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COMMISSION ON HUMAN RIGHTS  
Sub-Commission on the Promotion and  
Protection of Human Rights  
Fifty-seventh session  
Item 6 of the provisional agenda

**SPECIFIC HUMAN RIGHTS ISSUES**

**CONTEMPORARY FORMS OF SLAVERY**

**Report of the Working Group on Contemporary Forms of Slavery  
on its thirtieth session**

**Chairperson-Rapporteur: Mr. Marc Bossuyt\***

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\* The annex is being circulated in the original language.

## Summary

The Working Group on Contemporary Forms of Slavery held its thirtieth session from 6 to 10 June 2005. The session was attended by representatives of Member States as well as participants supported by the United Nations Voluntary Trust Fund on Contemporary Forms of Slavery, non-governmental organizations and a number of students.

At its session, the Working Group devoted priority attention to a review and assessment of the activities of the Group since its establishment, in the context of its thirtieth anniversary. The Group acknowledged the essential contribution of victims of slavery to its sessions and called for strengthened cooperation with the Voluntary Trust Fund. The Group also agreed on the need to reinforce the interactive dialogue with States, civil society and international organizations, before, during and after its sessions, and to take due consideration of the work done by other bodies and mechanisms and other United Nations agencies on slavery-related issues in order to avoid unnecessary duplication and ensure the value added of the Group. The Group identified some thematic issues to be addressed in the future, such as trafficking in persons, domestic violence between partners, prostitution and the exploitation of prostitution, the exploitation of domestic workers and forced marriage.

The Working Group discussed at length the need to ensure the effective implementation of the Slavery Conventions; heard testimonies from victims of bonded labour and forced marriage; discussed the working conditions of migrant workers, especially domestic migrant workers; also heard information on the issue of boys trafficked to become camel jockeys; and discussed the issue of traditional practices as a contributing factor for the perpetuation of slavery.

As a follow-up to last year's special dialogue held with the International Labour Organization, ILO representatives briefed the participants on the ILO programme against forced labour, especially through the publication of a global report on the subject.

At the end of its session, the Working Group adopted recommendations on the various issues it considered.

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## **Introduction**

1. In its decisions 16 (LVI) and 17 (LVI) of 17 May 1974, the Economic and Social Council authorized the Sub-Commission to establish a five-member working group to review developments in the fields of slavery, the slave trade and slavery-like practices, of apartheid and colonialism, the traffic in persons and the exploitation of the prostitution of others, as defined in the Slavery Convention of 1926, the Supplementary Convention of 1956 on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery, and the Convention of 1949 for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others. The Working Group on Contemporary Forms of Slavery was established in 1975 and, by decision of the Economic and Social Council, has met regularly before each session of the Sub-Commission. The Working Group held its thirtieth session from 6 to 10 June 2005.

2. Because of restrictions on the length of the report, the Working Group regrets that it has not been possible for the report on its thirtieth session to contain an exhaustive account of the discussions. It attempts, however, to give an extensive account of the debate concerning the priority issue.

### **I. ORGANIZATION OF THE SESSION**

#### **A. Opening and organization of the session**

3. The thirtieth session of the Working Group was opened by Zdislaw Kedzia, Chief, Research and Right to Development, Office of the United Nations High Commissioner for Human Rights (OHCHR), who stressed the impact of the Working Group in combating contemporary forms of slavery for the past 30 years. He also highlighted the key role of the Working Group in drawing attention to many human rights issues such as the sale of children, child prostitution and pornography, trafficking in persons, migrant and domestic workers and violence against women.

4. The members of the Working Group at its thirtieth session were: Miguel Alfonso Martínez, Gaspar Biro, Marc Bossuyt, Ibrahim Salama and Abdul Sattar. The full list of participants attending the session as observers is annexed.

#### **B. Documentation**

5. The Working Group had before it a number of background documents relating to the issues being discussed, as well as documents prepared for the session. A provisional draft timetable for the session was distributed at the first meeting.

#### **C. Election of the Chairperson-Rapporteur**

6. At the first meeting, the Working Group appointed Mr. Bossuyt Chairperson-Rapporteur of its thirtieth session. In his introductory remarks, he stressed the continuing challenge of slavery and slavery-like practices and welcomed the ample attendance of non-governmental organizations (NGOs), underlining their invaluable contribution for the successful work of the

Group. He also welcomed the participation of international organizations such as the International Labour Organization (ILO) as well as Member States, since the exchange of information and dialogue between the Working Group, Governments and civil society was vital and represented the basis for the work of the Working Group.

