



**Economic and Social
Council**

Distr.
GENERAL

E/CN.4/Sub.2/AC.2/2006/1/Add.1
21 June 2006

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS

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

Working Group on Contemporary
Forms of Slavery

Thirty-first session

24-28 July 2006

ANNOTATIONS TO THE PROVISIONAL AGENDA

**Prepared by the Secretary-General pursuant to paragraph 13 of
resolution 1988/31 of the Sub-Commission**

1. Election of officers and adoption of the agenda

1. Rule 23 of the rules of procedure of the functional commissions of the Economic and Social Council provides that, unless the Commission decides otherwise, its subsidiary organs shall elect their own officers.
2. Rule 7 of the rules of procedure provides that the agenda shall be adopted at the beginning of each session, after the election of officers, on the basis of the provisional agenda. The provisional agenda for the present session of the Working Group on Contemporary Forms of Slavery is contained in document E/CN.4/Sub.2/AC.2/2006/1.

* Pursuant to General Assembly resolution 60/251, all mandates, mechanisms, functions and responsibilities of the Commission on Human Rights will be assumed as of 19 June 2006 by the Human Rights Council, which will review them as appropriate.

2. Activities of the United Nations Voluntary Trust Fund on Contemporary Forms of Slavery

3. The United Nations Voluntary Trust Fund on Contemporary Forms of Slavery was established pursuant to General Assembly resolution 46/122 of 17 December 1991. Its purpose is to assist representatives of non-governmental organizations from different regions dealing with issues of contemporary forms of slavery to participate in the deliberations of the Working Group on Contemporary Forms of Slavery by providing them with financial assistance as well as to extend, through established channels of assistance, humanitarian, legal and financial aid to individuals whose human rights have been severely violated as a result of contemporary forms of slavery. The Fund is administered in accordance with the financial regulations of the United Nations by the Secretary-General, with the advice of a Board of Trustees. The Fund can receive voluntary contributions from Governments, non-governmental organizations and other private or public entities.

4. The Board of Trustees held its eleventh session from 30 January to 3 February 2006. During the session it examined information prepared by the secretariat concerning the financial situation of the Fund, fundraising efforts, applications for new travel and project grants, the implementation of recommendations adopted at its tenth session, the implementation of the recommendations approved from 2001 to 2005, including project and travel grants, and the development of policies for future grant activities. The Board of Trustees recommended 12 travel grants and 47 project grants.

5. At its present session, the Working Group will have before it the report of the Secretary-General to the Working Group, which contains information on the activities of the Trust Fund (E/CN.4/2006/76).

3. Priority theme: Human rights dimension of prostitution - legalization/criminalization and exploitation of prostitution

6. At its thirtieth session, the Working Group decided to select as its thematic focus for its thirty-first session the human rights dimensions of prostitution. In its resolution 2005/29, the Sub-Commission on the Promotion and Protection of Human Rights noted this decision.

7. At its present session, the Working Group will have before it the report of the Secretary-General which contains a review of developments in the field of contemporary forms of slavery (E/CN.4/Sub.2/AC.2/2006/4) and a working paper outlining the feasibility of a study on the human rights dimension of prostitution (E/CN.4/Sub.2/2006/24).

4. Review of the implementation of human rights standards on contemporary forms of slavery

(a) Status of the conventions on slavery and other related instruments; analysis of national policies

8. The Commission on Human Rights, in its resolution 1994/25, and the Sub-Commission, in its resolution 1993/5, requested the Secretary-General to invite States parties to the Slavery Convention of 1926, 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 to submit to the Sub-Commission regular reports on the situation in their countries, as provided for under the conventions and in Economic and Social Council decision 16 (LVI) of 17 May 1974.

9. Information relating to the status of ratification of the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery and of the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others is contained in two notes by the Secretary-General (E/CN.4/Sub.2/AC.2/2006/2 and E/CN.4/Sub.2/AC.2/2006/3, respectively).

(b) Economic exploitation

(i) Forced and bonded labour

10. Sub-Commission resolutions relevant to bonded labour are 6 B (XXXI) of 13 September 1978; 8 (XXXIII) of 10 September 1980; 1982/15; 1985/25; 1988/31 and 1990/30.

11. By resolution 1993/5, the Sub-Commission decided to keep the question of debt bondage under consideration to assess the progress achieved, with a view to achieve eradication of this practice.

