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

The Subcommission on the Promotion and Protection of Human Rights began its consideration this afternoon of contemporary forms of slavery, hearing a presentation from the Chairperson-Rapporteur of the Subcommission's working group on the topic.

Halima Embarek Warzazi introduced the group's report, saying priority had been on discussion of debt bondage and bonded labour and that there was unanimous sentiment that victims of these practices should be freed and rehabilitated, and greater effort should be made to develop rehabilitation programmes for them.

Subcommission Expert David Weissbrodt provided an update on implementation of the conventions on slavery, noting that to date, there was no international mechanism for the monitoring and enforcement of State obligations to abolish slavery and related practices except the working group. Concern had been raised over people who were abducted in the course of violent raids and who were subjected to practices similar to slavery which also were categorized as abuses in their own right, such as certain forms of child labour and the practice of sexual trafficking in women and children, Mr. Weissbrodt said, and he hoped States would take action to implement international standards prohibiting slavery, as there were reported to be tens of millions of people whose rights were being violated in this manner.

Earlier in the afternoon, the Subcommission completed debate on implementation of human rights with regard to women, hearing from several non-governmental organizations (NGOs) calling, among other things, for international action to end what they said were extraordinary violations of women's rights in Afghanistan under the Taliban regime. Also cited were traditional practices harmful to women, such as "honour killings", dowry murders, and female genital mutilation.

A representative of Afghanistan told the Subcommission that it was the duty of the Subcommission to help the millions of Afghan women who were fighting the Taliban's restrictions.

Speaking at the afternoon meeting were representatives of the Association for the

Promotion of Employment and Housing, the European Union of Public Relations, Liberation, the Inter-African Committee on Traditional Practices Affecting the Health of Women and Children, Interfaith International, the International Indian Treaty Council, the World Muslim Congress, the World Muslim League, the International Movement against All Forms of Discrimination and Racism, the Association of World Citizens, and the Asia-Pacific Forum on Women, Law and Development.

The following countries provided formal statements: Mexico, Iraq, Myanmar, Pakistan, Afghanistan, Sudan, and Yemen.

And Subcommission Experts or Alternate Members Halima Embarek Warzazi, David Weissbrodt, Vladimir Kartashkin, and Paulo Sergio Pinheiro spoke.

The Subcommission adjourned its afternoon session at 6 p.m. and immediately convened an evening meeting.

Contemporary forms of slavery

Under this agenda item, the Subcommission has before it an update to the final report of Special Rapporteur Gay J. McDougall on systematic rape, sexual slavery, and slavery-like practices during armed conflict (E/CN.4/Sub.2/2000/21), which recommends, among other things, special legislation at the national level providing universal jurisdiction for violations of jus cogens norms such as slavery, crimes against humanity, genocide, torture, and other international crimes; removal of gender bias in municipal law and procedure; adequate protection for victims and witnesses; appropriate support services for victims; an ongoing dialogue on the subject between the Office of the High Commissioner for Human Rights and other relevant bodies, including the Office of the Prosecutor for the International Criminal Tribunal for the former Yugoslavia and for the International Tribunal for Rwanda; greater documentation with a view towards eventual prosecution; and more effective action at cessation of hostilities. The report concludes that "there is a need for an understanding of the gender implications of sexual violence not only in the context of armed conflict but also in the everyday lives of women and girls everywhere. Women and girls are subordinated, devalued and discriminated against in all societies, although to varying degrees. This gender inequality is compounded further by racial, ethnic, religious or other forms of discrimination. . . which not only increases the vulnerability of these women and girls to sexual violence, but also creates significant obstacles to asserting their rights and seeking redress and healing for violations committed against them".

There was an updated review of the implementation of and follow-up to the conventions on slavery (E/CN.4/Sub.2/2000/3) and an Addendum (E/CN.4/Sub.2/2000/3/Add.1) prepared by David Weissbrodt and Anti-Slavery International. The review focuses on core international law against slavery, different forms of slavery and international monitoring mechanisms. The first section highlights the background to core international law against slavery, the definition of slavery, the main characteristics of slavery, the instruments prohibiting slavery and the violations of fundamental rights associated to slavery. The second section focuses on different forms of slavery, including serfdom, forced labour, debt bondage, exploitation of migrant workers, trafficking, prostitution, forced marriage and sale of wives, and child labour and servitude. The final section is dedicated to the convention on slavery, the ILO mechanisms and the Working Group on

contemporary forms of slavery. The review concludes that true effectiveness of a treaty can be assessed by the extent to which the States parties apply its provisions at the national level, and that the implementation of treaties includes both national and international measures and procedures adopted to review or monitor those national actions. There is a lack of an adequate implementation procedure, which does little to encourage Member States to establish safeguards against all contemporary forms of slavery. One option is for the Commission to revive its previous proposal that the Working Group be transformed into a special rapporteur of the Commission of Human Rights as a means to further understanding the long-standing struggle to abolish slavery and its contemporary manifestations.