#### **D. Adoption of the agenda**

7. At the first meeting, the Working Group adopted its agenda on the basis of the provisional agenda (E/CN.4/Sub.2/AC.2/2005/1 and Add.1).

### **II. ACTIVITIES OF THE UNITED NATIONS VOLUNTARY TRUST FUND ON CONTEMPORARY FORMS OF SLAVERY**

8. The Working Group had before it the report of the tenth session of the Board of Trustees of the Fund (E/CN.4/Sub.2/AC.2/2005/5 and Corr.1).

9. David Weissbrodt, a member of the Board of Trustees of the Fund, presented a general and financial update on the activities of the Fund. He stressed that the Board assisted the Working Group by enabling victims to attend the session and share experiences, thus providing important information for the work of the Working Group. He welcomed the tradition established by the Working Group of identifying in advance priority themes for the sessions, which allowed the Trust Fund to review and select the requests for participation in light of the theme selected. He expressed his deep appreciation to donor Governments and other donors who had contributed to the Fund so far, and appealed for even more generous contributions for next year.

10. Mr. Weissbrodt informed the Working Group that the Secretary-General, upon recommendation by the Board, had approved seven grants to allow representatives of NGOs to attend the present session. Three of the persons whose participation had been financed by the Fund came from India, while the others came from Uganda, Burkina Faso, Chile and the Russian Federation. The Board also recommended the allocation of 25 project grants to local NGOs for a total amount of about US\$ 215,000 which would be used for the provision of direct assistance to victims of contemporary forms of slavery such as medical aid, shelter and protection from sexual abuses.

### **III. PRIORITY THEME: REVIEW AND ASSESSMENT OF THE ACTIVITIES OF THE WORKING GROUP SINCE ITS ESTABLISHMENT**

11. At its twenty-eighth session, in 2003, the Working Group had decided to consider as a priority theme for its thirtieth session the review and assessment of its activities since its establishment.

12. Under this item the Working Group had before it an informal background document on the main activities of the Working Group since its establishment, a working paper that had been submitted to the Sub-Commission in 2000 by Mr. Weissbrodt and AntiSlavery International on

the implementation of and follow-up to the slavery conventions (E/CN.4/Sub.2/2000/3 and Add.1), and the report of the Secretary-General (E/CN.4/Sub.2/AC.2/2005/4). The Working Group was among the oldest human rights mechanisms still in existence. Ever since its first session in 1975, it had followed developments in the human rights field and sometimes was the origin of the establishment of human rights mechanisms and at the forefront of the consideration of various human rights issues. The discussion highlighted the achievements of the Working Group in the last 30 years in monitoring the existence of slavery and slavery-like practices, especially in raising international awareness about new forms of slavery and exploitation. Among the many issues that the Working Group drew to the attention of other human rights bodies were the sale of children, child prostitution and pornography, children in armed conflict, traditional practices affecting the health of women and girls, migrant workers and trafficking in persons.

13. The Working Group had also succeeded, over the years, in bridging the gap between Government representatives and civil society. Governments were encouraged to participate actively in the sessions of the Working Group since it represented a unique forum for the exchange of information and views with NGOs, as well as to address issues of mutual interest. Members of the Working Group, supported by participants, expressed the belief that the testimonies provided by victims during the sessions gave an important human dimension to its work and represented empirical evidence of the evolution of contemporary forms of slavery, and were therefore of great importance for the future work of the Working Group. NGOs were encouraged to provide written submissions to the Working Group well in advance of a scheduled session, which would permit a timely collection of views and preparation of the substantive discussions.

14. Although the great majority of participants praised the work done so far, both in defining new forms of slavery and in establishing continuous dialogue between Governments and NGOs, there was a clear need for the Group to identify new approaches which would reflect developments in the last 30 years. The Working Group agreed that, in the future, duplication and overlapping with the work of other United Nations bodies should be avoided, its specificity clearly designed, and that the added value of the Working Group must be ensured.

