

SUPPRESSION OF SLAVE TRADE AND SLAVERY

Convention signed at Geneva September 25, 1926

*Senate advice and consent to adherence, with a reservation, February 25, 1929*¹

*Adherence declared by the President of the United States, with a reservation, March 1, 1929*¹

Adherence of the United States deposited with the Secretary-General of the League of Nations March 21, 1929

Entered into force March 9, 1927; for the United States March 21, 1929

Proclaimed by the President of the United States March 23, 1929

Amended by protocol of December 7, 1953,² as between contracting parties to the protocol; supplemented by convention of September 7, 1956,³ as between contracting parties to the later convention

46 Stat. 2183; Treaty Series 778

SLAVERY CONVENTION

Albania, Germany, Austria, Belgium, the British Empire, Canada, the Commonwealth of Australia, the Union of South Africa, the Dominion of New Zealand, and India, Bulgaria, China, Colombia, Cuba, Denmark, Spain, Estonia, Abyssinia, Finland, France, Greece, Italy, Latvia, Liberia, Lithuania, Norway, Panama, the Netherlands, Persia, Poland, Portugal, Roumania, the Kingdom of the Serbs, Croats and Slovenes, Sweden, Czechoslovakia and Uruguay,

Whereas the signatories of the General Act of the Brussels Conference of 1889-90⁴ declared that they were equally animated by the firm intention of putting an end to the traffic in African slaves;

¹ The U.S. reservation reads as follows:

"That the Government of the United States, adhering to its policy of opposition to forced or compulsory labor except as a punishment for crime of which the person concerned has been duly convicted, adheres to the Convention except as to the first subdivision of the second paragraph of article five, which reads as follows:

"(1) Subject to the transitional provisions laid down in paragraph (2) below, compulsory or forced labor may only be exacted for public purposes."

² 7 UST 479; TIAS 3532.

³ 18 UST 3201; TIAS 6418.

⁴ TS 383, *ante*, vol. 1, p. 134.

Whereas the signatories of the Convention of Saint-Germain-en-Laye of 1919⁵ to revise the General Act of Berlin of 1885 and the General Act and Declaration of Brussels of 1890 affirmed their intention of securing the complete suppression of slavery in all its forms and of the slave trade by land and sea;

Taking into consideration the report of the Temporary Slavery Commission appointed by the Council of the League of Nations on June 12th, 1924;

Desiring to complete and extend the work accomplished under the Brussels Act and to find a means of giving practical effect throughout the world to such intentions as were expressed in regard to slave trade and slavery by the signatories of the Convention of Saint-Germain-en-Laye, and recognising that it is necessary to conclude to that end more detailed arrangements than are contained in that Convention;

Considering, moreover, that it is necessary to prevent forced labour from developing into conditions analogous to slavery,

Have decided to conclude a Convention and have accordingly appointed as their Plenipotentiaries:

The President of the Supreme Council of Albania:

Dr. D. Dino, Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of Italy.

The President of the German Reich:

Dr. Carl von Schubert, Secretary of State for Foreign Affairs.

The President of the Federal Austrian Republic:

M. Emerich von Pflügl, Envoy Extraordinary and Minister Plenipotentiary, Representative of the Federal Government accredited to the League of Nations.

His Majesty the King of the Belgians:

M. L. de Brouckère, Member of the Senate, First Delegate of Belgium to the Seventh Ordinary Session of the Assembly of the League of Nations.

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India:

The Right Honourable Viscount Cecil of Chelwood, K.C., Chancellor of the Duchy of Lancaster.

For the Dominion of Canada:

The Right Honourable Sir George E. Foster, G.C.M.G., P.C., L.L.D., Senator, Member of the King's Privy Council for Canada.

For the Commonwealth of Australia:

The Honourable J. G. Latham, C.M.G., K.C., M.P., Attorney-General of the Commonwealth.

⁵ Convention signed at Saint-Germain-en-Laye Sept. 10, 1919 (TS 877), *ante*, p. 261.

For the Union of South Africa:

Mr. Jacobus Stephanus Smit, High Commissioner of the Union in London.

For the Dominion of New Zealand:

The Honourable Sir James Parr, K.C.M.G., High Commissioner in London.

and

For India:

Sir William Henry Hoare Vincent, G.C.I.E., K.C.S.I., Member of the Council of the Secretary of State for India, former Member of the Executive Council of the Governor-General of India.

His Majesty the King of the Bulgarians:

M. D. Mikoff, Chargé d'Affaires at Berne, Permanent representative of the Bulgarian Government accredited to the League of Nations.

The Chief Executive of the Chinese Republic:

M. Chao-Hsin Chu, Envoy Extraordinary and Minister Plenipotentiary at Rome.

The President of the Republic of Colombia:

Dr. Francisco José Urrutia, Envoy Extraordinary and Minister Plenipotentiary to the Swiss Federal Council, Representative of Colombia on the Council of the League of Nations.

The President of the Republic of Cuba:

M. A. de Agüero y Bethancourt, Envoy Extraordinary and Minister Plenipotentiary to the President of the German Reich and to the President of the Austrian Federal Republic.

