

No. 4648

INTERNATIONAL LABOUR ORGANISATION

Convention (No. 105) concerning the abolition of forced labour. Adopted by the General Conference of the International Labour Organisation at its fortieth session, Geneva, 25 June 1957

Official texts: English and French.

Registered by the International Labour Organisation on 28 January 1959.

ORGANISATION INTERNATIONALE DU TRAVAIL

Convention (n° 105) concernant l'abolition du travail forcé. Adoptée par la Conférence générale de l'Organisation internationale du Travail à sa quarantième session, Genève, 25 juin 1957

Textes officiels anglais et français.

Enregistrée par l'Organisation internationale du Travail le 28 janvier 1959.

No. 4648. CONVENTION¹ (No. 105) CONCERNING THE ABOLITION OF FORCED LABOUR. ADOPTED BY THE GENERAL CONFERENCE OF THE INTERNATIONAL LABOUR ORGANISATION AT ITS FORTIETH SESSION, GENEVA, 25 JUNE 1957

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 Fortieth Session on 5 June 1957, and Having considered the question of forced labour, which is the fourth item on the agenda of the session, and

Having noted the provisions of the Forced Labour Convention, 1930,² and

Having noted that the Slavery Convention, 1926,³ provides that all necessary measures shall be taken to prevent compulsory or forced labour from developing into conditions analogous to slavery and that the Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery, 1956,⁴ provides for the complete abolition of debt bondage and serfdom, and

Having noted that the Protection of Wages Convention, 1949,⁵ provides that wages shall be paid regularly and prohibits methods of payment which deprive the worker of a genuine possibility of terminating his employment, and

Having decided upon the adoption of further proposals with regard to the abolition of certain forms of forced or compulsory labour constituting a violation of the rights of man referred to in the Charter of the United Nations and enunciated by the Universal Declaration of Human Rights,⁶ and

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

¹ See footnote 1 on p. 294.

² De Martens, *Nouveau Recueil général de Traités*, troisième série, tome XXVII, p. 471. For Convention (No. 29) 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, see United Nations, *Treaty Series*, Vol. 39, p. 55; Vol. 54, p. 403; Vol. 104, p. 347; Vol. 133, p. 336; Vol. 167, p. 264; Vol. 172, p. 337; Vol. 196, p. 337; Vol. 198, p. 376; Vol. 202, p. 328; Vol. 210, p. 328; Vol. 211, p. 389; Vol. 225, p. 256; Vol. 248, p. 398; Vol. 249, p. 448; Vol. 253, p. 381; Vol. 256, p. 331; Vol. 261, p. 389; Vol. 266, p. 373; Vol. 268, p. 355; Vol. 269, p. 278; Vol. 272, p. 251; Vol. 280, p. 349; Vol. 282, p. 358; Vol. 285, p. 371; Vol. 287, p. 342; Vol. 293, p. 367, and Vol. 312, p. 403.

³ League of Nations, *Treaty Series*, Vol. LX, p. 253; Vol. LXIX, p. 114; Vol. LXXXII, p. 485; Vol. LXXXIII, p. 416; Vol. LXXXVIII, p. 356; Vol. XCVI, p. 192; Vol. C, p. 221; Vol. CIV, p. 511; Vol. CVII, p. 491; Vol. CXXX, p. 444; Vol. CXXXVIII, p. 440; Vol. CLII, p. 296; Vol. CLX, p. 342; Vol. CLXXII, p. 410; Vol. CLXXVII, p. 393; Vol. CLXXXV, p. 387, and Vol. CC, p. 502.

⁴ See footnote 1, p. 347 of this volume.

⁵ United Nations, *Treaty Series*, Vol. 138, p. 225; Vol. 149, p. 408; Vol. 184, p. 361; Vol. 188, p. 390; Vol. 196, p. 353; Vol. 201, p. 378; Vol. 212, p. 398; Vol. 219, p. 352; Vol. 222, p. 420; Vol. 231, p. 364; Vol. 248, p. 407; Vol. 253, p. 395; Vol. 258, p. 402; Vol. 266, p. 414; Vol. 272, p. 261; Vol. 293, p. 382; Vol. 300, p. 374; Vol. 302, p. 363; Vol. 304, p. 406, and Vol. 312, p. 420.

⁶ United Nations, *Official Records of the Third Session of the General Assembly*, Part I (A/810), p. 71.

adopts this twenty-fifth day of June of the year one thousand nine hundred and fifty-seven the following Convention, which may be cited as the Abolition of Forced Labour Convention, 1957 :

Article 1

Each Member of the International Labour Organisation which ratifies this Convention undertakes to suppress and not to make use of any form of forced or compulsory labour—

¹ Came into force on 17 January 1959, twelve months after the date on which the ratifications of two Members had been registered with the Director-General of the International Labour Office, in accordance with article 4. Following is the list of States on behalf of which ratifications were registered with the Director-General of the International Labour Office, indicating the dates of registration and the effective dates of ratifications :

