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COMMISSION ON HUMAN RIGHTS  
Sub-Commission on the Promotion  
and Protection of Human Rights  
Fifty-third session  
Agenda item 6 (b)

**OTHER HUMAN RIGHTS ISSUES: CONTEMPORARY FORMS OF SLAVERY**

**Mr. Bengoa, Mr. Eide, Mr. Fan, Mr. Goonesekere, Mr. Guissé, Ms. Hampson,  
Mr. van Hoof, Mr. Ogurtsov, Mr. Oloka-Onyango, Mr. Park, Mr. Preware  
and Ms. Warzazi: draft resolution**

**2001/... Report of the Working Group on Contemporary Forms of Slavery**

*The Sub-Commission on the Promotion and Protection of Human Rights,*

*Taking note* of the report of the Working Group on Contemporary Forms of Slavery on its twenty-sixth session (E/CN.4/Sub.2/2001/30) and in particular the recommendations contained in chapter VII,

*Deeply concerned* at the information it contains relating to the traffic in persons, the exploitation of the prostitution of others, the exploitation of domestic and migrant workers, slave and child labour, the sexual exploitation of children, the abusive use of the Internet for the purpose of sexual exploitation, the sale of children, child prostitution and child pornography and the role of corruption in the perpetuation of slavery and related practices,

*Noting* that poverty, ignorance and discrimination in all its forms are the main causes of contemporary forms of slavery,

*Noting also* 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,

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. *Welcomes* the priority attention devoted by the Working Group to the issue of traffic in persons at its twenty-sixth session;

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

3. *Urges* States to ensure that their policies and laws do not legitimize prostitution as victims' choice of work;

4. *Calls upon* Governments to provide protection and assistance to victims that is based on humanitarian considerations and is not contingent on their cooperation with the prosecution of their exploiters, as articulated in articles 6, 7 and 8 of the Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime;

5. *Expresses its conviction* that the adoption of a resolution by the General Assembly on the elaboration of an additional protocol to the three conventions on slavery and slavery-like practices would strengthen the effectiveness of these conventions through the establishment of an efficient monitoring mechanism;

6. *Recommends* the creation of special observatories at the national and regional levels to gather information from non-governmental organizations and individuals with relevant expertise in order to further the goals of the Programme of Action for the Prevention of the Traffic in Persons and the Exploitation of the Prostitution of Others;

7. *Urges* Governments which have not yet done so to ratify the 1949 Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others, International Labour Organization Convention (No. 182) concerning the Prohibition of and Immediate Action for the Worst Forms of Child Labour and the Convention on the Elimination of All Forms of Discrimination against Women;

8. *Invites* States, United Nations bodies, specialized agencies and intergovernmental, regional and non-governmental organizations to provide information to the Working Group at its twenty-seventh 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;

9. *Calls upon* United Nations human rights bodies to focus on situations of human rights violations related to trafficking in persons and victims of prostitution, in accordance with the 1949 Convention on the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others;

10. *Invites* the Committee on the Elimination of Discrimination against Women, the Committee on the Rights of the Child and the Human Rights Committee to elaborate general recommendations in order to clarify reporting procedures with regard to victims of trafficking, in particular for purposes of prostitution and exploitation of the prostitution of others, as provided in the 1949 Convention;

11. *Recommends* that the issue of trafficking in persons, prostitution and related practices of sexual exploitation be considered during the preparatory process of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance and at the World Conference itself, which will be held in South Africa from 31 August to 7 September 2001, and makes strong recommendations to Governments to prevent and sanction such violations, as well as to provide services, support and restitution to victims;

## **II. PREVENTION OF THE TRANSBORDER TRAFFIC IN CHILDREN IN ALL ITS FORMS**

12. *Invites* States to ratify existing international human rights and labour standards, if they have not already done so, and to ratify in a timely manner International Labour Organization Convention (No. 182) concerning the Prohibition of an Immediate Action for the Elimination of the Worst Forms of Child Labour;

13. *Calls upon* States to set action against trafficking within a human rights framework, so that the victims of child trafficking are fully protected and not treated as illegal immigrants;

14. *Encourages* cooperation among concerned States, as well as with international agencies, and international and national non-governmental organizations, in research and data collection on child trafficking and in the design and implementation of programmes of action to eliminate the practice of child trafficking;

15. *Also encourages* strengthened cooperation between national and international law enforcement agencies, in particular the International Criminal Police Organization (INTERPOL), responsible for detecting and intercepting child traffickers, as well as tracing the families of the trafficked children;

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

16. *Urges once again* 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 and exploitation of the prostitution of women and children;

17. *Encourages* States to take measures aimed at improving the training and professionalism of law enforcement personnel, as well as their respect for human rights;

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

18. *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 for the purpose of prostitution and the sexual exploitation of women and children;

19. *Urges* Governments to act more forcefully to eliminate traffic in persons, exploitation of the prostitution of others and sexual exploitation through the Internet, and to consider setting up a mechanism aimed at better control of the Internet when abused for those purposes;

20. *Recommends* that Governments and non-governmental organizations develop and implement educational programmes on the harm caused by trafficking for the purpose of prostitution and sexual exploitation on the mental and physical well-being of women and children;

21. *Requests* Governments to 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;

22. *Calls* for new levels of cooperation among Governments and national and regional law enforcement bodies in order to combat the escalating trafficking for the purpose of prostitution of women and children, the globalization of this industry and the misuse of the Internet to promote and carry out acts of trafficking for the purpose of sexual exploitation, sex tourism, sexual violence and sexual exploitation;