The addendum focuses on the different forms of slavery mentioned above, as well as apartheid and colonialism, trafficking in human organs and incest, and concludes that, despite wide belief to the contrary, slavery in its various forms remains prevalent in the world. The concept of slavery has remained quite static during nearly two centuries that States and non-governmental organizations have fought for its abolition. Nevertheless a number of slavery-like practices have evolved. It is suggested that proposals for further expansion of the definition of contemporary forms of slavery be carefully scrutinized as they may dilute efforts to eradicate historical forms of slavery.

There is a report by the High Commissioner for Human Rights (E/CN.4/Sub.2/2000/20) on systematic rape, sexual slavery and slavery-like practices during armed conflicts. The report focuses on the steps taken by human rights treaty bodies, steps taken by human rights mechanisms and the steps taken by the Commission on Human Rights within this field. It notes that during past, present and ongoing conflicts, sexual violence has been used as a weapon of war, a method of threatening populations. The first victims of these crimes are women and girls. Gender-based violence is a consequence of the low status of women and girls in society, where they are subordinated, devalued and discriminated against to varying degrees. The international community should give serious consideration to the recommendations of the Special Rapporteur of the Subcommission on systematic rape, sexual slavery and slavery-like practices.

And there is a report of the Secretary-General on implementation of the Programme of Action for the Elimination of the Exploitation of Child Labour (E/CN.4/Sub.2/2000/20), which summarizes replies received from the Governments of Kuwait and Mexico to notes verbales sent by the Secretary-General's office related to the topic.

Statements

SAMINA KABIR, of the Association pour la Promotion de l'Emploi et du Logement, said that Afghanistan was a country under the domination of the most brutal and destructive group of religious fanatics. The land was ravaged by war, drowning in tears and blood, where systematic degradation, humiliation and public flogging of women innocent of any crime were everyday events. Despite the oppression and atrocities, there were still organizations and individuals that were holding aloft the banner of struggle against fundamentalism and for democracy, human rights and women's rights. As long as the Taliban and fundamentalists remained in power there could be no meaningful talk of peace, security, human rights, women's rights or democracy. Women organizations in Afghanistan were not fighting for issues such as the legalization of abortion or equal wages, only for the right to be accepted as

human beings. The women and people of Afghanistan needed the support of the Subcommission in their struggle. The Subcommission was urged not to allow Jihadis and the Taliban to annihilate hopes and trample on the pride, honour and national culture of the Afghani people.

LUDOVICA VERZEGNAZZI, of the European Union of Public Relations, said the United Nations had failed to persuade the Taliban to allow women to participate in daily life in Afghanistan. Afghanistan today represented all that was wrong with the treatment of women in the world. There were problems in other countries, developing and developed -- even a woman general of the United States Army was not safe from sexual harassment by a colleague. The evils of traditional practices were compounded by man-made laws: in the twenty-first century there were countries that did not permit women to choose their husbands; where women were not yet enfranchised; and where they could not travel without the permission of their husbands or fathers. Over 1,000 women had been killed in Pakistan merely because they ostensibly violated the honour of the family, as defined by male relatives, and Pakistan's hudood ordinances, which reduced women to second-class status, still remained on the books.

In India, despite the fact that it was now illegal, the evil of dowry still existed and there still were dowry deaths. Violence was the prime violator of human rights of women, including the violence of terrorism, which not only claimed women victims but caused unspeakable grief to the mothers and wives of victims.

