

一 強制勞働ニ關スル條約

一九三〇年(昭和五年)六月二八日條約案トシテ採擇
一九三二年(昭和七年)五月一日效力發生
一九三二年(昭和七年)一〇月二五日 批 准
一九三二年(昭和七年)十一月二日 批 准 登 録
一九三二年(昭和七年)二月七日 公 布

前 文
國際聯盟ノ國際勞働機關ノ總會ハ

國際勞働事務局ノ理事會ニ依リ「ジュネーヴ」ニ
招集セラレ千九百三十年六月十日ヲ以テ其ノ第
十四回會議ヲ開催シ

右會議ノ會議事項ノ第一項目ノ一部タル強制勞
働ニ關スル提案ヲ採擇ヲ決議シ且

該提案ハ國際條約案ノ形式ニ依ルベキモノナル
コトヲ決定シ

I. CONVENTION CONCERNING FORCED OR COMPULSORY LABOUR.

*Adopted as a Draft Convention on June 28, 1930.
Registered from May 1, 1932.
Ratified October 15, 1932.
Publication registered November 21, 1932.
Promulgated December 7, 1932.*

The General Conference of the International Labour Organisation of the League of Nations,

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 a draft international convention,

國際勞働機關ノ締盟國ニ依リ批准セララルガ爲
「ヴェルサイユ」條約ノ第十三編及他ノ平和諸條約
ノ對當編ノ規定ニ從ヒ千九百三十年六月二十八日
左ノ條約案ヲ採擇ス

第一條

本條約ヲ批准スル國際勞働機關ノ各締盟國ハ能フ
限リ最短キ期間内ニ一切ノ形式ニ於ケル強制勞働
ノ使用ヲ廢止スルコトヲ約ス

右完全ナル廢止ノ目的ヲ以テ強制勞働ハ經過期間
中公ノ目的ノ爲ニミ且例外ノ措置トシテ使用セ
ラルルコトヲ得尤モ以下ニ定メラルル條件及保障
ニ從フモノトス

本條約ノ效力ノ發生ヨリ五年ノ期間滿了シ且國際
勞働事務局ノ理事會ガ後ニ掲ゲラルル第三十一條
ニ定メラルル報告ヲ作成スルニ當リ右理事會ハ更
ニ經過期間ヲ設クルコトヲシテ一切ノ形式ニ於

adopts, this twenty-eighth day of June of the year one thousand nine hundred and thirty, the following Draft Convention for ratification by the Members of the International Labour Organisation, in accordance with the provisions of Part XIII of the Treaty of Versailles and of the corresponding Parts of the other Treaties of Peace:

ARTICLE 1.

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

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.

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-pro-

依理
ニ關スル
審議

公ノ目的
ノ爲ニ使用
スルコト
ヲ得

強制勞働
ノ使用ヲ
廢止スル

ケル強制勞働ヲ廢止スルコトヲ得ルヤ否ヤ及本問題ヲ總會ノ會議事項ニ掲グルコトノ望マシキヤ否ヤヲ審議スベシトシテ、第三十一條ノ規定ハ、本條約ノ目的、趣旨、及目的ニ合ハズ、且同條

第二條

本條約ニ於テ「強制勞働」ト稱スルハ或者ガ處罰ノ脅威ノ下ニ強要セラレ且右ノ者ガ自ラ任意ニ申出デタルニ非ザル一切ノ勞務ヲ謂フ

「強制勞働」ト稱スルハ、左記ヲ包含セザルナシ

- (イ) 純然タル軍事的性質ノ作業ニ對シ強制兵役法ニ依リ強要セララル勞務
- (ロ) 完全ナル自治國ノ國民ノ通常ノ公民義務ヲ構成スル勞務
- (ハ) 裁判所ニ於ケル判決ノ結果トシテ或者ガ強要

vided 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.

Article 2. Definitions

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.

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

セラルル勞務尤モ右勞務ハ公ノ機關ノ監督及管理ノ下ニ行ハルベク且右ノ者ハ私ノ個人、會社若ハ團體ニ雇ハレ又ハ其ノ指揮ニ服セザル者タルベシ

(ニ) 緊急ノ場合即チ戰爭ノ場合又ハ火災、洪水、飢饉、地震、猛烈ナル流行病若ハ家畜流行病、獸類、蟲類若ハ植物ノ害物ノ侵入ノ如キ災厄ノ若ハ其ノ虞アル場合及一般ニ住民ノ全部又ハ一部ノ生存又ハ幸福ヲ危殆ナラシムル一切ノ事情ニ於テ強要セララル勞務

(ホ) 輕易ナル部落ノ勞務ニシテ該部落ノ直接ノ利益ノ爲部落民ニ依リ遂行セラレ從テ該部落民ノ負フベキ通常ノ公民義務ト認メラレ得ルモノ尤モ部落民又ハ其ノ直接ノ代表者ハ右勞務ノ必要ニ付意見ヲ求メララルノ權利ヲ有スルモノトス

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.

