



# ΕΠΙΣΗΜΗ ΕΦΗΜΕΡΙΔΑ ΤΗΣ ΚΥΠΡΙΑΚΗΣ ΔΗΜΟΚΡΑΤΙΑΣ

## ΠΑΡΑΡΤΗΜΑ ΠΡΩΤΟ

### ΝΟΜΟΘΕΣΙΑ - ΜΕΡΟΣ ΙΙΙ

|              |                              |      |
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| Αριθμός 4226 | Παρασκευή, 9 Δεκεμβρίου 2016 | 8411 |
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Ο περί του Πρωτοκόλλου στη Σύμβαση της Διεθνούς Οργάνωσης Εργασίας για την Καταναγκαστική Εργασία (Κυρωτικός) Νόμος του 2016 εκδίδεται με δημοσίευση στην Επίσημη Εφημερίδα της Κυπριακής Δημοκρατίας σύμφωνα με το Άρθρο 52 του Συντάγματος.

Αριθμός 27(III) του 2016

ΝΟΜΟΣ ΠΟΥ ΚΥΡΩΝΕΙ ΤΟ ΠΡΩΤΟΚΟΛΛΟ ΣΤΗ ΣΥΜΒΑΣΗ ΤΗΣ ΔΙΕΘΝΟΥΣ ΟΡΓΑΝΩΣΗΣ ΕΡΓΑΣΙΑΣ  
ΓΙΑ ΤΗΝ ΚΑΤΑΝΑΓΚΑΣΤΙΚΗ ΕΡΓΑΣΙΑ (ΣΥΜΒΑΣΗ ΑΡ. 29)

Η Βουλή των Αντιπροσώπων ψηφίζει ως ακολούθως:

|                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|-----------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Συνοπτικός τίτλος.                                  | 1. Ο παρών Νόμος θα αναφέρεται ως ο περί του Πρωτοκόλλου στη Σύμβαση της Διεθνούς Οργάνωσης Εργασίας για την Καταναγκαστική Εργασία (Κυρωτικός) Νόμος του 2016.                                                                                                                                                                                                                                                                                                        |
| Ερμηνεία.                                           | 2. Στον παρόντα Νόμο, εκτός αν από το κείμενο προκύπτει διαφορετική έννοια-<br><br>«Πρωτόκολλο» σημαίνει το Πρωτόκολλο στη Σύμβαση της Διεθνούς Οργάνωσης Εργασίας για την Καταναγκαστική Εργασία (Σύμβαση Αρ. 29), που εγκρίθηκε κατά την 103 <sup>η</sup> Σύνοδο της Διεθνούς Συνδιάσκεψης Εργασίας την 28 <sup>η</sup> Μαΐου 2014 και την προσχώρηση στο οποίο έχει εγκρίνει το Υπουργικό Συμβούλιο με την Απόφασή του με Αριθμό 79.561 και ημερομηνία 7.10.2015.». |
| Κύρωση του Πρωτοκόλλου. Πίνακας, Μέρος Ι, Μέρος ΙΙ. | 3. Το Πρωτόκολλο, το κείμενο του οποίου, στο αγγλικό πρωτότυπο, εκτίθεται στο Μέρος Ι του Πίνακα και σε μετάφραση στην ελληνική, στο Μέρος ΙΙ του Πίνακα, με τον παρόντα Νόμο κυρούται:<br><br>Νοείται ότι, σε περίπτωση αντίθεσης των δύο κειμένων, υπερισχύει το κείμενο που εκτίθεται στο Μέρος Ι του Πίνακα αυτού.                                                                                                                                                 |
| Έκδοση κανονισμών.                                  | 4.-(1) Για την καλύτερη εφαρμογή των διατάξεων του παρόντος Νόμου και του Πρωτοκόλλου, το Υπουργικό Συμβούλιο δύναται να εκδίδει κανονισμούς.<br><br>(2) Χωρίς επηρεασμό της γενικότητας του εδαφίου (1), κανονισμοί που εκδίδονται δυνάμει αυτού μπορούν να προνοούν ποινικά αδικήματα σε περίπτωση παραβάσεων καθώς και ποινές για τη διάπραξή τους, οι οποίες δεν μπορούν να υπερβαίνουν τα τέσσερα έτη φυλάκισης ή τις ογδόντα χιλιάδες ευρώ πρόστιμο.             |

**ΠΙΝΑΚΑΣ**  
**(άρθρο 3)**

**ΜΕΡΟΣ Ι**

**Protocol of 2014 to the Forced Labour Convention, 1930**

Preamble

The General Conference of the International Labour Organization,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its 103rd Session on 28 May 2014, and

Recognizing that the prohibition of forced or compulsory labour forms part of the body of fundamental rights, and that forced or compulsory labour violates the human rights and dignity of millions of women and men, girls and boys, contributes to the perpetuation of poverty and stands in the way of the achievement of decent work for all, and