RUBIN SHAIKH, of Liberation, spoke of traditional practices affecting the health of women and girls in a number of countries and regions. In Pakistan, a significant number of women and girls were subject to violence, abuse, rape, trafficking and other forms of degradation by their spouses and members of the society at large. Female children still lagged far behind boys in education, health care and other social benefits. According to medical reports, the majority of women and children in rural Sindh were suffering from anaemia and malnutrition. There were also many signs that honour killings were increasing and were rarely punished. The organization condemned the Pakistani Government's negligence in punishing the buying and selling of innocent women in the Thar district, Province of Sindh. The Government had consistently failed to prevent, investigate and punish honour killings.

In the Moluccas region of Indonesia, the majority of refugees were women and children whose homes had been destroyed. Many women had been systematically raped. In Sri Lanka, rape was used as a weapon of war by the armed forces against Tamil women, with total impunity. The legal status of women in Yemen was poor in spite of the law of nationality of 1990. Children of a Yemeni father were automatically conferred the father's nationality while children of a Yemeni mother were not given the nationality. This clearly showed discrimination on the basis of sex. Most of the women in the Refugee Camp in Mahmura, Northern Iraq, were women and children suffering serious illness; there were only two doctors for 8,000 people. Looking at these situations, the organization called upon the United Nations to seriously consider that these crimes should be brought before international courts unless the relevant Governments took adequate action to stop these violations of human rights.

BERHANE RAS-WORK, of the Inter-African Committee on Traditional Practices Affecting the Health of Women and Children, said Mrs. Warzazi had done excellent work despite serious constraints facing her efforts. In many of the countries where

such harmful traditional practices existed, the matter did not figure in the national agenda for development or health promotion, and attitudes that held women in bondage had not received sufficient attention. However, it was encouraging to observe that a few Governments had taken measures through legislation against such practices as female genital mutilation. They included Burkina Faso, Cote d'Ivoire, Djibouti, Ghana, Guinea, Senegal and Togo. These Governments were now called on to develop mechanisms of implementation.

An African youth network was being set up; in August there would be the second Symposium for Religious Leaders from Africa and for a delegate from Iran, held by the Inter-African Committee. The contribution of religious leaders was indispensable for changing attitudes. A draft convention on the elimination of all forms of such practices had now been incorporated into the Organization of African Unity's draft optional protocol on the rights of women. And there were signs of a positive change in attitudes in such countries as Guinea, Mali and Senegal. The Special Rapporteur should be provided with funds to enable her to visit countries, and funds also should be found to hold three seminars proposed in the Special Rapporteur's report.

GENEVA BERRYMAN ARIF, of Interfaith International, said that violations of human rights of women were a common phenomenon in all spheres. One aspect which had not received adequate attention in the international community was the human rights violations of refugee women. In armed conflict areas, women had always been victims of crimes and suffering. Forced displacement, particularly in war-like conditions, was commonplace. In recent history, there were many examples of forced mass displacement: Kurds, Jummas of the Chittagong Hill Tracts, Bangladeshis, Iraqis, Palestinians, Afghans, Kashmiris and Bosnians. The majority of the refugees stranded and left at the mercy of donor agencies were women and children. There were millions of refugee women and children living in sub-human conditions in different parts of the world, facing deprivation of food, shelter, health, education and other basic needs. The Subcommission and the international community were requested to give more attention to this very serious aspect of violation of human rights of women refugees. There was a grave need to give applicable guidelines for policy making to facilitate provision of human rights to this large group of deprived women.

MARGARITA GUTIERREZ, of the International Indian Treaty Council, said indigenous women faced especially difficult problems; in Mexico the situation was grave -- a macro framework of violence. Indigenous women continued nonetheless to call for peace and dialogue among the signatories of the San Andreas agreements. There also should be justice for the human-rights offenses committed in the course of the conflict, including torture and murder; an end to the militarization of indigenous regions; and there should be greater human-rights protection for indigenous women. There had been forced sterilization of indigenous women in Mexico City and in other locations. One Parliamentary State agreement to investigate such offenses had turned out to have no effect, and there was evidence that Government programmes for forced sterilization were still in force.

The High Commissioner for Human Rights and Subcommission Expert Erica-Irene Daes had visited Mexico; it was to be hoped that their reports would call for the end of torture and murder and the militarization of indigenous areas of Mexico. Meanwhile, what was the point of the Subcommission's work if it could not pass country-specific resolutions on such matters?