15. The Working Group held a private meeting to review its working methods and assess the contribution it could make in combating contemporary forms of slavery, bearing in mind the work done by other human rights mechanisms and bodies and other United Nations agencies and slavery-related matters. The outcome of the discussion is summarized in the conclusions and recommendations of the present report. The Working Group proposed adjustments in its working methods aimed at reinforcing the interactive dialogue with participants and at avoiding unnecessary duplication. The Working Group identified some thematic issues to be addressed in the future, such as trafficking in persons, domestic violence between partners, prostitution and exploitation of prostitution, exploitation of domestic workers and forced marriage.

#### **IV. REVIEW OF THE IMPLEMENTATION OF HUMAN RIGHTS STANDARDS ON CONTEMPORARY FORMS OF SLAVERY**

##### **A. Status of the conventions on slavery and other related instruments**

16. Under item 4 of its agenda, the Group considered reports on the status of the 1956 Supplementary Convention and the 1949 Convention on the Suppression of the Traffic in Persons and the Exploitation of the Prostitution of Others (E/CN.4/Sub.2/AC.2/2005/2 and E/CN.4/Sub.2/AC.2/2005/3).

17. It was noted that in past years the Working Group had established good working relations with Governments. Even though the Working Group was not a treaty monitoring body and that States consequently had no obligation to respond to its invitations, the Working Group succeeded in obtaining information as to why some States still had not ratified the conventions on slavery. Reasons given included that some States were not aware of the existence of some of the older treaties, and that the provisions of these conventions were obsolete and were covered by more recent international legal instruments. Therefore, in order to ensure a better overview of the situation, the Working Group decided to focus, inter alia, on the analysis of national policies with regard to the implementation of the conventions.

18. Various participants in the discussion on this issue expressed their concern at the fact that many States still had not ratified the conventions on slavery, while some of the ratifying States were even considering “de-ratifying” the 1949 Convention. The speakers considered that many of the provisions of the conventions were not covered by more recent human rights and other international instruments on slavery related-issues and that it was essential to publicize the importance of these conventions and ensure their ratification and implementation. In that regard, some of the speakers suggested that an information brochure on the conventions should be prepared and widely distributed.

##### **B. Economic exploitation**

###### **1. Forced and bonded labour**

19. Under this agenda item, the Working Group was seized with information on forced and bonded labour and the rights of migrant workers, including domestic workers. The Working Group heard testimonies of victims and grass-roots organizations, some of whose participation had been funded by the United Nations Voluntary Trust Fund on Contemporary Forms of Slavery.

20. During the discussions, a number of statements were made in relation to the trafficking of boys from Pakistan and Bangladesh to the United Arab Emirates to be used as camel jockeys. The Working Group also considered the continuing problem of bonded labourers in India and Pakistan and the very difficult situation of Dalit people exposed to various kinds of exploitation in India. In that regard, the servitude and exploitation of children in the context of debt bondage and forced labour were also discussed.

21. Participants agreed that poverty, illiteracy, discrimination, impunity, corruption and social exclusion were some of the main causes of contemporary forms of slavery. In addition, both NGOs and government representatives concurred that ensuring non-discriminatory education for all - and in particular to victims of slavery - was of the utmost importance in combating exploitation. In that respect, States should commit to implementing programmes and policies aiming at eliminating these phenomena.

22. The observer for Pakistan recalled that forced labour was prohibited in Pakistan and that many actions to free bonded labourers had been undertaken during past years. In that respect, efforts made and commitments undertaken by the Government had been acknowledged by ILO. He also responded to a statement by a victim of forced marriage, underlining that the Constitution of Pakistan and Islam prohibited such practice.

23. In response to a statement, the observer for Uganda stressed that his Government had adopted a legal framework that would eventually lead to the eradication of slavery and slavery-like practices, but, unfortunately, such practices still existed because they were deeply rooted in society and supported in rural areas. It was essential that legislative measures be supported by policies and programmes aiming, inter alia, at combating negative and harmful traditional practices.

24. As a follow-up to the special discussion held with ILO at its last session, the Working Group again held a discussion with representatives of ILO who updated the participants about their work on forced labour and various plans of action, including technical assistance, undertaken in that respect. All the participants underlined the importance of cooperation with ILO and agreed that it should be further strengthened, in particular in identifying the ways and means to fight forced labour. The ILO Global Report *A Global Alliance Against Forced Labour* was presented.

