

**Mandate of the Special Rapporteur on contemporary forms of slavery, including its causes and consequences**

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Excellency,

I have the honour to address you in my capacity as Special Rapporteur on contemporary forms of slavery, including its causes and consequences, pursuant to Human Rights Council resolution 24/3.

In this connection, I would like to bring to the attention of your Excellency's Government information I have received concerning the **recently revised Bonded Labour Centralised Sector Scheme** which came into effect on 17 May 2016 and replaces the rehabilitation scheme that provided 20,000 INR to bonded labourers once they had received an official release certificate.

According to information received:

The new scheme will allow for an initial amount of 5000 INR to be provided to former bonded labourers, after which 100,000 INR will be provided to male adult labourers, 200,000 will be available for women and child victims and 300,000 will be given to those who are victims of aggregated cases or who are particularly vulnerable, such as those subjected to forced and bonded sex work and transgender persons.

I would like to take this opportunity to congratulate the Government of India on efforts to increase the compensation provided to freed bonded labourers in order to support their rehabilitation. I welcome these significant increases in compensation to all bonded labourers and particularly commend the Government for developing resources to ensure additional protection for victims with increased vulnerability. According to the information received, these changes follow the release of 280,231 bonded labourers in India between 1978 and 2015. Ensuring access to justice for freed victims and providing them with compensation that is proportionate to the grave nature of slavery related human rights violations is key to the full and effective eradication of contemporary slavery and an essential part of UN Member States' duties under international law.

Whilst I welcome such increases in the compensation that will be available to freed bonded labourers, I would also like to express concern at changes to the administration of compensation. According to information received, under the new scheme compensation will only be available to freed bonded labourers following the completion of a summary trial. This allegedly significantly increases the administrative and legal requirements that are needed for former bonded labourers to be granted the compensation to which they are eligible under

the revised Bonded Labour Centralised Sector Scheme. Whilst I recognise that an initial 5000 INR, will be provided to such individuals, this is significantly less than the 200,000 INR that was provided under the previous scheme upon receipt of an official release certificate. According to information received, it can take several years for trials to be finalised within India and I am concerned that former bonded labourers will thus be deterred from pursuing legal action. If they are deterred in this way it could result in labourers being granted less compensation than under the previous scheme thus mitigating the positive impact of the revised scheme. Even those who do pursue legal action could be waiting several years for full compensation or may not be able to secure a successful prosecution. According to the information received, bonded labourers have historically faced sustained difficulties in bringing perpetrators to justice through judicial institutions and victim protection measures within the new scheme are not well developed. Removing such barriers to justice to provide timely and proportionate compensation is vital to ensuring the rehabilitation and reintegration of former bonded labourers and thus preventing re-bondage.

I would like to recall the importance of the need to eradicate all contemporary forms of slavery and slavery-like practices, in particular those defined in the Slavery Convention of 1926, and the Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery of 1956 within the meaning of Article 4 of the Universal Declaration of Human Rights (UDHR) 1948. In relation to your obligations under international law, I would like to once again congratulate your Excellency's Government on the improvements to compensation under the revised Bonded Labour Centralised Sector Scheme and call upon the Government to ensure that administrative provisions do not undermine its positive impact on the lives of former bonded labourers. I would recommend that due consideration is given to revision of the administrative elements of the scheme to ensure that all bonded labourers can access proportionate compensation in a timely manner.

We would be grateful for your Excellency's Government's feedback on the issues outlined in this letter within 60 days. Your Excellency's Government's response will be made available in a report to the Human Rights Council for its consideration.

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Please accept, Excellency, the assurances of my highest consideration.

Urmila Bhoola  
Special Rapporteur on contemporary forms of slavery, including its causes and  
consequences