MUHAMMAD ASHRAF SARAF, of the World Muslim Congress, said the organization was disappointed that the reports under consideration under this agenda item did not mention the well-attested, massive and grave violations of human rights of women in situations of armed conflict. Millions of women continued to suffer as a result of armed conflict and military aggression. This year the women of Chechnya had been subjected to atrocities of the highest order, perpetrated by the State machinery. Hundreds of female victims of these State atrocities awaited justice and compensation. Another area of foreign occupation and armed conflict was the state of Jammu and Kashmir. The presence of 700,000 Indian troops had resulted in violations of human rights affecting the whole of the Kashmiri society. Women and girls were the worst victims as they suffered murder, rape and torture. Systematic rape was used as a weapon by the Indian security forces to bring shame and suffering to their families. The members of the Subcommission were urged to appoint a Special Rapporteur on the situation of women in armed conflicts and to prepare a report on human right violations of women and girls in armed conflicts with special reference to areas under foreign occupation, including Kashmir.

SAEEDA SHAH, of the World Muslim League, said Kashmiri women were pleading for justice and were losing all hope and faith in the UN system. Women in Rwanda, Ethiopia, Central Africa, Bosnia, Sri Lanka and many other parts of the world were victims of war crimes and suffered in silence. In the valley of Kashmir, women and children were the worst victims of the Indian military presence. Women were molested, abused, tortured, and raped as part of cordon and search operations and after raids. No distinction was made as to age. Civil organizations had documented incontrovertible evidence that rape was being used as an instrument of war in Kashmir, but no independent inquiry had ever been held.

In conservative Kashmiri society, the stigma of rape condemned a woman forever. The matter was hushed up and she had to suffer in silence; complaints to the police did no good; hundreds ended up committing suicide. Even if the Subcommission could no longer use country resolutions, it could call upon the Indian Government to establish an independent commission of inquiry into all cases of rape carried out by its forces and the renegade militias over the last 10 years and to bring the perpetrators to justice.

ALICIA PEREZ DUARTE (Mexico) said that in the last report of the Secretary-General on women's rights, it was recognized that even though norms had been accepted, they were far from being achieved. There had been an unacceptable level of inefficiency in this field. Over the course of the last six years, Mexico had witnessed significant progress in this field, through the 'alliance for equality' programmes. These programmes had focused on the feminization of poverty and violence against women. Poverty for women was particularly due to economic dependence on men, inadequate access to economic resources and difficulties in rebuilding families after divorce.

The Government was working on this with a gender perspective. It had been noted that the origins of the problem were customs and norms which prevented women from access to housing, land and inheritance. The Government was currently working to improve the access to land and housing. These obstacles showed that one needed to go in depth in the comparative analysis of the different legal systems of the world. In Mexico, many institutions had already began the comparative study of these issues. The contribution of the National Committee of Human Rights was notable. With regard to indigenous women, it had been noted that there were obstacles in

ownership of property due to a number of customs and traditions. The Government was working on their modification thereof to address the current inequalities. The Mexican Government had also undertaken action related to domestic violence in the setting up of early prevention and detection programmes. There was a growing relationship and alliance between the Government and civil society in this field.

MOHAMMED AL-DORI (Iraq) said women in Iraq continued to suffer unspeakably under the illegal international economic embargo imposed against the country; Iraq had struggled for years to help the situation of women, and much had been done by the Government, including implementation of a comprehensive national approach intended to liberate women. Iraq was meeting all its international obligations despite the embargo. But the embargo caused moral and material devastation, hurting women and children especially. The current maternal mortality rate was 94 per 1,000; anaemia and malnutrition rates had reached 60 per cent among pregnant women, leading to many births of severely underweight children.

The United States and the United Kingdom, moreover, had used an illegal weapon against Iraq -- enriched uranium, which had caused environmental damage and various women's health problems, including birth deformities and cancer. Deaths among women as a result of the embargo and other causes had come to some 4 million. Continued bombing of Iraqi territory also was resulting in harm to women, including through psychological problems such as depression. And widespread economic damage from the embargo affected women in many ways. The Subcommission must do its utmost to halt the use of this embargoed weapon.

EI EI TIN (Myanmar) gave an account of the status of women in Myanmar who enjoyed a unique equality with men as part of their inherent rights. In Myanmar, all citizens were equal before the law regardless of race, religion, status or sex. Women enjoyed equal political, economic, social and cultural rights. Since the Beijing conference, the Government of Myanmar had systematically instituted a national machinery and programmes for the promotion of the advancement of women. In 1996, the Myanmar National Committee was established to carry out activities for the advancement of women. In 1997, the National Committee for Women's Affairs adopted Myanmar's national plan for the advancement of women. This plan covered education, health, economy, violence against women and the girl-child, and the environment and media with regard to women. The Government had also strengthened legislation in these areas and had set up counselling centres for the victims of violence.