## **2. Migrant workers and domestic migrant workers**

25. During the discussion on this sub-item, participants highlighted the particular vulnerability of migrant workers, in particular migrant domestic workers. Most of the speakers described the wide range of abuses and discrimination of which migrant workers were victim, due to their often clandestine situation in the receiving country, their lack of education, and the lack of awareness of the rights and protection they are entitled to.

26. Particular attention was given to the problems many migrant domestic workers faced, namely exposure to all forms of exploitation, including sexual; confiscation of documents; sequestration and threats of expulsion. These affect their already difficult and precarious position, sometimes aggravated by their irregular situation. Migrant workers often worked without proper contracts, received salaries below the official minimum wage, had no days off, and were subjected to psychological, physical and sexual violence. While some participants considered that the regularization of the status of illegal migrants could help decrease the violations and abuse, others thought that the effect would be just the opposite - regularization would only increase the number of illegal migrants, thus establishing a vicious circle.



27. It was noted that some of the exploiters of migrant domestic workers belonged to the diplomatic community. The Working Group recommended that whenever cases of abuse involving diplomats were proved, diplomatic immunity should be lifted and sanctions should be applied.

### **C. All forms of sexual exploitation**

28. Sexual exploitation, in particular of women and children, was discussed in depth. Various participants once again expressed their regret that some States parties to the 1949 Convention - which provided, in their view, a very wide definition of sexual exploitation and proxenetism - gave it little weight. Some of the speakers invited the Working Group to continue to consider such issues as the sex industry and pornography. The vast majority of the participants agreed that the common denominator of all forms of sexual exploitation was poverty and gender inequality. It was also underlined that some examples of “good practices” would certainly be beneficial in providing adequate protection for victims, but also served as bases for defining measures to prevent such activities.

29. Some members of the Working Group expressed the view that the notion of so-called “consent” given by an adult prostitute did not exist because no one should be allowed to lose her/his dignity by selling herself/himself for a living. Another view was that the exploitation of prostitution was a criminal act, but that engaging in prostitution was a person’s free choice. The supporters of the latter suggested that the regularization of prostitution could help provide better protection to prostitutes and could ultimately lead to effectively combating related criminal practices. Participants discussed this issue at length, including the impact of “demand” on the “sex industry”, as well as the effects of legalization or criminalization of prostitution on the increase in trafficking. In view of the opposing views expressed on the question of legalization/criminalization of prostitution, the Working Group recommended that one of its members prepare a working paper on the issue, which could lead, at a later stage, to a study. The aim of the working paper would be to take stock of different States’ responses and also to examine the link between prostitution and trafficking, illegal migration, organized crime and money-laundering patterns.

### **D. Trafficking in persons**

30. Trafficking in persons, which was acknowledged to be a global issue, was a major theme of the session. The Working Group was provided with an update on the implementation of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, as well as on regional activities on trafficking, such as the adoption of conventions on this matter by the South Asian Association for Regional Cooperation and the Council of Europe.

31. The transnational dimension of trafficking was recalled during the discussion, highlighting a need for a comprehensive, multifaceted approach to strengthening national legislation and developing bilateral and multilateral cooperation. States were called on to use all available means to combat trafficking in persons and to sanction perpetrators and intermediaries, while ensuring protection and assistance to the victims. The link between corruption, money-laundering and trafficking in persons for the purpose of sexual exploitation was reiterated by many participants.

32. However, one delegation stressed that the Working Group should address the issues of trafficking and prostitution separately as each was different and deserved specific attention. It was also noted that a distinction had to be made between migration and trafficking, and that the Working Group should be more focused and specific when considering the respective items of its agenda.

#### **E. Protection of children from all forms of exploitation**

33. Taking into account discussions held regarding the exploitation of children and trafficking in persons, participants underlined that special measures, both economic and social, were needed to provide adequate protection from all forms of exploitation to children.

34. Despite their large numbers, child domestic workers remained invisible and marginalized. Although some children entered domestic labour in the hope of continuing their schooling, most were deprived of education and worked in conditions that could be considered amongst the worst forms of child labour. It should not be forgotten that girls represented the majority of trafficked children, of those in debt bondage and those subjected to sexual exploitation.

35. Participants highlighted the importance of Governments' introducing, as a matter of priority, legislation that prohibited and punished the employment of children under 18 years of age in hazardous work or work that could jeopardize their health and security. Furthermore, they should develop a plan of action that included policies designed to offer better protection to child domestic workers, including raising public awareness about the issue and providing specialized basic services for child domestic workers such as crisis centres. It was stressed that human rights education of children, criminalizing the demand and sanctioning the perpetrators of sexual violence were the most important measures to be taken to eradicate different sorts of exploitation of children.