機關アル
義ノ意

第三條

本條約ニ於テ「權限アル機關」ト稱スルハ本國ノ機關又ハ關係地域ニ於ケル最高中央機關ヲ謂フ

第四條

權限アル機關ハ私ノ個人、會社又ハ團體ノ利益ノ爲強制労働ヲ課シ又ハ課スルコトヲ許可スルコトヲ得ズ

一ノ締盟國ニ依ル本條約ノ批准ガ國際聯盟事務總長ニ依リ登録セラレル日ニ於テ私ノ個人、會社又ハ團體ノ利益ノ爲ノ右強制労働ガ存在スル場合ニハ當該締盟國ハ本條約ガ右締盟國ニ對シ效力ヲ發生スル日ヨリ右強制労働ヲ完全ニ廢止スベシ

第五條

私ノ個人、會社又ハ團體ニ與ヘラルル免許ハ右私

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.

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

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 Secretary-General of the League of Nations, 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.

No concession granted to private individuals,

免許ハ強
制労働ヲ
生ゼシム
ルコトヲ
得ズ

ノ個人、會社又ハ團體ガ利用シ又ハ取引スル生産物ノ生産又ハ蒐集ノ爲ノ如何ナル形式ノ強制労働ヲモ生ゼシムルコトヲ得ズ

右強制労働ヲ生ゼシムル規定ヲ包含スル免許ガ存在スル場合ニハ本條約第一條ニ適合スル爲右規定ハ能フ限リ速ニ廢止セラルベシ

第六條

行政廳ノ職員ハ其ノ責任ノ下ニ在ル住民ニ何等カノ形式ノ労働ニ従事スルコトヲ獎勵スルノ職務ヲ有スル場合ニモ該住民ノ全部又ハ其ノ中ノ何人カニ對シ私ノ個人、會社又ハ團體ノ爲ニ労働セシムル爲強制労働ヲ加フルコトヲ得ズ

第七條

行政上ノ職務ヲ行ハザル首長ハ強制労働ヲ使用スルコトヲ得ズ

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.

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

行政上ノ職務ヲ行フ首長ハ權限アル機關ノ明示ノ許可ヲ得テ強制労働ヲ使用スルコトヲ得尤モ本條約第十條ノ規定ニ從フモノトス

適法ニ認メラレタル首長ニシテ他ノ形式ニ於テ適當ノ報酬ヲ受ケザルモノハ個人ノ勞務ヲ使用スルコトヲ得尤モ適當ノ規則ニ從フベク且濫用ヲ防止スル爲一切ノ必要ナル措置ガ執ラルベキモノトス

第八條

強制労働ヲ使用スルノ一切ノ決定ニ付テノ責任ハ關係地域ニ於ケル最高民政機關ニ存スベシ

尤モ右機關ハ労働者ノ其ノ平常ノ居所ヨリノ移轉ヲ伴ハザル強制労働ヲ強要スルノ權限ヲ最高地方機關ニ委任スルコトヲ得右機關ハ職務執行中ノ行政廳ノ職員ノ移動ヲ容易ナラシムル爲及政府貯藏品ノ運送ノ爲労働者ノ其ノ平常ノ居所ヨリノ移轉ヲ伴フ強制労働ヲ強要スルノ權限ヲモ本條約第二

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.

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.

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

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. The authority may also delegate, for such periods and subject to such conditions as may be laid down in the regulations

十三條ニ定メラルル規則ニ規定セララルルコトアルベキ期間ニ付及條件ニ從ヒ最高地方機關ニ委任スルコトヲ得

第九條

本條約第十條ニ別ニ定メラルル場合ノ外強制労働ヲ強要スルノ權限アル機關ハ右労働ノ使用ヲ決定スルニ先チ左記ヲ確ムベシ

(イ) 爲サルベキ勞務ガ之ヲ爲スコトヲ要求セラルル部落ニ對シ重要ナル直接ノ利益ヲ有スルモノナルコト

(ロ) 右勞務ガ現ニ又ハ急迫ニ必要ナルモノナルコト

(ハ) 右勞務ヲ遂行スル爲、類似ノ勞務ニ付關係地區ニ於テ通常行ハルモノヨリ不利ナラザル價

provided for in Article 23 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

銀率及勞働條件ノ提供ニ依リ任意勞働ヲ得ルコト不可能ナリシコト竝ニ

- (ニ) 利用シ得ベキ勞力及現在ノ住民ノ右勞務ヲ行フ能力ヲ考慮シ右勞務ガ過重ノ負擔ヲ右住民ニ對シ課セザルコト

第十條

租稅トシテ強要セラルル強制勞働及行政上ノ職務ヲ行フ首長ニ依リ公共事業ノ遂行ノ爲使用セラルル強制勞働ハ漸次廢止セラルベシ

右廢止ニ至ル迄、強制勞働ガ租稅トシテ強要セラルル場合及強制勞働ガ行政上ノ職務ヲ行フ首長ニ依リ公共事業ノ遂行ノ爲使用セラルル場合ニ於テハ關係機關ハ先づ左記ヲ確ムベシ

