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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Written statement* submitted by Community Human Rights and Advocacy Centre (CHRAC), a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[17 August 2024]

* Issued as received, in the language of submission only.



Statement on Contemporary Forms of Slavery

Understanding Modern-Day Slavery

Modern-day slavery is a grave violation of human rights that encompasses a range of exploitative practices including human trafficking, forced labor, debt bondage, and sexual exploitation. It is a phenomenon that transcends borders, affects millions of individuals worldwide, and is often rooted in poverty, discrimination, and social injustice. According to the International Labour Organization (ILO), an estimated 40.3 million people are trapped in modern slavery globally, with a significant number being women and children.

Modern slavery is characterized by the absence of freedom and the inability of individuals to make choices regarding their lives. Victims are often coerced through violence, threats, deception, or abuse of power. This exploitation can take many forms, including forced labor in agriculture, construction, and domestic work, as well as sexual exploitation in the context of human trafficking.

Modern Day Slavery in India

India, with its vast population and socio-economic disparities, is a critical focal point in the fight against modern slavery. The country is home to a large number of individuals who fall victim to various forms of exploitation. According to the Global Slavery Index, India has the highest number of people living in modern slavery, with millions subjected to forced labor and human trafficking.

The factors contributing to modern slavery in India include poverty, lack of education, and systemic discrimination based on caste, gender, and ethnicity. Vulnerable populations, including women and children, are particularly at risk. For instance, women from marginalized communities often face economic hardships that make them susceptible to trafficking and exploitation.

The Situation in Indian Administered Jammu and Kashmir

The situation in Indian Administered Jammu and Kashmir has raised significant concerns regarding human rights and the potential for modern slavery. Following the abrogation of Article 370 and Article 35A in August 2019, which granted special status to Indian Administered Jammu and Kashmir, there was a notable increase in military presence and a clampdown on civil liberties. Reports indicate that nearly 10,000 women from the region went missing during this period, raising alarms about the potential trafficking and exploitation of these individuals.

Human rights organizations, including Amnesty International and Human Rights Watch, have documented cases of enforced disappearances and arbitrary detentions in Indian Administered Jammu and Kashmir. The alleged trafficking of young women for sexual exploitation and forced labor is particularly alarming. These women, often from vulnerable backgrounds, may have been coerced or deceived into situations where they are exploited for sexual purposes or forced into labor.

International Law and Regulations

Modern slavery is addressed under various international legal frameworks. The United Nations (UN) has established several conventions aimed at combating human trafficking and slavery. The most relevant include:

1. The Universal Declaration of Human Rights (1948) - This foundational document asserts that all individuals are entitled to fundamental rights and freedoms, including the right to freedom from slavery.

2. The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) - This treaty emphasizes the need to eliminate discrimination against women, particularly in contexts where they may be vulnerable to trafficking and exploitation.
3. The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (2000) - This protocol supplements the United Nations Convention against Transnational Organized Crime and aims to combat human trafficking through international cooperation and effective measures.
4. The International Labour Organization's (ILO) Forced Labour Convention (1930) - This convention obligates member states to suppress forced or compulsory labor in all its forms.

These international legal instruments establish a framework for the protection of individuals from modern slavery and trafficking. Countries are urged to implement domestic laws that align with these international standards.

Domestic Law and Conventions in India

India has enacted several laws to combat human trafficking and modern slavery. Key legislation includes:

1. The Immoral Traffic (Prevention) Act, 1956 - This act aims to combat trafficking for commercial sexual exploitation and provides for the rescue and rehabilitation of victims.
2. The Protection of Children from Sexual Offences (POCSO) Act, 2012 - This law provides stringent penalties for offenses against children, including trafficking for sexual purposes.
3. The Bonded Labour System (Abolition) Act, 1976 - This act abolishes bonded labor and provides for the rehabilitation of bonded laborers.
4. The Trafficking of Persons (Prevention, Protection and Rehabilitation) Bill, 2021 - This proposed legislation aims to address trafficking comprehensively, focusing on prevention, protection, and rehabilitation of victims.

Despite these laws, implementation remains a significant challenge. Corruption, lack of awareness, and insufficient resources hinder effective enforcement. Moreover, societal stigma often prevents victims from seeking help or reporting their exploitation.

Conclusion

The issue of modern day slavery, particularly in the context of Indian Administered Jammu and Kashmir, demands urgent attention from both national and international communities. The alarming reports of missing women and the potential for trafficking highlight the need for comprehensive measures to protect vulnerable populations.

Governments must not only strengthen legal frameworks but also ensure effective enforcement of existing laws. Awareness campaigns, community engagement, and support services for victims are crucial in combating modern slavery.

International cooperation is also essential. Countries must work together to share intelligence, strengthen border controls, and support victim rehabilitation efforts. The global community must remain vigilant and proactive in addressing the root causes of modern slavery, ensuring that individuals are empowered to escape the cycle of exploitation.

As we confront the realities of modern day slavery, we must reaffirm our commitment to human dignity and the protection of the most vulnerable among us. The fight against modern slavery is not merely a legal obligation; it is a moral imperative that requires collective action and unwavering resolve.