#### **V. RECOMMENDATIONS ADOPTED BY THE WORKING GROUP AT ITS THIRTIETH SESSION**

36. **The Working Group adopted the following recommendations:**

**1. The Sub-Commission should emphasize that the sessions of the Working Group provide a unique platform for non-governmental organizations and victims of slavery and slavery-like practices to appear before an international forum, and acknowledge the value of their contributions to international awareness of and debate about slavery-related issues. Their testimonies provide important empirical evidence of the evolution of contemporary forms of slavery.**

**2. The Sub-Commission should continue to recommend to the Commission on Human Rights that it request the Secretary-General to continue to invite States to provide information to the Working Group concerning the implementation of the human rights standards enshrined in the Slavery Conventions of 1926 and 1956 and the 1949 Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others.**

- 3. The Working Group recommends that the Sub-Commission request one of its members to draft a working paper examining the feasibility of a study on the human rights dimension of prostitution, taking into account the latest developments in this matter. The study would aim at taking stock of the human rights impact of different national responses to this phenomenon, with particular attention to initiatives to emphasize criminalization of demand, or to legalize prostitution in order to regulate it.**
- 4. The United Nations Voluntary Trust Fund on Contemporary Forms of Slavery should continue its close cooperation with the Working Group, in particular with regard to the assistance provided for the participation of grass-roots organizations and victims of contemporary forms of slavery in its sessions.**
- 5. The Working Group recommends that the human rights treaty bodies and other bodies established under the auspices of specialized agencies duly take into account the obligations under the conventions on slavery in discharging their respective mandates.**
- 6. The Working Group also recommends that it maintain its current format - meeting for five working days prior to the annual session of the Sub-Commission - with the methodological and substantive adjustments described below.**

#### **Working methods**

- 7. The Working Group will seek to avoid unnecessary duplication and overlap between its work and that of other United Nations mechanisms and bodies established to examine issues currently being considered by the Working Group.**
- 8. The Working Group will seek to sharpen its thematic focus and will develop new approaches to systematize and improve the effectiveness of its review of the implementation of the conventions on slavery.**
- 9. The Working Group will devote more time during its sessions to thematic discussions on a single specific theme, leading to the adoption of thematic recommendations, while continuing to hold a briefer general debate on the range of issues covered by its mandate, with particular attention to the status and implementation of the conventions on slavery.**
- 10. The Working Group will give priority to the identification of remaining slavery-related issues not appropriately addressed by other human rights mechanisms and will seek to focus its activities on these issues.**
- 11. The Working Group will strongly encourage participants to provide written information prior to the session, so as to facilitate the participation of concerned Member States.**
- 12. The Working Group will seek to invite particularly concerned States, United Nations entities and human rights mechanisms to participate more actively in its sessions, in light of the specific theme identified for each particular session.**

**13. The Working Group will continue to encourage communication and cooperation with other human rights mechanisms and United Nations entities working on areas related to those under consideration by the Group, such as the Special Rapporteurs of the Commission on Human Rights on the sale of children, child prostitution and child pornography; on violence against women, its causes and consequences; on the human rights of migrants; and on trafficking in persons, with particular attention to women and children; the Committee on the Rights of the Child and the Committee on the Elimination of Discrimination against Women; ILO, the World Health Organization, the United Nations Children's Fund and the United Nations Educational, Cultural and Scientific Organization, as well as the International Organization for Migration.**

**14. The Working Group will seek to identify initiatives aimed at achieving wider dissemination of information related to its work.**

#### **Thematic focus**

**15. The Working Group considers that priority thematic issues that should be addressed at upcoming sessions include trafficking in persons, the exploitation of prostitution, forced labour, the exploitation of domestic workers, forced marriage and domestic violence.**

**16. The Working Group decides to select as its thematic focus for its thirty-first session the human rights dimensions of prostitution, and the need to strengthen international cooperation to suppress international transfers of profits from the exploitation of the prostitution of others and trafficking in persons, and to postpone consideration of the impact of the media and the Internet on contemporary forms of slavery.**