His Majesty the King of Denmark and Iceland:

M. Herluf Zahle, Envoy Extraordinary and Minister Plenipotentiary to the President of the German Reich.

His Majesty the King of Spain:

M. M. Lopez Roberts, Marquis de la Torrehermosa, Envoy Extraordinary and Minister Plenipotentiary to the Swiss Federal Council.

The President of the Estonian Republic:

General Johan Laidoner, Member of Parliament, President of the Committee for Foreign Affairs and National Defence.

Her Majesty the Empress and Queen of the Kings of Abyssinia and His Imperial and Royal Highness the Prince Regent and Heir to the Throne:

Dedjazmatch Guetatchou, Minister of the Interior;

Lidj Makonnen Endelkatchou;

Kentiba Gebrou;

Ato Tasfae, Secretary of the Imperial League of Nations Department at Addis-Abeba.

The President of the Republic of Finland:

M. Rafael W. Erich, Envoy Extraordinary and Minister Plenipotentiary to the Swiss Federal Council, Permanent Delegate of Finland accredited to the League of Nations.

The President of the French Republic:

Count B. Clauzel, Minister Plenipotentiary, Head of the French League of Nations Department.

The President of the Hellenic Republic:

M. D. Caclamano, Envoy Extraordinary and Minister Plenipotentiary to His Britannic Majesty.

M. V. Dendramis, Chargé d'Affaires at Berne, Permanent Delegate accredited to the League of Nations.

His Majesty the King of Italy:

Professor Vittorio Scialoja, Minister of State, Senator, Representative of Italy on the Council of the League of Nations.

The President of the Republic of Latvia:

M. Charles Duzmans, Permanent Representative accredited to the League of Nations.

The President of the Republic of Liberia:

Baron Rodolphe A. Lehmann, Envoy Extraordinary and Minister Plenipotentiary to the President of the French Republic, Permanent Delegate accredited to the League of Nations.

The President of the Republic of Lithuania:

M. V. Sidzikauskas, Envoy Extraordinary and Minister Plenipotentiary to the President of the German Reich.

His Majesty the King of Norway:

Dr. Fridtjof Nansen, Professor at the University of Oslo.

The President of the Republic of Panama:

Dr. Eusebio A. Morales, Professor of Law at the Panama National Faculty, Finance Minister.

Her Majesty the Queen of the Netherlands:

Jonkheer W. F. van Lennep, Chargé d'Affaires *a. i.* of the Netherlands at Berne.

His Majesty the Emperor of Persia:

His Highness Prince Arfa, Ambassador, Delegate of Persia accredited to the League of Nations.

The President of the Polish Republic:

M. Auguste Zaleski, Minister for Foreign Affairs.

The President of the Republic of Portugal:

Dr. A. de Vasconcellos, Minister Plenipotentiary, in charge of the League of Nations Department at the Ministry for Foreign Affairs.

His Majesty the King of Roumania:

M. N. Titulesco, Professor at the University of Bucharest, Envoy Extraordinary and Minister Plenipotentiary to His Britannic Majesty, Representative of Roumania on the Council of the League of Nations.

His Majesty the King of the Serbs, Croats and Slovenes:

Dr. M. Jovanovitch, Envoy Extraordinary and Minister Plenipotentiary to the Swiss Federal Council, Permanent Delegate accredited to the League of Nations.

His Majesty the King of Sweden:

M. Einar Hennings, Envoy Extraordinary and Minister Plenipotentiary to the Swiss Federal Council.

The President of the Czechoslovak Republic:

M. Ferdinand Veverka, Envoy Extraordinary and Minister Plenipotentiary to the Swiss Federal Council.

The President of the Republic of Uruguay:

M. B. Fernandez y Medina, Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of Spain.

Who, having communicated their full powers, have agreed as follows:

ARTICLE 1

For the purpose of the present Convention, the following definitions are agreed upon:

(1) Slavery is the status or condition of a person over whom any or all of the powers attaching to the right of ownership are exercised.

(2) The slave trade includes all acts involved in the capture, acquisition or disposal of a person with intent to reduce him to slavery; all acts involved in the acquisition of a slave with a view to selling or exchanging him; all acts of disposal by sale or exchange of a slave acquired with a view to being sold or exchanged, and, in general, every act of trade or transport in slaves.

ARTICLE 2

The High Contracting Parties undertake, each in respect of the territories placed under its sovereignty, jurisdiction, protection, suzerainty or tutelage, so far as they have not already taken the necessary steps:

(a) To prevent and suppress the slave trade;

(b) To bring about, progressively and as soon as possible, the complete abolition of slavery in all its forms.

ARTICLE 3

The High Contracting Parties undertake to adopt all appropriate measures with a view to preventing and suppressing the embarkation, disembarkation and transport of slaves in their territorial waters and upon all vessels flying their respective flags.

