitution and child pornography to make their contribution to the debate on the traffic in persons and the exploitation of the prostitution of others;

18. Encourages all interested States, United Nations bodies, specialized agencies, international, regional and non-governmental organizations and interested persons to participate actively in the debate;

19. Welcomes the initiative of non-governmental organizations to organize, without financial implications for the United Nations, a seminar on the issue of the traffic in persons and the exploitation of the prostitution of others, to take place immediately prior to the debate on the issue during the twenty-fourth session of the Working Group, in 1999.

II. PREVENTION OF THE TRANS-BORDER TRAFFIC IN WOMEN AND GIRLS FOR SEXUAL EXPLOITATION

20. Declares that trans-border trafficking of women and girls for sexual exploitation is a contemporary form of slavery and constitutes a serious violation of human rights;

21. Recommends that States take immediately effective measures to suppress the trans-border traffic of women and girls for sexual exploitation by rigorously applying relevant provisions of applicable treaties and conventions, customary international law and national legislation;

22. Urges States to review and amend existing laws, or to enact new laws to arrest, prosecute and punish the perpetrators of the trans-border traffic of women and girls for sexual exploitation;

23. Requests States to take appropriate legislative, administrative and judicial measures to extend full protection to the victims of trans-border trafficking of women and girls for sexual exploitation, regardless of their nationality, national origin, citizenship, or their legal status as aliens through measures such as depenalizing the victims and providing them with adequate shelter, food, clothing, medical care, counselling, legal services, education, job training and employment;

24. Also requests States to cooperate, bilaterally and multilaterally, to monitor and regulate effectively trans-border trafficking of women and girls for sexual exploitation;

25. Recommends that the Special Rapporteur on the sale of children, child prostitution and child pornography and the Special Rapporteur on violence against women address, within their respective mandates, the problem of the trans-border traffic of women and girls for sexual exploitation and make recommendations to prevent and eradicate this problem;

26. Calls upon States, United Nations bodies, specialized agencies and international, regional and non-governmental organizations to cooperate in monitoring the problem of the trans-border traffic in women and girls for

sexual exploitation and in identifying areas for immediate action, particularly with regard to the protection and empowerment of its victims.

III. THE ROLE OF CORRUPTION IN THE PERPETUATION OF SLAVERY AND SLAVERY-LIKE PRACTICES

27. Urges all States to take adequate steps to monitor and enforce laws, particularly as they relate to slavery, slavery-like practices and corruption, including trafficking in women and children;

28. Urges States to examine and analyse the causes and the consequences of corruption and to take steps to eradicate the root causes;

29. Encourages existing international arrangements which aim to improve the training and professionalism of law enforcement personnel as well as their respect for human rights;

30. Decides to consider further and in depth the extent and severity of corruption and the relationship of corruption to slavery and slavery-like practices.

IV. MISUSE OF THE INTERNET FOR THE PURPOSE OF SEXUAL EXPLOITATION

31. Recommends that Governments, as a matter of priority, review, amend and enforce existing laws, or enact new laws to prevent the misuse of the Internet for trafficking, prostitution and the sexual exploitation of women and children;

32. Recommends that Governments and non-governmental organizations undertake further investigation of the misuse of the Internet for the purpose of promoting and/or carrying out trafficking, prostitution and the sexual exploitation of women and children;

33. Urges Governments to act more forcefully to eliminate the traffic in persons, the exploitation of the prostitution of others and sexual exploitation on the Internet;

34. Recommends that Governments and non-governmental organizations develop and implement educational programmes and policies and laws addressing the use of the Internet for the purpose of engaging in sexual exploitation;

35. Recommends that Governments investigate and use as evidence of crimes and acts of discrimination advertising, correspondence and other communications over the Internet to promote sex trafficking, the exploitation of prostitution, sex tourism, bride trafficking and rape;

36. Calls for new levels of cooperation among Governments and national and regional law enforcement bodies in order to combat the escalating

trafficking and prostitution of women and children, the globalization of this industry, and the misuse of the Internet to promote and carry out acts of sex trafficking, sex tourism, sexual violence and sexual exploitation.

#### V. IMPLEMENTATION OF THE CONVENTIONS ON SLAVERY

37. Recognizes the particular problem raised by the implementation of the provisions of these instruments for both States parties and the United Nations human rights mechanisms, as well as the limited progress made so far;

38. Calls upon Governments to recognize and accept national non-governmental organizations as privileged partners in cooperation for the purpose of identifying solutions aimed at eradicating all forms of slavery and slavery-like practices.

#### VI. CHILD DOMESTIC WORKERS

39. Expresses its appreciation to the International Labour Organization for hosting the non-governmental round-table discussion on "Invisible child labour: girls and domestic workers" during the 1998 International Labour Conference;

40. Urges States, while attempting ultimately to eliminate the phenomenon of child domestic labour, to adopt and enforce measures and regulations to protect child domestic workers and to ensure that their labour is not exploited;

41. Recommends that the International Labour Organization continue to focus on the issue of child domestic workers and that the subject of child domestic work be more explicitly addressed in the future convention on intolerable forms of child labour;

42. Also recommends that the International Labour Organization establish additional country programmes within its International Programme on the Elimination of Child Labour;

43. Expresses its deep appreciation to the Governments which have generously contributed to the International Programme on the Elimination of Child Labour and calls upon all Governments to make additional contributions to the Programme.