- (イ) 爲サルベキ勞務ガ之ヲ爲スコトヲ要求セラルル部落ニ對シ重要ナル直接ノ利益ヲ有スルモノ

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.

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.

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

ナルコト

- (ロ) 右勞務ガ現ニ又ハ急迫ニ必要ナルモノナルコト

- (ハ) 利用シ得ベキ勞力及現在ノ住民ノ右勞務ヲ行フ能力ヲ考慮シ右勞務ガ過重ノ負擔ヲ右住民ニ對シ課セザルコト

- (ニ) 右勞務ガ勞働者ノ其ノ平常ノ居所ヨリノ移轉ヲ伴ハザルコト

- (ホ) 右勞務ノ遂行ガ宗教、社會生活及農業ノ要求ニ從ヒ指導セラルベキコト

第十一條

推定年齢十八歳以上四十五歳以下ノ強壯ナル成年男子ノミ強制勞働ニ徵集セラルコトヲ得本條約第十條ニ定メラルル種類ノ勞働ニ付テノ外左ノ制限及條件ニ從フベシ

ARTICLE 11.

Only adult able-bodied males who are of an apparent age of not less than 18 and not more than 45 years may be called upon for forced or compulsory labour. Except in respect of the kinds of labour provided for in Article 10 of this Convention, the following limitations and

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;

(c) 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;

(d) that the work or service will not entail the removal of the workers from their place of habitual residence;

(e) that the execution of the work or the rendering of the service will be directed in accordance with the exigencies of religion, social life and agriculture.

租稅タル
強要タ
及公共
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及勞働
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テ

(イ) 關係者ガ傳染病ニ罹リ居ラザルコト並ニ右ノ者ガ所要勞務ニ及其ノ遂行條件ニ身體上適スルコトヲ行政廳ニ依リ任命セラルル醫師ガ可能ナル一切ノ場合ニ豫メ決定スルコト

(ロ) 學校ノ教師及生徒並ニ一般行政廳ノ職員ヲ除外スルコト

(ハ) 各部落ニ於テ家族生活及社會生活ニ缺クベカラザル強壯ナル成年男子ノ數ヲ維持スルコト

(ニ) 夫婦及家族ノ關係ヲ尊重スルコト

前項(ハ)ノ適用ニ付テハ本條約第二十三條ニ定メラル規則ハ一時ニ強制勞働ニ徵集セラレ得ベキ常住ノ強壯ナル成年男子ノ割合ヲ定ムベシ尤モ常ニ右割合ハ如何ナル場合ニ於テモ二十五「パーセント」ヲ超ユルコトヲ得ズ右割合ヲ定ムルニ當リ權限アル機關ハ人口ノ密度、住民ノ社會上及身體上ノ發達、季節並ニ關係者ガ其ノ地方ニ於テ自己ノ爲遂行スルコトヲ要スル作業ヲ斟酌スベク且一

conditions shall apply:

(a) whenever possible prior determination by a medical officer appointed by the administration that the persons concerned are not suffering from any infectious or contagious disease and that they are physically fit for the work required and for the conditions under which it is to be carried out;

(b) exemption of school teachers and pupils and of officials of the administration in general;

(c) the maintenance in each community of the number of adult able-bodied men indispensable for family and social life;

(d) respect for conjugal and family ties.

For the purposes of sub-paragraph (c) of the preceding paragraph, the regulations provided for in Article 23 of this Convention shall fix the proportion of the resident adult able-bodied males who may be taken at any one time for forced or compulsory labour, provided always that this proportion shall in no case exceed 25 per cent. In fixing this proportion the competent authority shall take account of the density of the popula-

般ニ關係部落ノ日常生活ノ經濟上及社會上ノ必要ヲ考慮スベシ

第十二條

或者ガ十二月ノ一期間ニ於テ一切ノ種類ノ強制勞働ニ徵集セラレ得ベキ最長期間ハ勞務場所ニ往復スルニ要スル期間ヲ含ミ六十日ヲ超ユルコトヲ得ズ

強制勞働ガ強要セラルル各勞働者ハ其ノ完了シタル右勞働ノ期間ヲ示セル證明書ヲ交付セラルベシ

第十三條

強制勞働ガ強要セラルル者ノ平常ノ勞働時間ハ任意勞働ニ付通常行ハルモノト同一タルベク且平常ノ勞働時間ヲ超ユル勞働時間ハ任意勞働ニ對スル超過時間ニ付通常行ハル率ニ於テ報酬ヲ與ハラルベシ

tion, of its social and physical development, of the seasons, and of the work which must be done by the persons concerned on their own behalf in their locality, and, generally, shall have regard to the economic and social necessities of the normal life of the community concerned.