The National Committee had enhanced the cooperation between the Government and non-governmental organizations in implementing the national plan of action. The traditional practices of the Myanmar society accorded protection to women from the time they were children until they married, and continued even after they were married. Myanmar culture, traditions, religious beliefs and practices had all safeguarded the equality of Myanmar women in marriage, inheritance and other social affairs. In Myanmar's culture, women were treated with respect and had never been degraded.

IMTIAZ HUSSAIN (Pakistan) said the Pakistani Constitution guaranteed women equal rights and rejected any gender-based discrimination. Among steps taken had been establishment of a Status of Women Commission; creation of a distress fund for women; setting up of separate jails for women and juveniles and separate police stations for women staffed by women officers; and reforms of laws discriminating

against women. There were seven female Government Ministers, several women's advocacy groups, and a vibrant free press which followed human rights issues closely. Pakistan condemned honour killings; they were considered murder and would be treated as such; they were the consequence of ignorance and bigotry, steeped in tribal customs, and such acts were possible only because of weak enforcement of laws. The current Government was determined to change this.

Pakistan was extremely disappointed that only Pakistan had been mentioned in the Special Rapporteur's report in relation to honour killings. It was a universal problem. The Special Rapporteur could have highlighted other things, such as the use of rape as an instrument of policy in occupied Kashmir. Pakistan welcomed advice and help, but it was only productive if it was constructive. Pakistan would not submit to propaganda or defamation of the country and religion.

HAMAYUN TANDAR (Afghanistan) thanked Ms. Warzazi for her impressive report on the situation of women. Afghan society, like any other society, had not achieved total equality between men and women. Nevertheless, there had been several important and structural changes undertaken by the Government. The legislative text which allowed marriage against consent had been abolished several years ago. Access to education had been equal as had access to health care. Women had been voted into the national assembly and polygamy had been strongly opposed by the Government. Women had also had high political positions and had in some areas even outnumbered the amount of men.

However, this had all changed with the occupation of Afghanistan by the Taliban. Overnight, thousands of women had lost their jobs, tens of hundreds of thousands women had been forced to stay at home and female teachers had been forbidden to teach. Access to hospitals had been denied to women and all public baths had been shut. All women were forced to be covered at all times, if not, they risked public beatings. The Taliban had no respect for women and saw men and women as having different roles and different importance in society. Women who had any contact with men outside the family were believed to be prostitutes. This was a rigid straight jacket for women and the whole society which allowed females no legal status as women or as human beings. In Afghanistan there had been an alarming increase in women committing suicide. There were massive kidnappings, forced marriages and trafficking in women for various purposes. It was important to note that all the women belonged to minority ethnic groups. Even in this situation of intolerance, women had organized themselves. They were having secret meetings and organizing schooling for boys and girls. It was the duty of the Subcommission to help the millions of Afghan women fighting the Taliban. The Subcommission must not forget them.

HASSAN EL TALIB (Sudan) said his country was dedicated to the human rights of women. The status of Sudanese women was naturally and traditionally protected by cultural and religious traditions. Law called for full gender equality. Sudanese women were participating more and more in political and civic life. The Secretary General of Amnesty International and the Secretary General of Anti-Slavery International had visited the country, and a Supreme Council on child welfare had been set up. Revenues from petroleum wealth would be directed to human development, and educational facilities had been expanded and primary education made mandatory, with great increases in enrollment.

A Commission on the Eradication of Abduction of Women and Children had been

established to help with the situation in the south of the country. Some 353 women and children had been reunited with their families; some 4,900 other cases were expected to be solved. Such abductions had been defined as crimes. But unilateral economic measures against Sudan were making innocent people, including women, victims, and the bombardment of a Sudanese factory in 1998 by the United States had been harmful to women. International human rights standards must be applied fairly to all.