**17. In addition, on the basis of the information provided at the thirtieth session, the Working Group decided to recall the recommendations adopted at previous sessions and to draw attention, in particular, to the following substantive conclusions and recommendations:**

#### **The Working Group on Contemporary Forms of Slavery:**

##### **General**

**(a) Recalls that slavery, in all its forms and practices, is a crime against humanity and reaffirms that every woman, man and child has a fundamental right to be free from all forms of slavery and servitude;**

**(b) Affirms once again that all forms of discrimination and prejudice, especially gender discrimination and violence against women, are among the many factors perpetuating slavery and slavery-like practices, and that gender inequality and low status of women and girls in society strongly increase their vulnerability to exploitation;**

(c) **Considers that poverty, social exclusion, illiteracy, ignorance, rapid population growth, HIV/AIDS, poor governance, corruption, irregular migration, impunity, discrimination in all its forms and armed conflicts are among the main root causes of contemporary forms of slavery, and urges the specialized agencies of the United Nations to include in their technical assistance programmes activities designed to eliminate slavery and slavery-like practices, as well as their causes. It also considers that progress towards the realization of the right to development contributes to the efforts to combat contemporary forms of slavery;**

(d) **Notes with concern that the treaties forbidding slavery and slavery-like practices, as well as other instruments relevant to the work of the Working Group, have not been universally ratified, and recommends that States ratify such instruments, in particular, the Slavery Conventions of 1926 and 1956, the 1949 Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others, the ILO Forced Labour Convention, 1930 (No. 29) and the Abolition of Forced Labour Convention, 1957 (No. 105), as well as the Worst Forms of Child Labour Convention, 1999 (No. 182), the United Nations Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children supplementing the Convention, and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families;**

(e) **Notes with concern the impact of corruption on the continuation and spread of slavery and slavery-like practices, and urges States to adopt and enforce legislation that prohibits corruption, including that committed by public officials, as well as recommending closer international cooperation for the prevention, sanction and suppression of corruption, and of money-laundering of the profits resulting from all forms of slavery, including trafficking and sexual exploitation;**

(f) **Urges States to initiate prevention programmes at local, national, regional and international levels in order to educate the public about the consequences of prostitution and trafficking;**

#### **United Nations Voluntary Trust Fund on Contemporary Forms of Slavery**

(g) **Invites the Board of Trustees of the Fund to continue to contribute to projects implemented at the grass-roots level that directly assist victims of contemporary forms of slavery and to promote the participation at the annual sessions of the Working Group of individuals and organizations from as large a number of countries as possible, taking into account the thematic focus of each session;**

**(h) Expresses its gratitude to all those who contributed to the Fund and strongly encourages them to continue doing so, and appeals to Governments to respond favourably to requests for contributions to the Fund, urging them, NGOs and individuals to contribute to the Fund, if possible by September 2005 in order to enable the Fund to fulfil its mandate effectively in 2006;**

**Trafficking in persons and all forms of sexual exploitation**

**(i) Reaffirms that prostitution is incompatible with the dignity and worth of the human person and constitutes a source of serious violations of human rights;**

**(j) Expresses grave concern at the evidence of increased trafficking in human beings, notes that it is a global phenomenon affecting every continent and stresses that countries of origin, transit and destination all have a responsibility to address this problem;**

**(k) Notes that some States have legalized or regulated prostitution, while others have criminalized the demand, and recognizes the need to take stock of different national approaches to analyse their human rights impact;**

**(l) Recalls that the demand for prostitution and all other forms of sexual exploitation plays a critical role in the growth and expansion of trafficking in women and children, and calls upon Governments to take effective measures to punish those who benefit from the sexual exploitation of others, particularly by ensuring that all those involved in trafficking in persons (for any purpose) receive adequate punishment, including sentences which are proportionate to the gravity of their offences, and by confiscating the property and assets of convicted traffickers and other perpetrators of sexual exploitation, as well as their accomplices, and using the proceeds to compensate their victims, in accordance with applicable international law standards;**

**(m) Calls upon all States to ensure that the protection and support of the victims are at the centre of any anti-trafficking policy and to provide protection and assistance to victims based on humanitarian considerations and not contingent on their cooperation with the prosecution of their exploiters, including the provision of free legal services to pursue compensation, reparation and other relief;**

