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QUESTION OF SLAVERY AND THE SLAVE TRADE IN ALL THEIR PRACTICES AND
MANIFESTATIONS, INCLUDING THE SLAVERY-LIKE PRACTICES OF
APARTHEID AND COLONIALISM

Written statement submitted by the International
Youth and Student Movement for the United Nations

The International Youth and Student Movement for the United Nations (ISMUN) would like to offer its appreciation to the Working Group on Slavery, under the able co-chairpersonship of Mrs. Kinyanjui and Mr. Whitaker, for the concrete and practical recommendations it has contributed to the Sub-Commission. They deserve the Sub-Commission's support and careful attention.

For while the word slavery may have slipped from the public mind as a faded vestige of a bygone colonial era, the as yet uncounted thousands who suffer daily under its modern forms still desperately need the awareness and action of the Sub-Commission if their basic human rights are to be restored. The evidence before the Working Group clearly indicated that few regions of the world are immune from such practices as debt bondage and the forced traffic in persons for immoral purposes. To ignore these situations is to encourage others who would violate fundamental and agreed upon human rights to attempt to do so by making the violations more sophisticated, or by taking greater pains to silence the victims.

This has been the pattern which has emerged for slavery and slavery-like practices such as apartheid and neo-colonialism.

For the sharecropper whose debts to a feudal-like landowner far exceed the capacity of his life's effort to repay, escape or real improvement in his or her life circumstances is filled with nearly as many legal hurdles as faced the black plantation slave of the North American past. Even today, it is the State, in the form of modern creditor's remedies and inadequate educational facilities, which enforces this misery where the violations still occur.

In fact, many of the victims in parts of the Western continents where the modern forms of slavery exist are the ancestors of the black slaves of these nations' past who did not travel to their countries' big city ghettos. For them, the pain of the driver's whip has simply been replaced by the agony of the feeling that they are now responsible, because of their illiteracy and lack of skills other than farming, for their children growing up in rags, retarded from severe malnutrition.

This is the case while the sharecropper's 12 to 16-hour work days serve only to enrich a landowner who has kept the sharecropper's acreage small enough and the price for seed and other goods at the company store high enough so that the sharecropper can never get ahead.

It must be added that this is not to indict a single nation or region. Among the nations of the Americas, for example, several countries have excellent federal and State usury and full disclosure laws, as well as small farmer assistance programmes aimed, in part, at this problem. But from the plantation areas of North and South America, to the fields of the Pacific Islands, and even some regions of Africa, the various kinds of debt-bonded workers remain powerless and easily ignored victims of human rights violations because of their frequent lack of education, political or legal awareness. They will continue to be so, unfortunately, as long as their situation is supported by the weight of the law and inaction on the part of the international community.

The distinguished former Special Rapporteur in this area, the late Mohamed Awad, noted the widespread nature of this problem in his 1971 report (E/CN.4/Sub.2/322, paras. 138, 140, 145, 1971).

PROBLEMS OFTEN AFFECT WOMEN

Just as troubling, or even more so, are the problems of the spouses, often women, passed from so-called husband (owner) to husband in payment of a debt or bought outright with no rights in the matter, or the persons, again usually women, forcibly abducted, often from Far Eastern countries, and taken to other nations for immoral purposes under the threat of death. This problem is also amplified in the Awad report, and its manifestations noted by United Nations representatives. 1/

These persons are often discounted as being pawns in an all-male game as old as human existence. But these games have also included the torture and killing about which we have heard so many complaints in this and other settings. Does the fact that certain victims of violations of universally recognized human rights have been silenced, by and large, mean that these rights have less value? Does the tacit or bought-and-paid-for approval of these practices by government officials - lower echelon of course - mean that no action need be taken to protect these persons and their rights?

I would argue that the opposite is true on both counts. Once a consistent pattern of gross violations of human rights has been shown, as is evidenced here by Mr. Awad's report and that of the Slavery Working Group, the machinery of this body and the United Nations system can only, in good conscience, attack the problem until violations cease.

1/ "Plea for a probe of sex slavery" - by UNESCO spokesperson, New York Times, 27 June 1975, p. 14.

In the case of eradicating slavery and related practices, the Slavery Working Group is, and can be even more so with the support of the Sub-Commission, an effective instrument.

If any criticism is intended by these remarks, it is of the United Nations itself for threatening to lose these victims in the crush of human rights violations erupting around the world. For it is ISMUN's understanding that, if the Slavery Working Group were now abolished and the planned Human Rights Committee under the Civil and Political Covenant failed to vigorously pursue the goals of the slavery and traffic in persons conventions amidst its numerous other responsibilities, then no United Nations body would have these areas as primary enforcement responsibilities. This is not to argue for intentional duplication, but it is to argue for continued vigilance.

INFORMATION AND EDUCATION

With the general acceptance in law of slavery and slavery-like practices as violations of fundamental human rights (even though many nations must still sign the United Nations instruments in these areas), the time for progress on paper has given way to the time for progress in the field of public information and education. As many Sub-Commission members have said, this is perhaps the last crucial link to be forged between forward looking laws and conventions and real progress of the human condition on our planet. The Working Group noted the importance of spreading information in its report to the Sub-Commission (E/CN.4/Sub.2/373, paras. 18 and 30).

1. ISMUN therefore recommends that the Secretariat and the specialized agencies be requested to submit to the Working Group and the Sub-Commission, at the earliest possible date, a detailed review and analysis of their public information and education activities on slavery and slavery-like practices since 1972, the year of General Assembly resolution 2897 (XXVI) mandating an energetic information campaign on human rights.

2. ISMUN further recommends that the Working Group and the Sub-Commission review the submissions and make comments and recommendations aimed at improving public information and education in these areas.

3. ISMUN further recommends that the Working Group, with the assistance of a Special Rapporteur appointed from among its members, undertake the updating of the Awad report with emphasis on determining the extent of slavery and slavery-like practices at the present time and making recommendations for their elimination.

4. ISMUN further recommends the approval and implementation of the proposals of the Working Group on Slavery.

5. ISMUN further recommends that the Working Group on Slavery consider at its next meeting the following suggested new definition of debt bondage:

The status or condition that binds a debtor (for example by pledge, custom or necessity) to render her or his services or those of an individual under her or his control as repayment for a debt, if the value of those services, as reasonably assessed, is not applied toward the liquidation of the debt, or if the length and nature of those services are not limited and defined, or if the debt is created or maintained under circumstances involving an unreasonable valuation of goods which the debtor is obliged to acquire or some other unreasonable use of economic force or some other forms of coercion.