Article 12.

The maximum period for which any person may be taken for forced or compulsory labour of all kinds in any one period of twelve months shall not exceed sixty days, including the time spent in going to and from the place of work.

Every person from whom forced or compulsory labour is exacted shall be furnished with a certificate indicating the periods of such labour which he has completed.

Article 13.

The normal working hours of any person from whom forced or compulsory labour is exacted shall be the same as those prevailing in the case of voluntary labour, and the hours worked in excess of the normal working hours shall be

強制勞働ノ期間ハ往復日數ヲ含ミ六十日以内トス

強制勞働ノ平常ノ時間及任意勞働ノ超過時間ハ同一ナルベシ

備ト共ニ充分ナル醫員ガ存在スルコト及ハ、勞務場所ノ衛生狀態並ニ飲料水、食糧、燃料、炊事道具及必要アル場合ノ住居及被服ノ供給ガ満足ナルコト

(二) 勞働者ノ家族ノ生計ヲ確保スル爲特ニ、勞働者ノ要求ニ基キ又ハ其ノ同意ヲ得テ安全ナル方法ヲ以テ賃銀ノ一部ヲ家族ニ送付スルコトヲ容易ナラシムルコトニ依リ右生計ヲ確保スル爲一定ノ措置ヲ執ルコト

(三) 勞働者ガ勞務場所ニ往復スル旅行ハ行政廳ノ費用ヲ以テ且其ノ責任ノ下ニ爲サルベク右行政廳ハ利用シ得ベキ一切ノ運送方法ヲ最完全ニ使用スルコトニ依リ右旅行ヲ容易ナラシムベキコト

(四) 一定期間ノ勞働不能ヲ生ゼシムル疾病又ハ災害ノ場合ニ於テハ勞働者ガ行政廳ノ費用ヲ以テ送還セララルコト

(五) 勞働者ニシテ其ノ強制勞働ノ期間満了ノ際任

fixed intervals during the period of service, (b) that there is an adequate medical staff, provided with the dispensaries, infirmaries, hospitals and equipment necessary to meet all requirements, and (c) that the sanitary conditions of the workplaces, the supply of drinking water, food, fuel, and cooking utensils, and, where necessary, of housing and clothing, are satisfactory;

(2) that definite arrangements are made to ensure the subsistence of the families of the workers, in particular by facilitating the remittance, by a safe method, of part of the wages to the family, at the request or with the consent of the workers;

(3) that the journeys of the workers to and from the workplaces are made at the expense and under the responsibility of the administration, which shall facilitate such journeys by making the fullest use of all available means of transport;

(4) that, in case of illness or accident causing incapacity to work of a certain duration, the worker is repatriated at the expense of the administration;

(5) that any worker who may wish to remain

意勞働者トシテ留ルコトヲ欲スルコトアルベキモノガ其ノ無料ニテ送還セララルノ權利ヲ二年間喪失スルコトナクシテ之ヲ許可セララルコト

第十八條

人又ハ貨物ノ運送ノ爲ノ強制勞働例ヘバ運搬夫又ハ船頭ノ勞働ハ能フ限り最短キ期間内ニ廢止セララルベシ右廢止ニ至ル迄ハ權限アル機關ハ就中左記ヲ定ムル規則ヲ公布スベシイ、右勞働ガ職務執行中ノ行政廳ノ職員ノ移動ヲ容易ナラシムル爲若ハ政府貯藏品ノ運送ノ爲又ハ極メテ緊急ナル必要ノ場合ニ於テ職員以外ノ者ノ運送ノ爲ノミニ使用セラルベキコト(右ニ使用セララル勞働者ガ醫學的検査ノ可能ナル場合ニハ身體上適スト醫學上證明セラルベキコト及右醫學的検査ノ實行シ難キ場合ニハ右勞働者ヲ使用スル者ガ勞働者ガ身體上適スル者ニシテ且傳染病ニ罹リ居ラザルコトヲ確保スルノ責任ヲ負フベキコトハ)右勞働者ガ運搬スルコトヲ得ベキ最大荷重(ニ)右勞働者ガ其ノ家庭ヨリノ徵集セララルコトアルベキ最大距離(ハ)勞

as a voluntary worker at the end of his period of forced or compulsory labour is permitted to do so without, for a period of two years, losing his right to repatriation free of expense to himself.