12. At each of its sessions, the Working Group has reaffirmed that forced labour is a contemporary form of slavery, expressed its concern at allegations that this practice has not yet been eliminated, and decided to continue to give consideration to this item at its next sessions.

13. As a follow-up to the special discussion held with the International Labour Organization at its twenty-ninth session, the Working Group again held a discussion with representatives of ILO and decided to further discuss the issue at its next session.

(ii) Rights of migrant workers including domestic workers

14. In its resolution 2005/47, stressing the importance of promoting and protecting human rights of migrant workers recognized in the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the Commission on Human Rights encouraged States to consider negotiating bilateral and regional agreements on migrant workers and requests that related violations of labour law be effectively prosecuted.

15. The report of the Special Rapporteur on the human rights of migrants submitted pursuant to this resolution (E/CN.4/2006/73) refers to the fact that the reluctance to recognize the demand for the labour of migrant workers is one of the main factors that leads to irregular migration, a situation at the core of much of the abuse and numerous human rights violations suffered by migrants. In addition, he refers to the practice of subcontracting migrant labour which can also be a gateway for the impunity for abuse and violations against migrant workers.

16. In its resolution 60/139 on violence against women migrant workers, the General Assembly recognized the increasing feminization of migration and noted that women migrant workers are more vulnerable to abuse and exploitation.

(c) Trafficking in persons

17. Relevant Sub-Commission resolutions regarding this issue are 6 B (XXXI) of 13 September 1978; 1987/31; 1988/31; 1990/30; 1991/115 and 1992/3.

18. Relevant Economic and Social Council resolutions relating to this item are 1980/4; 1981/40; 1982/20; 1983/30; 1989/74; 1990/46; 1991/35; 1992/10 and 1993/48.

19. The Working Group devoted priority attention to the issue of trafficking in women and girls, and of trafficking in persons at its twenty-fourth (1999) and twenty-sixth (2001) sessions. An NGO seminar was held prior to the twenty-fourth session which submitted recommendations to the Working Group. The Working Group decided to continue the examination of the issue at its next session.

20. Pursuant to the Commission on Human Rights, especially in women and children, decision 2004/110, Ms. Sigma Huda was appointed Special Rapporteur on trafficking in persons. In her second report covering the period January to December 2005 (E/CN.4/2006/62), she presented a thematic analysis on the relationship between trafficking and the demand for commercial sex.

21. One of the most significant outputs of the OHCHR Trafficking programme are the Recommended Principles and Guidelines on Human Rights and Human Trafficking (E/2002/68/Add.1). Development of the Principles and Guidelines began in 2000 in response to the clear need for practical, rights-based policy guidance on the trafficking issue. The purpose of these principles and guidelines is to promote and facilitate the integration of a human rights perspective into national, regional and international anti-trafficking laws, policies and interventions. They serve as a framework and reference point for the work of OHCHR on the issue of trafficking.

22. Based on the Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children (Palermo Protocol) supplementing the United Nations Convention against Transitional Organized Crime, which was adopted by the General Assembly resolution 55/25 in November 2002 and entered into force in December 2003, the European Convention against Trafficking in Human Beings was opened for signature during the Summit of Heads of States held in Warsaw, on 16 and 17 May 2005. Fourteen countries signed the Convention, the aim of which is to prevent and combat trafficking in human beings in all its forms, national or international and whether or not it is linked with organized crime.

(d) Forced marriages

23. At its twenty-seventh session, the Working Group held a thematic discussion on contemporary forms of slavery related to and generated by discrimination, in particular gender discrimination, during which the issue of forced marriage was discussed (E/CN.4/Sub.2/2003/31).

24. In its resolution 2005/28, the Sub-Commission welcomed the ninth and final report of the Special Rapporteur on the situation regarding the elimination of traditional practices affecting the health of women and the girl child, which dedicates a section to the issue of harmful marriage practices. At its thirtieth session, the Working Group heard victims of forced marriage and decided to further discuss this issue at its next session.

(e) Domestic violence

25. The issue of domestic violence was discussed during the thirtieth session of the Working Group and will be further considered during the present session.

**5. Adoption of the report of the Working Group on its
thirty-first session to the Sub-Commission on the
Promotion and Protection of Human Rights**

26. Under rule 37 of the rules of procedure, the Working Group is to report to the Sub-Commission on the work of its session.