Recognizing the vital role played by the Forced Labour Convention, 1930 (No. 29), hereinafter referred to as “the Convention”, and the Abolition of Forced Labour Convention, 1957 (No. 105), in combating all forms of forced or compulsory labour, but that gaps in their implementation call for additional measures, and

Recalling that the definition of forced or compulsory labour under Article 2 of the Convention covers forced or compulsory labour in all its forms and manifestations and is applicable to all human beings without distinction, and

Emphasizing the urgency of eliminating forced and compulsory labour in all its forms and manifestations, and

Recalling the obligation of Members that have ratified the Convention to make forced or compulsory labour punishable as a penal offence, and to ensure that the penalties imposed by law are really adequate and are strictly enforced, and

Noting that the transitional period provided for in the Convention has expired, and the provisions of Article 1, paragraphs 2 and 3, and Articles 3 to 24 are no longer applicable, and

Recognizing that the context and forms of forced or compulsory labour have changed and trafficking in persons for the purposes of forced or compulsory labour, which may involve sexual exploitation, is the subject of growing international concern and requires urgent action for its effective elimination, and

Noting that there is an increased number of workers who are in forced or compulsory labour in the private economy, that certain sectors of the economy are particularly vulnerable, and that certain groups of workers have a higher risk of becoming victims of forced or compulsory labour, especially migrants, and

Noting that the effective and sustained suppression of forced or compulsory labour contributes to ensuring fair competition among employers as well as protection for workers, and

Recalling the relevant international labour standards, including, in particular, the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), the Equal Remuneration Convention, 1951 (No. 100), the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), the Minimum Age Convention, 1973 (No. 138), the Worst Forms of Child Labour Convention, 1999 (No. 182), the Migration for Employment Convention (Revised), 1949 (No. 97), the Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143), the Domestic Workers Convention, 2011 (No. 189), the Private Employment Agencies Convention, 1997 (No. 181), the Labour Inspection Convention, 1947 (No. 81), the Labour Inspection (Agriculture) Convention, 1969 (No. 129), as well as the ILO Declaration on Fundamental Principles and Rights at Work (1998), and the ILO Declaration on Social Justice for a Fair Globalization (2008), and

Noting other relevant international instruments, in particular the Universal Declaration of Human Rights (1948), the International Covenant on Civil and Political Rights (1966), the International Covenant on Economic, Social and Cultural Rights (1966), the Slavery Convention (1926), the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery (1956), the United Nations Convention against Transnational Organized Crime (2000), the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (2000), the Protocol against the Smuggling of Migrants by Land, Sea and Air (2000), the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (1990), the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984), the Convention on the Elimination of All Forms of Discrimination against Women (1979), and the Convention on the Rights of Persons with Disabilities (2006), and

Having decided upon the adoption of certain proposals to address gaps in implementation of the Convention, and reaffirmed that measures of prevention, protection, and remedies, such as compensation and rehabilitation, are necessary to achieve the effective and sustained suppression of forced or compulsory labour, pursuant to the fourth item on the agenda of the session, and

Having determined that these proposals shall take the form of a Protocol to the Convention;

adopts this eleventh day of June two thousand and fourteen the following Protocol, which may be cited as the Protocol of 2014 to the Forced Labour Convention, 1930.

#### Article 1

1. In giving effect to its obligations under the Convention to suppress forced or compulsory labour, each Member shall take effective measures to prevent and eliminate its use, to provide to victims protection and access to appropriate and effective remedies, such as compensation, and to sanction the perpetrators of forced or compulsory labour.

2. Each Member shall develop a national policy and plan of action for the effective and sustained suppression of forced or compulsory labour in consultation with employers' and workers' organizations, which shall involve systematic action by the competent authorities and, as appropriate, in coordination with employers' and workers' organizations, as well as with other groups concerned.

3. The definition of forced or compulsory labour contained in the Convention is reaffirmed, and therefore the measures referred to in this Protocol shall include specific action against trafficking in persons for the purposes of forced or compulsory labour.

## Article 2

The measures to be taken for the prevention of forced or compulsory labour shall include:

- (a) educating and informing people, especially those considered to be particularly vulnerable, in order to prevent their becoming victims of forced or compulsory labour;
- (b) educating and informing employers, in order to prevent their becoming involved in forced or compulsory labour practices;
- (c) undertaking efforts to ensure that:
  - (i) the coverage and enforcement of legislation relevant to the prevention of forced or compulsory labour, including labour law as appropriate, apply to all workers and all sectors of the economy; and
  - (ii) labour inspection services and other services responsible for the implementation of this legislation are strengthened;
- (d) protecting persons, particularly migrant workers, from possible abusive and fraudulent practices during the recruitment and placement process;
- (e) supporting due diligence by both the public and private sectors to prevent and respond to risks of forced or compulsory labour; and