

INTERNATIONAL LABOUR ORGANISATION

**Convention concerning forced or compulsory labour,
adopted by the General Conference of the International
Labour Organisation at its fourteenth session, Geneva,
28 June 1930, as modified by the Final Articles Revision
Convention, 1946**

*English and French official texts communicated by the Director-General
of the International Labour Office. The registration took place on
15 September 1949.*

ORGANISATION INTERNATIONALE DU TRAVAIL

**Convention concernant le travail forcé ou obligatoire,
adoptée par la Conférence générale de l'Organisation
internationale du Travail à sa quatorzième session,
Genève, 28 juin 1930, telle qu'elle a été modifiée par la
Convention portant revision des articles finals, 1946**

*Textes officiels anglais et français communiqués par le Directeur général de
l'Organisation internationale du Travail. L'enregistrement a eu lieu le
15 septembre 1949.*

No. 612. CONVENTION¹ CONCERNING FORCED OR
COMPULSORY LABOUR, AS MODIFIED BY THE FINAL
ARTICLES REVISION CONVENTION, 1946²

The General Conference of the International Labour Organisation,
Having been convened at Geneva by the Governing Body of the
International Labour Office, and having met in its Fourteenth
Session on 10 June 1930, and

Having decided upon the adoption of certain proposals with regard
to forced or compulsory labour, which is included in the first
item on the agenda of the Session, and

Having determined that these proposals shall take the form of an
international Convention,

adopts this twenty-eighth day of June of the year one thousand nine hundred
and thirty the following Convention, which may be cited as the Forced
Labour Convention, 1930, for ratification by the Members of the Inter-
national Labour Organisation in accordance with the provisions of the
Constitution of the International Labour Organisation :

Article 1

1. Each Member of the International Labour Organisation which
ratifies this Convention undertakes to suppress the use of forced or com-
pulsory labour in all its forms within the shortest possible period.

2. With a view to this complete suppression, recourse to forced or
compulsory labour may be had, during the transitional period, for public
purposes only and as an exceptional measure, subject to the conditions and
guarantees hereinafter provided.

3. At the expiration of a period of five years after the coming into
force of this Convention, and when the Governing Body of the International
Labour Office prepares the report provided for in Article 31 below, the said
Governing Body shall consider the possibility of the suppression of forced
or compulsory labour in all its forms without a further transitional period
and the desirability of placing this question on the agenda of the Conference.

¹ For the date of entry into force of the Convention and the list of ratifications
see Certified Statement on page 82.

² United Nations, *Treaty Series*, Volume 38, page 3.

Article 2

1. For the purposes of this Convention the term "forced or compulsory labour" shall mean all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily.

2. Nevertheless, for the purposes of this Convention, the term "forced or compulsory labour" shall not include—

- (a) any work or service exacted in virtue of compulsory military service laws for work of a purely military character;
- (b) any work or service which forms part of the normal civic obligations of the citizens of a fully self-governing country;
- (c) any work or service exacted from any person as a consequence of a conviction in a court of law, provided that the said work or service is carried out under the supervision and control of a public authority and that the said person is not hired to or placed at the disposal of private individuals, companies or associations;
- (d) any work or service exacted in cases of emergency, that is to say, in the event of war or of a calamity or threatened calamity, such as fire, flood, famine, earthquake, violent epidemic or epizootic diseases, invasion by animal, insect or vegetable pests, and in general any circumstance that would endanger the existence or the well-being of the whole or part of the population;
- (e) minor communal services of a kind which, being performed by the members of the community in the direct interest of the said community, can therefore be considered as normal civic obligations incumbent upon the members of the community, provided that the members of the community or their direct representatives shall have the right to be consulted in regard to the need for such services.

Article 3

For the purposes of this Convention the term "competent authority" shall mean either an authority of the metropolitan country or the highest central authority in the territory concerned.

Article 4

1. The competent authority shall not impose or permit the imposition of forced or compulsory labour for the benefit of private individuals, companies or associations.

2. Where such forced or compulsory labour for the benefit of private

individuals, companies or associations exists at the date on which a Member's ratification of this Convention is registered by the Director-General of the International Labour Office, the Member shall completely suppress such forced or compulsory labour from the date on which this Convention comes into force for that Member.

Article 5

1. No concession granted to private individuals, companies or associations shall involve any form of forced or compulsory labour for the production or the collection of products which such private individuals, companies or associations utilise or in which they trade.

2. Where concessions exist containing provisions involving such forced or compulsory labour, such provisions shall be rescinded as soon as possible, in order to comply with Article 1 of this Convention.

Article 6

Officials of the administration, even when they have the duty of encouraging the populations under their charge to engage in some form of labour, shall not put constraint upon the said populations or upon any individual members thereof to work for private individuals, companies or associations.

Article 7

1. Chiefs who do not exercise administrative functions shall not have recourse to forced or compulsory labour.

2. Chiefs who exercise administrative functions may, with the express permission of the competent authority, have recourse to forced or compulsory labour, subject to the provisions of Article 10 of this Convention.

3. Chiefs who are duly recognised and who do not receive adequate remuneration in other forms may have the enjoyment of personal services, subject to due regulation and provided that all necessary measures are taken to prevent abuses.

Article 8

1. The responsibility for every decision to have recourse to forced or compulsory labour shall rest with the highest civil authority in the territory concerned.

2. Nevertheless, that authority may delegate powers to the highest

local authorities to exact forced or compulsory labour which does not involve the removal of the workers from their place of habitual residence. That authority may also delegate, for such periods and subject to such conditions as may be laid down in the regulations provided for in Article 28 of this Convention, powers to the highest local authorities to exact forced or compulsory labour which involves the removal of the workers from their place of habitual residence for the purpose of facilitating the movement of officials of the administration, when on duty, and for the transport of Government stores.

Article 9

Except as otherwise provided for in Article 10 of this Convention, any authority competent to exact forced or compulsory labour shall, before deciding to have recourse to such labour, satisfy itself—

- (a) that the work to be done or the service to be rendered is of important direct interest for the community called upon to do the work or render the service;
- (b) that the work or service is of present or imminent necessity;
- (c) that it has been impossible to obtain voluntary labour for carrying out the work or rendering the service by the offer of rates of wages and conditions of labour not less favourable than those prevailing in the area concerned for similar work or service; and
- (d) that the work or service will not lay too heavy a burden upon the present population, having regard to the labour available and its capacity to undertake the work.

Article 10

1. Forced or compulsory labour exacted as a tax and forced or compulsory labour to which recourse is had for the execution of public works by chiefs who exercise administrative functions shall be progressively abolished.

2. Meanwhile, where forced or compulsory labour is exacted as a tax, and where recourse is had to forced or compulsory labour for the execution of public works by chiefs who exercise administrative functions, the authority concerned shall first satisfy itself—

- (a) that the work to be done or the service to be rendered is of important direct interest for the community called upon to do the work or render the service;
- (b) that the work or the service is of present or imminent necessity;