**(n) Notes with concern that, regardless of positive steps taken by international, regional and local authorities and agencies in that respect, the Working Group continues to receive reports about the involvement of international personnel in sexual abuse and exploitation of local populations. It calls upon United Nations bodies and agencies to intensify their efforts to**

**implement the administrative rules and codes of conduct adopted, as well as upon troop-contributing States to ensure that the same rules are applicable to peacekeepers;**

#### **Elimination of forced labour**

**(o) Notes with great concern that the 2005 ILO Global Report *A Global Alliance Against Forced Labour* estimates that 12.3 million people are victims of forced labour worldwide;**

**(p) Urges States to take urgent action to implement the provisions of international law and their own constitutions which prohibit the practice of forced labour, and in this regard to enact or amend legislation, accompanied by implementation mechanisms that facilitate the identification of forced labour in its various manifestations, including through surveys to identify the use of forced labourers and the number of victims involved, the design of appropriate prevention and protection programmes and monitoring of progress;**

**(q) Urges concerned States to ensure that forced labour is criminalized and that sanctions are commensurate with the gravity of the offences, that public information campaigns are launched, that relief and assistance to freed forced labourers are provided to facilitate their social reintegration, and that unions and NGOs that defend the rights of forced labourers receive support;**

#### **Migrant workers and domestic migrant workers**

**(r) Deplores the discriminatory rules and regulations to which migrant workers are frequently subjected, increasing their vulnerability to slavery-like exploitation;**

**(s) Urges Governments to ensure that protective regulations govern the employment situation of migrants - with particular emphasis on migrant domestic workers, who are often unpaid, subjected to various abuses and deprived of all of their rights - and to provide for safe conditions of work, and to adopt all necessary measures to protect migrant workers from violations of their human rights, regardless of the legality of their presence in the country. States must ensure that diplomatic status does not provide impunity for such human rights violations;**

**(t) Urges States to ban and punish the confiscation by employers of the passports of migrant workers, in particular of domestic workers, as well as to tackle other violations, such as sexual abuse, sequestration, psychological and physical violence, non-payment of the minimum wage, etc.;**

### **Protection of children against all forms of exploitation**

(u) **Recalls that compulsory and free primary education for all boys and girls, without gender discrimination, is not only a human right, but also an essential tool for combating poverty and the exploitation of children, especially child labour and child prostitution, and calls upon States to make every effort to meet their obligations in that regard and, where necessary, to seek assistance through international cooperation in order to do so as a matter of priority;**

(v) **Calls upon States to ensure that the worst forms of child labour, as well as the victimization of children by trafficking, domestic servitude and any form of forced labour are strictly prohibited, that the penalties are commensurate with the crimes committed, and that this legislation is properly enforced;**

(w) **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 or in an unhealthy environment;**

(x) **Deplores the persistence of the sale of children, child prostitution and child pornography, and highlights the necessity of combating these practices;**

(y) **Calls upon States to ensure that the best interests of the child are at all times paramount in any programme or policy related to children subject to exploitation, and encourages them to cooperate on a bilateral, regional and international basis, with the assistance of NGOs, in order to address all forms of exploitation of children.**



**Annex**

**LIST OF PARTICIPANTS**

**Members**

Mr. Miguel ALFONSO MARTÍNEZ  
Mr. Gaspar BIRÓ  
Mr. Marc BOSSUYT

Mr. Ibrahim SALAMA  
Mr. Abdul SATTAR

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HOLY SEE

Ms. Francesca MERICO

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INTERNATIONAL COUNCIL OF WOMEN

Ms. Anne PASCAL  
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*Special consultative status*

ANTI-SLAVERY

Ms. Joanna HOSANIAK

COALITION AGAINST TRAFFICKING IN  
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INTERNATIONAL SERVICE FOR  
HUMAN RIGHTS

Ms. Eve GALLAGHER  
Ms. Rina KOMARIA

MOUVEMENT POUR L'ABOLITION  
DE LA PROSTITUTION ET DE LA  
PORNOGRAPHIE ET DE TOUTES FORMES  
DE VIOLENCES SEXUELLES ET DE  
DISCRIMINATIONS SEXISTES (MAPP)

Ms. Rachel WAPON PAUL  
Ms. Lene NILSEN

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INTERNATIONAL HUMAN RIGHTS  
ASSOCIATION FOR AMERICAN  
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Ms. Putu Kirsten BRISTOW

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Ms. Ann Carin SJOSTROM

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