ALDORAYBI ABDULLATIF (Yemen) said that the situation of women in Yemen was receiving a lot of international attention. The Government was attempting to improve the situation so that women could fulfil their social, economic and cultural roles in society. This effort had improved since May 1990, when women could take posts which had hitherto been occupied by men only. In 1997, women participated in elections gaining 45 percent of the votes. Women were working in the courts and in the diplomatic field; even in the President's cabinet there were forty posts occupied by women. For the first time, there was a female Yemeni Ambassador. Women were also participating in the political arena and society, in the elaboration on strategies after the Beijing conference, and in developing of strategies in education. This had had positive spin-off effects and women had the same privileges that were granted to men. The Government attached tremendous importance to access to health, and programmes were being implemented on the health of the family. Therefore, the representative dismissed criticism as so much had been achieved for women in Yemen.

HALIMA EMBAREK WARZAZI, Subcommission Expert and Special Rapporteur on the elimination of traditional practices harmful to the health of women and children, said she was grateful for the positive response to her report, as this indicated that the international community was now discovering all the dangers inherent in these traditional practices. What she wished to stress was that when she spread information on such practices, she in no way meant to put Governments in the firing line. On the contrary, she thought most Governments were doing the right thing and were condemning such practices when they occurred on their territories. It was important to reveal these practices to Governments; often they were not aware of their extent. In her experience, Governments went on to take the necessary measures once they were made aware of these problems.

For practices such as honour killings, it was important that Governments amend laws to bring them into compliance with the international human-rights conventions that those same Governments had ratified. Meanwhile, she assured non-governmental organizations that if she received information from them, she would cite those organizations as the source of that information.

HALIMA EMBAREK WARZAZI, Subcommission Expert and Chairperson-Rapporteur of the working group on contemporary forms of slavery, presented a report on the progress of the working group. The discussions in the group had been useful and had been graced by high-level interest and statements. All participants had shown great interest in the work of the group. The priority had been discussion on debt bondage and bonded labour. There had been several pertinent contributions from non-governmental organizations (NGOs). The conclusions showed that there was unanimous sentiment that victims of these practices should be freed and rehabilitated. The need to establish rehabilitation programmes had also been discussed. The importance of adopting laws on minimum wage had also been discussed extensively. Participation and cooperation between the State, NGOs and national commissions of

human rights had been emphasized. Children had been heard and had shared information about the situation in many countries, such as Pakistan and Haiti. The situation in Nepal had also been considered as had the trends of forced labour in Brazil.

The discussion of the fact that the phenomenon was not restricted to developing countries or regions had been noted. General education in human rights needed to be a priority, as well as the eradication of poverty. The cancellation of foreign debts had been suggested as well as the use of the saved money to be spent on rehabilitation programmes. NGOs had also voiced concerns that no article of the draft dealt with clandestine workers who may also be faced with sexual abuse and forced labour. There was a need to bring the text into line with human rights norms. The link between migration and trafficking had also been underlined, particularly with regard to globalization. Poverty was the ultimate problem in many of these situations. It had been suggested that the United Nations establish an international day or decade against trafficking of human beings. The Working Group had decided to adopt a programme of work in order to make best use of the time at hand and it would continue setting priorities. The next session would focus on trafficking of children and women.

DAVID WEISSBRODT, Subcommittee Expert, introducing an updated review of implementation of and follow-up to the conventions on slavery (E/CN.4/Sub.2/2000/3 and Add.1), said it had been almost 20 years since the last general review of slavery had been done by the Subcommittee. The update summarized core international law against slavery, its origins and the progress of the international campaign to abolish the slave trade and slavery, the legal instruments and institutions which had been established to combat slavery, the evolving definition of slavery, contemporary slavery and other related practices.

To date, there was no international mechanism for the monitoring and enforcement of State obligations to abolish slavery and related practices except the working group on contemporary forms of slavery, whose work needed to be reinforced and encouraged. The addendum discussed in greater detail the various forms of slavery that were current. For example, concern had been raised over people who were abducted in the course of violent raids and who were subjected to practices similar to slavery which also were categorized as abuses in their own right, such as certain forms of child labour and the practice of sexual trafficking in women and children. He hoped States would take action to implement international standards prohibiting slavery, as there were reported to be tens of millions of people whose rights were being violated in this manner.