#### VII. CHILD LABOUR - A GENDER PERSPECTIVE

44. Welcomes the proposal for new international labour standards on intolerable forms of child labour;

45. Urges the International Labour Organization, when defining intolerable forms of child labour as part of the new labour standards it is preparing, to consider the situation of girls doing domestic work;

46. Calls upon States to eliminate all discrimination against girls in education, skills development and training;

47. Requests States to enforce laws and regulations which ensure that no girl of primary-school age is employed as a domestic;

48. Invites the international community to cooperate in developing viable alternatives to child labour, in particular for young girls.

#### VIII. DEBT BONDAGE AND BONDED LABOUR

49. Notes with satisfaction that some countries have taken action to end debt bondage, the rehabilitation programmes of the Government of India and the special investigative team authorized by the Government of Brazil being good examples;

50. Urges States to enact specific legislation to define the offence of debt bondage and to provide for the punishment of those responsible and for the rehabilitation of the victims;

51. Urges States to support rehabilitation of the victims of debt bondage through economic, social and educational programmes;

52. Recommends that the countries in which debt bondage occurs be invited to attend the Working Group on Contemporary Forms of Slavery in order to facilitate dialogue and the consideration of best practice;

53. Invites the International Labour Organization, the World Bank, the International Monetary Fund, the World Trade Organization and other international bodies to consider debt bondage when they establish their policies;

54. Recommends that Governments cooperate with trade unions and employers' organizations at the national level to address the problem of bonded labour and that trade unions and employers' organizations at the local, national and international levels utilize the existing structures of the International Labour Organization dealing with violations of the relevant conventions concerning forced labour, and encourages concerned non-governmental organizations to strengthen their activities for disseminating information and advising trade unions in this regard;

55. Invites international bodies to investigate the role of micro-credit as a mechanism for the eradication of debt bondage;



56. Expresses its deep appreciation to the States and non-governmental organizations which have developed and generously contributed to programmes supporting the economic and social rehabilitation of bonded labourers.

IX. PROGRAMME OF ACTION FOR THE PREVENTION OF THE SALE OF CHILDREN,  
CHILD PROSTITUTION AND CHILD PORNOGRAPHY

57. Expresses its concern at the persistence and growth of the sale of children, child prostitution and child pornography, and its belief that these phenomena must be combated;

58. Requests the Secretary-General to invite all States to inform the Working Group on Contemporary Forms of Slavery of measures adopted to implement the Programme of Action for the Prevention of the Sale of Children, Child Prostitution and Child Pornography and to report thereon to the Commission on Human Rights at its fifty-sixth session and to the Sub-Commission on Prevention of Discrimination and Protection of Minorities at its fifty-second session.

X. MISCELLANEOUS

59. Requests the Secretary-General to seek the views and suggestions of member States and of intergovernmental and non-governmental organizations on proposals for future action of the Working Group on Contemporary Forms of Slavery with a view to their replies being considered at forthcoming sessions of the Working Group;

60. Appeals to all Governments to send observers to the meetings of the Working Group;

61. Encourages youth organizations and young persons from various non-governmental organizations to participate in the meetings of the Working Group;

62. Recommends that the Human Rights Committee, the Committee on Economic, Social and Cultural Rights, the Committee on the Elimination of Discrimination against Women and the Committee on the Rights of the Child, when examining the periodic reports of States parties, give particular attention to the implementation of, respectively, articles 8 and 24 of the International Covenant on Civil and Political Rights, articles 10, 12 and 13 of the International Covenant on Economic, Social and Cultural Rights, article 6 of the Convention on the Elimination of All Forms of Discrimination

against Women and articles 32, 34 and 36 of the Convention on the Rights of the Child, and include in their guidelines an item concerning contemporary forms of slavery;

63. Recommends that the supervisory bodies of the International Labour Organization and the Committee on Conventions and Recommendations of the United Nations Educational, Scientific and Cultural Organization give particular attention in their work to the implementation of provisions and standards designed to ensure protection of children and other persons exposed to contemporary forms of slavery, such as the sale of children, child prostitution and child pornography, the exploitation of child labour, bonded labour and the traffic in persons;

64. Requests the Secretary-General to transmit to the committees mentioned above, the special rapporteurs concerned and the Working Group on Enforced or Involuntary Disappearances the recommendations of relevance to them and the report of the Working Group on Contemporary Forms of Slavery;

65. Welcomes the adoption by the Commission on Human Rights of resolution 1996/61 of 23 April 1996, in which the Commission requested the Secretary-General to give effect to his decision to reassign to the Working Group a Professional staff member of the Office of the United Nations High Commissioner for Human Rights, as was the case in the past, to work on a permanent basis to ensure continuity and close coordination within and outside the Office on issues relating to contemporary forms of slavery;

66. Again requests the Secretary-General to designate the Office of the United Nations High Commissioner for Human Rights as the focal point for the coordination of activities and the dissemination of information within the United Nations system on the suppression of contemporary forms of slavery;

67. Recalls that the Economic and Social Council, in its resolution 1993/48 of 28 July 1993, approved the endorsement by the Commission on Human Rights of the recommendation made by the Sub-Commission on Prevention of Discrimination and Protection of Minorities, in its resolution 1992/2 of 14 August 1992, that the arrangements regarding the organization of the sessions of the Working Group, as contained in Commission decision 1992/115 of 3 March 1992, be repeated in subsequent years;

68. Decides to make provision in its agenda for adequate discussion near the commencement of each session of the reports of the Working Group, thereby strengthening its involvement in the activities of the Working Group.

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