#### **V. MIGRANT WORKERS AND DOMESTIC MIGRANT WORKERS**

23. *Urges* States to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families;

24. *Also urges* States to take the necessary measures to prohibit and punish the confiscation of passports belonging to migrant workers, in particular, migrant domestic workers;

25. *Recommends* that non-governmental organizations pay attention to the grave problems affecting migrant workers and provide the Working Group with information in this regard;

26. *Decides* to continue consideration of this issue at its next session;

#### **VI. ERADICATION OF BONDED LABOUR AND ELIMINATION OF CHILD LABOUR**

27. *Urges* States which have not yet done so to introduce comprehensive legislation to prohibit bonded labour in all its forms, as a matter of urgency, including provisions for the punishment of any future employers of bonded labourers, measures for compensation of those subjected to bonded labour and debt bondage and rehabilitation assistance, including at a minimum and where applicable, the grant of enough land to sustain a single family throughout the year and legal provisions to protect their ownership and occupation of such land;

28. *Strongly recommends* that States which have adopted laws against debt bondage or bonded labour and in which cases of debt bondage continue to be reported ensure the effectiveness of the rule of law and fully apply legal and judicial procedures ensuring the prosecution and punishment of those involved in reducing men, women or children to bondage;

29. *Considers* it necessary that the implementation of national programmes of action to prevent the recurrence of bonded labour, including measures to end discrimination, ensure progressive land reform and enforce national minimum wage;

30. *Urges* concerned Governments to carry out independent and comprehensive surveys at the local level to identify the number and location of people held in debt bondage; these surveys should provide a statistical breakdown of the number of men, women and children in bonded labour, and also of their membership of any minority group;

31. *Invites* the International Labour Organization, together with other competent United Nations organs and specialized agencies, to consider the possibility of holding a seminar or a workshop to determine the best practices for the eradication of debt bondage and, in particular, to assess what forms of international support are most appropriate for community mobilization and to enable bonded labourers to make use of their right to freedom of association, and what techniques have proved most effective in facilitating the rehabilitation and reintegration of victims of debt bondage;

32. *Recommends* that all competent United Nations organs, specialized agencies, development banks and intergovernmental agencies involved in development initiatives take action to contribute to the elimination of debt bondage, in particular by the provision of alternative sources of credit to bonded labourers;

33. *Recommends once again* 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;

34. *Urges* all States, while attempting ultimately to eliminate child labour, to adopt measures and regulations to protect child labourers, to ensure that they are not exploited and to prohibit their labour in hazardous occupations, in accordance with the provisions of International Labour Organization Convention No. 182, unless national legislation provides more protective standards;

35. *Also urges* States, while attempting ultimately to eliminate child labour and child domestic labour by, *inter alia*, enacting and implementing laws on compulsory and free primary education, to adopt and enforce measures and regulations to eliminate all discrimination against girls in education, skills development and training, to protect child workers, in particular child domestic workers, and to ensure that they are not exploited;

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

37. *Requests* the Secretary-General to invite all States to inform the Working Group of measures adopted to implement the Programme of Action for the Elimination of the Exploitation of Child Labour, and report thereon to the Sub-Commission and the Commission on Human Rights at their next sessions;

#### **VII. SALE OF CHILDREN, CHILD PROSTITUTION AND CHILD PORNOGRAPHY**

38. *Requests* the Secretary-General to invite all States to continue to inform the Working Group of measures adopted to implement the Programme of Action for the Prevention of the Sale of Children, Child Prostitution and Child Pornography;

39. *Decides*, in the context of the commemoration of the tenth anniversary of the adoption of the Programme of Action, to request a non-governmental organization to prepare and submit to the Working Group at its twenty-seventh session (2002) an assessment of the implementation of the Programme of Action;

40. *Requests* the Special Rapporteur, within the framework of his mandate, to continue to pay attention to issues relating to the traffic in children, such as organ transplantation, disappearances, the purchase and sale of children, adoption for commercial purposes or exploitation, child prostitution and child pornography, and invites the Special Rapporteur to participate in the twenty-seventh session of the Working Group, in view of the importance of his contribution to its deliberations;

41. *Invites* States to consider the establishment of a voluntary fund aimed at assisting the Committee on the Rights of the Child in strengthening implementation of the Optional Protocol, in harmony with provisions of the Convention on the Rights of the Child;

42. *Requests* the Working Group to examine, as a matter of priority at its twenty-seventh session in 2002, the issue of the exploitation of children, particularly in the context of prostitution and domestic servitude;

## VIII. MISCELLANEOUS

43. *Welcomes* the decision of the Working Group to consider as a matter of priority at its twenty-eighth session (2003) the issue of contemporary forms of slavery related to and generated by discrimination, in particular gender discrimination, focusing attention on abuses against women and girls, such as forced marriages, early marriages and sale of wives;

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

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

46. *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 general comments and recommendations an item concerning contemporary forms of slavery;

47. *Also 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;

48. *Requests once again* 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;



49. *Also requests* the Secretary-General to give effect to his decision to reassign to the Working Group a Professional staff member of the Office of the 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, in accordance with Commission on Human Rights resolutions 1996/61 and 1999/46;

50. *Requests* the non-governmental organizations to disseminate information about the work of the Working Group as widely as possible;

51. *Recognizes* the advantages of continuity in the membership of the Working Group, while acknowledging that the designation of any member to any working group of the Sub-Commission is the responsibility of the regional groups of the Sub-Commission;

52. *Decides* to make provision for adequate discussion of the report of the Working Group near the beginning of each session, thereby strengthening its involvement in the activities of the Working Group.

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