VLADIMIR KARTASHKIN, Subcommittee Alternate Member, thanked Ms. Warzazi and Mr. Weissbrodt for introducing the documents. He was not attempting to analyse all the documents in front of him as there was a whole pile of them and it was difficult to speak on all these serious issues on the same day. Therefore, he would dwell on one important issue. He was concerned about the several, and often contradictory, definitions of sexual slavery. It had been referred to with regard to prostitution and compensation, profit, forced marriages, elements of coercion and temporary deprivation of freedom of action. This confused the issues that were within the scope of the study. When this study was to proceed, it was important to come up with a generally accepted definition. If there were various documents dealing with the same issue and consisting of various definitions, the work would be made

significantly more difficult.

PAULO SERGIO PINHEIRO, Subcommittee Expert, said he wished to praise Gay S. McDougall's excellent report as another contribution to understanding the offenses of rape and sexual slavery in contemporary armed conflicts. Ms. McDougall had pointed out that sexual violence was an effective way to terrorize and demoralize the opposition in times of conflict, and that there was a prevailing climate of impunity for such crimes. Also, sexual violence was used as a form of ethnic cleansing. Rape was used in many conflicts, as cited in the report. He wished to propose that allegations of such violence be considered in relation to the conflict between Sri Lanka and the Tamils. A former special rapporteur and colleague had sent him a letter detailing several incidents involving allegations of rape by Sri Lankan soldiers, saying no prosecutions had resulted, and expressing concern about violence in the south of the country. The former special rapporteur had called for investigation and application of justice in these cases in keeping with international standards of human rights. He wished to propose that the Governments of the countries mentioned in the report could update the Subcommittee on what responses had been made to the reports of such crimes, and what steps had been taken legislatively, if any, to prevent future abuses.

ATSUKO TANAKA, of the International Movement against All Forms of Discrimination and Racism, said the involvement of the military in contemporary forms of slavery had led to the exacerbation of violence against women, especially during military conflicts. Indeed, sexual crimes and atrocities committed by military personnel in conflicts, such as the one in Kosovo, had drawn significant international attention in recent years. There were, however, other forms of military sexual slavery which were systematic and institutionalized like the case of the so-called 'comfort women'. A military sexual slavery organized by a State required State compensation. The Government of Japan was urged to admit its legal responsibility and take the necessary steps to compensate the victims accordingly.

Globalization of the sex industry was another cause of exacerbated violence and discrimination against women. This was a sexual as well as a racial problem in many situations. Although there were many human rights instruments and mechanisms, they were insufficient on their own. States should take substantial measures to reduce structural and institutional causes of trafficking and reduce these institutional discriminatory practices. The United Nations had a significant role to play in this struggle and should take up the fight in cooperation with non-governmental organizations.

RENE WADLAW, of the Association of World Citizens, said conventions against slavery unfortunately lacked enforcement and monitoring mechanisms. Since national institutions were unable or unwilling to deal effectively with the problem of slavery, there must be credible international mechanisms. The ILO had taken quick and useful action on forced labour in Myanmar, resulting in a recommendation for severe sanctions against the current Myanmar regime. Despite great efforts, it had been very difficult to have post-war Japanese Governments deal with the issue of war-time sexual slavery, either in the Japanese courts or in bilateral relations with the States concerned.

Sudan was another example -- a current one. Investigations from several reputable sources had confirmed that traditional slavery persisted in Sudan. Domestic Sudanese institutions had failed to deal adequately with a continuing pattern of taking people,

especially women and children, using them as slaves and often re-selling them. Neither slavers nor slaver owners were prosecuted. One possible step to respond to such cases would be to have the working group make country-specific proposals and then monitor their application.

HEISOO SHIN, of the Asia Pacific Forum on Women, Law and Development, said that her organisation would like to pay special attention to the part of the report on Japan's system of military sexual slavery during the Second World War. The continued failure of the Government of Japan to acknowledge its crimes and fulfil its legal responsibilities meant that people committed to human rights were preparing for a People's Court in early December 2000. The Women's International War Crimes Tribunal on Japan's Military Sexual Slavery comprised of prosecutors from South Korea, North Korea, the Philippines, China, Taiwan and Indonesia.

The tribunal would also include a one day public hearing on current violations of women's human rights in armed conflicts, which would include areas such as Kosovo, East Timor and other troubled parts of the world. For the protection and promotion of human rights for all, the Forum would like to request the Subcommission to 1) establish a system to monitor recommendations of the special rapporteur on rape, sexual slavery and slavery-like practices during armed conflict, and 2) urge all States to sign and ratify the Statute of the International Criminal Court as soon as possible.

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