ARTICLE 18.

Forced or compulsory labour for the transport of persons or goods, such as the labour of porters or boatmen, shall be abolished within the shortest possible period. Meanwhile the competent authority shall promulgate regulations determining, *inter alia*, (a) that such labour shall only be employed for the purpose of facilitating the movement of officials of the administration, when on duty, or for the transport of Government stores, or in cases of very urgent necessity, the transport of persons other than officials, (b) that the workers so employed shall be medically certified to be physically fit, where medical examination is possible, and that where such medical examination is not practicable the person employing such workers shall be held responsible for ensuring that they are physically fit and not suffering from any infectious or contagious disease,

運送ノ強制勞働例ヘバ運搬夫又ハ船頭ノ勞働ハ能フ限り最短キ期間内ニ廢止セララルベシ右廢止ニ至ル迄ハ權限アル機關ハ就中左記ヲ定ムル規則ヲ公布スベシイ、右勞働ガ職務執行中ノ行政廳ノ職員ノ移動ヲ容易ナラシムル爲若ハ政府貯藏品ノ運送ノ爲又ハ極メテ緊急ナル必要ノ場合ニ於テ職員以外ノ者ノ運送ノ爲ノミニ使用セラルベキコト(右ニ使用セララル勞働者ガ醫學的検査ノ可能ナル場合ニハ身體上適スト醫學上證明セラルベキコト及右醫學的検査ノ實行シ難キ場合ニハ右勞働者ヲ使用スル者ガ勞働者ガ身體上適スル者ニシテ且傳染病ニ罹リ居ラザルコトヲ確保スルノ責任ヲ負フベキコトハ)右勞働者ガ運搬スルコトヲ得ベキ最大荷重(ニ)右勞働者ガ其ノ家庭ヨリノ徵集セララルコトアルベキ最大距離(ハ)勞

働者ガ其ノ家庭ニ歸還スルニ要スル日數ヲ含ミ一月又ハ他ノ期間ニ付其ノ徵集セラルルコトアルベキ最大日數竝ニ(ヘ)此ノ種ノ強制勞働ヲ要求シ得ル者及右ノ者ガ之ヲ要求シ得ル限度

前項ハ、(ニ)及ホニ掲グルルル最大限度ヲ定ムルニ當リ權限アル機關ハ當該勞働者ガ徵集セラルル住民ノ身體上ノ發達、勞働者ガ旅行スルコトヲ要スル地方ノ性質及氣候狀態ヲ含ム一切ノ關係要素ヲ考慮スベシ

權限アル機關ハ運搬セラルベキ重量及通行セラルベキ距離ノミナラズ道路ノ性質、季節及他ノ一切ノ關係要素ヲモ考慮スベキモノト解シ右勞働者ノ通常ノ日程ガ平均一日八時間勞働ニ相當スル距離ヲ超エザルベキコト竝ニ通常ノ日程ヲ超ユル行程時間ガ課セラルル場合ニハ右勞働者ハ普通率ヨリ

(e) the maximum load which these workers may carry, (d) the maximum distance from their homes to which they may be taken, (e) the maximum number of days per month or other period for which they may be taken, including the days spent in returning to their homes, and (f) the persons entitled to demand this form of forced or compulsory labour and the extent to which they are entitled to demand it.

In fixing the maxima referred to under (e), (d) and (e) in the foregoing paragraph, the competent authority shall have regard to all relevant factors, including the physical development of the population from which the workers are recruited, the nature of the country through which they must travel and the climatic conditions.

The competent authority shall further provide that the normal daily journey of such workers shall not exceed a distance corresponding to an average working day of eight hours, it being understood that account shall be taken not only of the weight to be carried and the distance to be covered, but also of the nature of the road,

モ一層高キ率ニ於テ報酬ヲ與ヘラルベキコトヲ尙規定スベシ

第十九條

權限アル機關ハ飢饉又ハ食糧品ノ缺乏ニ對スル用意ノ手段トシテノミ且常ニ食糧又ハ生産物ガ之ヲ生産スル個人又ハ部落ノ所有ニ歸スベキコトノ條件ノ下ニノミ強制耕作ヲ使用スルコトヲ許可スベシ

本條ハ生産ガ法令又ハ慣習ニ基キ部落ヲ基本トシテ組織セラレ且生産物又ハ其ノ販賣ヨリ生ズル利益ガ該部落ノ所有ニ歸スル場合ニハ法令又ハ慣習ニ基キ該部落ニ依リ要求セラルル勞務ヲ遂行スルノ該部落民ノ義務ヲ解除スルモノト解セラルルコトヲ得ズ

the season and all other relevant factors, and that, where hours of journey in excess of the normal daily journey are exacted, they shall be remunerated at rates higher than the normal rates.

