

*Article 16.*

Except in cases of special necessity, persons from whom forced or compulsory labour is exacted shall not be transferred to districts where the food and climate differ so considerably from those to which they have been accustomed as to endanger their health.

In no case shall the transfer of such workers be permitted unless all measures relating to hygiene and accommodation which are necessary to adapt such workers to the conditions and to safeguard their health can be strictly applied.

When such transfer cannot be avoided, measures of gradual habituation to the new conditions of diet and of climate shall be adopted on competent medical advice.

In cases where such workers are required to perform regular work to which they are not accustomed, measures shall be taken to ensure their habituation to it, especially as regards progressive training, the hours of work and the provision of rest intervals, and any increase or amelioration of diet which may be necessary.

*Article 17.*

Before permitting recourse to forced or compulsory labour for works of construction or maintenance which entail the workers remaining at the workplaces for considerable periods, the competent authority shall satisfy itself—

- (1) That all necessary measures are taken to safeguard the health of the workers and to guarantee the necessary medical care, and, in particular, (a) that the workers are medically examined before commencing the work and at 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 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 : (c) 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 (c), (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, 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 authorize 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 organized 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.