<i>States</i>	<i>Date of registration</i>	<i>Effective date</i>
United Kingdom of Great Britain and Northern Ireland*	30 December 1957	17 January 1959
Denmark	17 January 1958	17 January 1959
(Applicable, without modification, to Greenland and to the Faroe Islands.)		
Haiti	4 March 1958	4 March 1959
Austria	5 March 1958	5 March 1959
Jordan	31 March 1958	31 March 1959
Israel	10 April 1958	10 April 1959
Norway	14 April 1958	14 April 1959
Cuba	2 June 1958	2 June 1959
Sweden	2 June 1958	2 June 1959
Ireland	11 June 1958	11 June 1959
Dominican Republic	23 June 1958	23 June 1959
Switzerland	18 July 1958	18 July 1959
Poland	30 July 1958	30 July 1959
Honduras	4 August 1958	4 August 1959
Federation of Malaya	13 October 1958	13 October 1959
United Arab Republic	23 October 1958	23 October 1959
El Salvador	18 November 1958	18 November 1959
Ghana	15 December 1958	15 December 1959
Tunisia	12 January 1959	12 January 1960

* By declarations, registered on the dates indicated below, the Government of the United Kingdom undertook to apply the provisions of the Convention or accepted the obligations thereof on behalf of and with the agreement of the Governments concerned in respect of the following territories :

Declarations registered on 10 June 1958:

Without modification: Aden Colony, Antigua (Federation of the West Indies), Bermuda, British Guiana, British Somaliland, Brunei, Dominica (F.W.I.), Gibraltar, Grenada (F.W.I.), Malta, Mauritius, Montserrat (F.W.I.), North Borneo, St. Helena, St. Vincent (F.W.I.), Sarawak, Sierra Leone, Singapore.

Declarations registered on 8 July 1958:

Without modification: British Virgin Islands, Falkland Islands, Gilbert and Ellice Islands.

Declaration registered on 16 July 1958:

Without modification: Bahamas.

Declaration registered on 28 July 1958:

Without modification: Seychelles.

Declarations registered on 20 August 1958:

Without modification: Barbados (F.W.I.), Jamaica (F.W.I.), St. Kitts (F.W.I.), St. Lucia (F.W.I.), Trinidad (F.W.I.).

Declarations registered on 31 August 1958:

With modifications: Basutoland, Bechuanaland Protectorate, Swaziland.

Article 2. — Certain limited services which fall within the terms of article 1 (b) may still be exacted by local tribal authorities.

- (a) as a means of political coercion or education or as a punishment for holding or expressing political views or views ideologically opposed to the established political, social or economic system;
- (b) as a method of mobilising and using labour for purposes of economic development;
- (c) as a means of labour discipline;
- (d) as a punishment for having participated in strikes;
- (e) as a means of racial, social, national or religious discrimination.

Article 2

Each Member of the International Labour Organisation which ratifies this Convention undertakes to take effective measures to secure the immediate and complete abolition of forced or compulsory labour as specified in Article 1 of this Convention.

Article 3

The formal ratifications of this Convention shall be communicated to the Director-General of the International Labour Office for registration.

Article 4

1. This Convention shall be binding only upon those Members of the International Labour Organisation whose ratifications have been registered with the Director-General.

2. It shall come into force twelve months after the date on which the ratifications of two Members have been registered with the Director-General.

3. Thereafter, this Convention shall come into force for any Member twelve months after the date on which its ratification has been registered.

Article 5

1. A Member which has ratified this Convention may denounce it after the expiration of ten years from the date on which the Convention first comes into force, by an act communicated to the Director-General of the International Labour Office for registration. Such denunciation shall not take effect until one year after the date on which it is registered.

2. Each Member which has ratified this Convention and which does not, within the year following the expiration of the period of ten years mentioned in the preceding paragraph, exercise the right of denunciation provided for in this Article, will be bound for another period of ten years and, thereafter, may denounce this Convention at the expiration of each period of ten years under the terms provided for in this Article.

Article 6

1. The Director-General of the International Labour Office shall notify all Members of the International Labour Organisation of the registration of all ratifications and denunciations communicated to him by the Members of the Organisation.

2. When notifying the Members of the Organisation of the registration of the second ratification communicated to him, the Director-General shall draw the attention of the Members of the Organisation to the date upon which the Convention will come into force.

Article 7

The Director-General of the International Labour Office shall communicate to the Secretary-General of the United Nations for registration in accordance with article 102 of the Charter of the United Nations full particulars of all ratifications and acts of denunciation registered by him in accordance with the provisions of the preceding Articles.

Article 8

At such times as it may consider necessary the Governing Body of the International Labour Office shall present to the General Conference a report on the working of this Convention and shall examine the desirability of placing on the agenda of the Conference the question of its revision in whole or in part.

Article 9

1. Should the Conference adopt a new Convention revising this Convention in whole or in part, then, unless the new Convention otherwise provides—

- (a) the ratification by a Member of the new revising Convention shall *ipso jure* involve the immediate denunciation of this Convention, notwithstanding the provisions of Article 5 above, if and when the new revising Convention shall have come into force;
- (b) as from the date when the new revising Convention comes into force this Convention shall cease to be open to ratification by the Members.

2. This Convention shall in any case remain in force in its actual form and content for those Members which have ratified it but have not ratified the revising Convention.

Article 10

The English and French versions of the text of this Convention are equally authoritative.

The foregoing is the authentic text of the Convention duly adopted by the General Conference of the International Labour Organisation during its Fortieth Session which was held at Geneva and declared closed the twenty-seventh day of June 1957.

IN FAITH WHEREOF we have appended our signatures this fourth day of July 1957.

The President of the Conference,
Harold HOLT

The Director-General of the International Labour Office,
David A. MORSE