ARTICLE 19.

The competent authority shall only authorise recourse to compulsory cultivation as a method of precaution against famine or a deficiency of food supplies and always under the condition that the food or produce shall remain the property of the individuals or the community producing it.

Nothing in this Article shall be construed as abrogating the obligation on members of a community, where production is organised on a communal basis by virtue of law or custom and where the produce or any profit accruing from the sale thereof remain the property of the community, to perform the work demanded by the community by virtue of law or custom.

第二十條

部落ガ其ノ部落民ノ或者ニ依リ犯サルル犯罪ニ對シ罰セラルルコトアルベキ團體處罰法令ハ處罰手段ノ一トシテノ部落ニ依ル強制労働ニ關スル規定ヲ包含スルコトヲ得ズ

團體處罰
法令ニハ
強制労働
ノ規定ヲ
包含スル
コトヲ得
ズ

第二十一條

強制労働ハ鑛山ニ於ケル地下労働ノ爲使用セラルルコトヲ得ズ

第二十二條

本條約ヲ批准スル締盟國ガ其ノ本條約ノ規定ノ實施ノ爲執リタル措置ニ關シ「ヴェルサイユ」條約ノ第四百八條及他ノ平和諸條約ノ對當條項ノ規定ニ從ヒ國際労働事務局ニ提出スルムトヲ約スル年報ハ各關係地域ニ付強制労働ガ該地域ニ於テ使用セラレタル程度、之ガ使用セラレタル目的、疾病及死亡ノ率、労働時間、賃銀支拂方法及賃銀率ニ關スル能フ限り完全ナル情報並ニ他ノ一切ノ關係情報ヲ包含スベシ

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ARTICLE 20.

Collective punishment laws under which a community may be punished for crimes committed by any of its members shall not contain provisions for forced or compulsory labour by the community as one of the methods of punishment.

ARTICLE 21.

Forced or compulsory labour shall not be used for work underground in mines.

ARTICLE 22.

The annual reports that Members which ratify this Convention agree to make to the International Labour Office, pursuant to the provisions of Article 408 of the Treaty of Versailles and of the Corresponding Articles of the other Treaties of Peace, on the measures they have taken to give effect to the provisions of this Convention, shall contain as full information as possible, in respect of each territory concerned, regarding the extent to which recourse has been had to forced or compulsory labour in that territory, the pur-

第二十三條

本條約ノ規定ノ實施ノ爲權限アル機關ハ強制労働ノ使用ヲ規律スル完全且精細ナル規則ヲ公布スベシ

強制労働
ノ使用
ヲ規律
スル
完全
且精
細ナル
規則
ヲ公
布ス
ベシ

右規則ハ就中強制労働ガ強要セラルル者ヲシテ労働條件ニ關スル一切ノ異議ヲ當該機關ニ申立ツルコトヲ得シメ及右異議ガ審査セラレ且考慮セラルルコトヲ確保スル規定ヲ包含スベシ

労働條件
ニ關スル
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立ツル
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第二十四條

任意労働ノ監督ノ爲設ケラレタル現在ノ労働監督機關ノ權限ヲ強制労働ノ監督ニ及ブ様擴張スルコトニ依リ又ハ他ノ何等カノ適當ナル方法ニ依リ強制労働ノ使用ヲ規律スル規則ガ嚴格ニ實施セラルルコトヲ確保スル爲一切ノ場合ニ於テ適當ナル措

任意労働
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poses for which it has been employed, the sickness and death rates, hours of work, methods of payment of wages and rates of wages, and any other relevant information.

ARTICLE 23.

To give effect to the provisions of this Convention the competent authority shall issue complete and precise regulations governing the use of forced or compulsory labour.

These regulations shall contain, *inter alia*, rules permitting any person from whom forced or compulsory labour is exacted to forward all complaints relative to the conditions of labour to the authorities and ensuring that such complaints will be examined and taken into consideration.

ARTICLE 24.

Adequate measures shall in all cases be taken to ensure that the regulations governing the employment of forced or compulsory labour are strictly applied, either by extending the duties of any existing labour inspectorate which has been established for the inspection of voluntary

置ヲ執ルベシ右勞働ガ強要セラルル者ニ右規則ヲ知悉セシムルコトヲ確保スル爲ノ措置ヲモ亦執ルベシ

第二十五條

強制勞働ノ不法ナル強要ハ刑事犯罪トシテ處罰セラルベク又法令ニ依リ科セラルル刑罰ガ眞ニ適當ニシテ且嚴格ニ實施セラルルコトヲ確保スルコトハ本條約ヲ批准スル締盟國ノ義務タルベシ

第二十六條

本條約ヲ批准スル國際勞働機關ノ各締盟國ハ右締盟國ガ對内的管轄事項ニ關スル義務ヲ受諾スルノ權利ヲ有スル限リ其ノ主權、管轄、保護、宗主權、後見又ハ權力ノ下ニ置カルル地域ニ對シ之ヲ適用スルコトヲ約ス尤モ右締盟國ハ「ヴェルサイユ」條約ノ第四百二十一條及他ノ平和諸條約ノ對當條項ノ規定ヲ援用センコトヲ欲スルトキハ左記ヲ示ス宣言ヲ該國ノ批准ニ附加スベシ

Labour to cover the inspection of forced or compulsory labour or in some other appropriate manner. Measures shall also be taken to ensure that the regulations are brought to the knowledge of persons from whom such labour is exacted.

ARTICLE 25.

The illegal exaction of forced or compulsory labour shall be punishable as a penal offence, and it shall be an obligation on any Member ratifying this Convention to ensure that the penalties imposed by law are really adequate and are strictly enforced.

ARTICLE 26.

Each Member of the International Labour Organisation which ratifies this Convention undertakes to apply it to the territories placed under its sovereignty, jurisdiction, protection, suzerainty, tutelage or authority, so far as it has the right to accept obligations affecting matters of internal jurisdiction; provided that, if such Member may desire to take advantage of the provisions of Article 421 of the Treaty of Versailles and of

(一) 右締盟國ガ變更ヲ加ヘズシテ本條約ノ規定ヲ適用セントスル地域

(二) 右締盟國ガ變更ヲ加ヘテ本條約ノ規定ヲ適用セントスル地域及右變更ノ細目

(三) 右締盟國ガ其ノ決定ヲ留保スル地域

前記宣言ハ批准ノ一部ト看做サルベク且批准ノ效力ヲ有スベシ何レノ締盟國モ原宣言ニ於テ本條(二)及(三)ノ規定ニ從ヒ爲サレタル留保ノ全部又ハ一部ヲ爾後ノ宣言ニ依リ取消スコトヲ得

第二十七條

「ヴェルサイユ」條約ノ第十三編及他ノ平和諸條約ノ對當編ニ定ムル條件ニ依ル本條約ノ正式批准ハ

the corresponding Articles of the other Treaties of Peace, it shall append to its ratification a declaration stating:—

(1) the territories to which it intends to apply the provisions of this Convention without modification;

(2) the territories to which it intends to apply the provisions of this Convention with modifications, together with details of the said modifications;

(3) the territories in respect of which it reserves its decision.

The aforesaid declaration shall be deemed to be an integral part of the ratification and shall have the force of ratification. It shall be open to any Member, by a subsequent declaration, to cancel in whole or in part the reservations made, in pursuance of the provisions of sub-paragraphs (2) and (3) of this Article, in the original declaration.

ARTICLE 27.

The formal ratifications of this Convention under the conditions set forth in Part XIII of

登録ノ爲國際聯盟事務總長ニ之ヲ通告スベシ

第二十八條

效力發生

本條約ハ國際聯盟事務局ニ其ノ批准ヲ登録シタル締盟國ノミヲ拘束スベシ

本條約ハ事務總長ガ國際勞働機關ノ締盟國中ノ二國ノ批准ヲ登録シタル日ヨリ十二月後ニ於テ效力ヲ發生スベシ

爾後本條約ハ他ノ何レノ締盟國ニ付テモ其ノ批准ヲ登録シタル日ヨリ十二月後ニ於テ效力ヲ發生スベシ

第二十九條

事務總長ノ通告

國際勞働機關ノ締盟國中ノ二國ガ國際聯盟事務局ニ本條約ノ批准ノ登録ヲ爲シタルトキハ事務總長ハ國際勞働機關ノ一切ノ締盟國ニ右ノ旨ヲ通告スベシ事務總長ハ爾後該機關ノ他ノ締盟國ノ通告シタル批准ノ登録ヲ一切ノ締盟國ニ同様ニ通告スベシ

the Treaty of Versailles and in the corresponding Parts of the other Treaties of Peace shall be communicated to the Secretary-General of the League of Nations for registration.

ARTICLE 28.

This Convention shall be binding only upon those Members whose ratifications have been registered with the Secretariat.

It shall come into force twelve months after the date on which the ratifications of two Members of the International Labour Organisation have been registered with the Secretary-General.

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

ARTICLE 29.

As soon as the ratifications of two Members of the International Labour Organisation have been registered with the Secretariat, the Secretary-General of the League of Nations shall so notify all the Members of the International Labour Organisation. He shall likewise notify them of

廢棄

第三十條

本條約ヲ批准シタル締盟國ハ本條約ノ最初ノ效力發生ノ日ヨリ十年ノ期間滿了後ニ於テ國際聯盟事務總長宛登録ノ爲ニスル通告ニ依リ之ヲ廢棄スルコトヲ得右ノ廢棄ハ該事務局ニ登録アリタル日ノ後一年間ハ其ノ效力ヲ生ゼズ

本條約ヲ批准シタル各締盟國ニシテ前項ニ掲グル十年ノ期間滿了後一年以内ニ本條ニ定ムル廢棄ノ權利ヲ行使セザルモノハ更ニ五年間拘束ヲ受クベク又爾後各五年ノ期間滿了毎ニ本條ニ定ムル條件ニ依リ本條約ヲ廢棄スルコトヲ得

the registration of ratifications which may be communicated subsequently by other Members of the Organisation.

ARTICLE 30.

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 Secretary-General of the League of Nations for registration. Such denunciation shall not take effect until one year after the date on which it is registered with the Secretariat.

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 five years and, thereafter, may denounce this Convention at the expiration of each period of five years under the terms provided for in this Article.

理事會ノ
職務

第三十一條
國際労働事務局ノ理事會ハ本條約ノ效力發生ヨリ各五年ノ期間滿了毎ニ本條約ノ施行ニ關スル報告ヲ總會ニ提出スベク且其ノ全部又ハ一部ノ改正ニ關スル問題ヲ總會ノ會議事項ニ掲グベキヤ否ヤヲ審議スベシ

第三十二條

總會ガ本條約ノ全部又ハ一部ヲ改正スル新條約ヲ採擇スル場合ニハ締盟國ニ依ル新改正條約ノ批准ハ新改正條約ガ效力ヲ發生シタルトキ前記第三十條ノ規定ニ拘ラズ猶豫ノ要件ヲ要セズシテ當然ニ本條約ノ廢棄ヲ生ゼシムベシ
新改正條約ノ效力發生ノ日ヨリ本條約ハ締盟國ニ依リ批准セラレ得ザルニ至ルベシ

改正條約
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ARTICLE 31.

At the expiration of each period of five years after the coming into force of this Convention, the Governing Body of the International Labour Office shall present to the General Conference a report on the working of this Convention and shall consider the desirability of placing on the Agenda of the Conference the question of its revision in whole or in part.

ARTICLE 32.

Should the Conference adopt a new Convention revising this Convention in whole or in part, the ratification by a Member of the new revising Convention shall *ipso jure* involve denunciation of this Convention without any requirement of delay, notwithstanding the provisions of Article 30 above, if and when the new revising Convention shall have come into force.

As from the date of the coming into force of the new revising Convention, the present Convention shall cease to be open to ratification by the Members.

尤モ本條約ハ之ヲ批准シタルモ改正條約ヲ批准セザル締盟國ニ對シテハ其ノ現在ノ形式及内容ニ於テ引續キ效力ヲ有スベシ

第三十三條

本條約ハ佛蘭西語及英吉利語ノ本文ヲ以テ共ニ正文トス

前記ハ國際労働機關ノ總會ニ依リ、「ジュネーヴ」ニ於テ開催セラレ且千九百三十年六月二十八日閉會ヲ宣セラレタル其ノ第十四回會議中適法ニ採擇セラレタル條約案ノ正文ナリトス

右證據トシテ千九百三十年七月二十五日署名ス

總會議長

ユー、マハイム

國際労働事務局長

アルベル、トーマ

COVENANT CONCERNING FORCED LABOUR

Nevertheless, this Convention shall remain in force in its actual form and content for those Members which have ratified it but have not ratified the revising Convention.

ARTICLE 33.

The French and English texts of this Convention shall both be authentic.

The foregoing is the authentic text of the Draft Convention duly adopted by the General Conference of the International Labour Organization during its Fourteenth Session which was held at Geneva and declared closed the 28th day of June 1930.

IN FAITH WHEREOF we have appended our signatures this twenty-fifth day of July 1930.

The President of the Conference.

E. MAHAJIM.

The Director of the International Labour Office.

ALBERT THOMAS.

RECUEIL
DES
TRAITÉS ET CONVENTIONS
ENTRE
LE JAPON ET LES PUISSANCES ÉTRANGÈRES

TOME II
CONVENTIONS INTERNATIONALES

SIXIÈME PARTIE

MINISTÈRE DES AFFAIRES ÉTRANGÈRES
TOKIO

1934