The High Contracting Parties undertake to negotiate as soon as possible a general Convention with regard to the slave trade which will give them rights and impose upon them duties of the same nature as those provided for in the Convention of June 17th, 1925, relative to the International Trade in Arms (Articles 12, 20, 21, 22, 23, 24, and paragraphs 3, 4 and 5 of Section II of Annex II), with the necessary adaptations, it being understood that this general Convention will not place the ships (even of small tonnage) of any High Contracting Parties in a position different from that of the other High Contracting Parties.

It is also understood that, before or after the coming into force of this general Convention, the High Contracting Parties are entirely free to conclude between themselves, without, however, derogating from the principles laid down in the preceding paragraph, such special agreements as, by reason of their peculiar situation, might appear to be suitable in order to bring about as soon as possible the complete disappearance of the slave trade.

ARTICLE 4

The High Contracting Parties shall give to one another every assistance with the object of securing the abolition of slavery and the slave trade.

ARTICLE 5

The High Contracting Parties recognise that recourse to compulsory or forced labour may have grave consequences and undertake, each in respect of the territories placed under its sovereignty, jurisdiction, protection, suzerainty or tutelage, to take all necessary measures to prevent compulsory or forced labour from developing into conditions analogous to slavery.

It is agreed that:

(1) Subject to the transitional provisions laid down in paragraph (2) below, compulsory or forced labour may only be exacted for public purposes.

(2) In territories in which compulsory or forced labour for other than public purposes still survives, the High Contracting Parties shall endeavour progressively and as soon as possible to put an end to the practice. So long as such forced or compulsory labour exists, this labour shall invariably be of an exceptional character, shall always receive adequate remuneration, and shall not involve the removal of the labourers from their usual place of residence.

(3) In all cases, the responsibility for any recourse to compulsory or forced labour shall rest with the competent central authorities of the territory concerned.

ARTICLE 6

Those of the High Contracting Parties whose laws do not at present make adequate provision for the punishment of infractions of laws and regulations enacted with a view to giving effect to the purposes of the present Convention undertake to adopt the necessary measures in order that severe penalties may be imposed in respect of such infractions.

ARTICLE 7

The High Contracting Parties undertake to communicate to each other and to the Secretary-General of the League of Nations any laws and regulations which they may enact with a view to the application of the provisions of the present Convention.

ARTICLE 8

The High Contracting Parties agree that disputes arising between them relating to the interpretation or application of this Convention shall, if they cannot be settled by direct negotiation, be referred for decision to the Permanent Court of International Justice. In case either or both of the States Parties to such a dispute should not be parties to the Protocol of December 16th, 1920, relating to the Permanent Court of International Justice, the dispute shall be referred, at the choice of the Parties and in accordance with the constitutional procedure of each State, either to the Permanent Court of International Justice or to a court of arbitration constituted in accordance with the Convention of October 18th, 1907,⁶ for the Pacific Settlement of International Disputes, or to some other court of arbitration.

ARTICLE 9

At the time of signature or of ratification or of accession, any High Contracting Party may declare that its acceptance of the present Convention does not bind some or all of the territories placed under its sovereignty, jurisdiction, protection, suzerainty or tutelage in respect of all or any provisions of the Convention; it may subsequently accede separately on behalf of any one of them or in respect of any provision to which any one of them is not a party.

ARTICLE 10

In the event of a High Contracting Party wishing to denounce the present Convention, the denunciation shall be notified in writing to the Secretary-General of the League of Nations, who will at once communicate a certified

⁶ TS 536, *ante*, vol. 1, p. 577.

true copy of the notification to all the other High Contracting Parties, informing them of the date on which it was received.

The denunciation shall only have effect in regard to the notifying State, and one year after the notification has reached the Secretary-General of the League of Nations.

Denunciation may also be made separately in respect of any territory placed under its sovereignty, jurisdiction, protection, suzerainty or tutelage.

ARTICLE 11

The present Convention, which will bear this day's date and of which the French and English texts are both authentic, will remain open for signature by the States Members of the League of Nations until April 1st, 1927.

The Secretary-General of the League of Nations will subsequently bring the present Convention to the notice of States which have not signed it, including States which are not Members of the League of Nations, and invite them to accede thereto.

A State desiring to accede to the Convention shall notify its intention in writing to the Secretary-General of the League of Nations and transmit to him the instrument of accession, which shall be deposited in the archives of the League.

The Secretary-General shall immediately transmit to all the other High Contracting Parties a certified true copy of the notification and of the instrument of accession, informing them of the date on which he received them.

ARTICLE 12

The present Convention will be ratified and the instruments of ratification shall be deposited in the office of the Secretary-General of the League of Nations. The Secretary-General will inform all the High Contracting Parties of such deposit.

The Convention will come into operation for each State on the date of the deposit of its ratification or its accession.

In faith whereof the Plenipotentiaries have signed the present Convention.

Done at Geneva the twenty-fifth day of September, one thousand nine hundred and twenty-six, in one copy, which will be deposited in the archives of the League of Nations. A certified copy shall be forwarded to each signatory State.

Albania

D. DINO

Germany

DR. CARL VON SCHUBERT

Austria

EMERICH PFLÜGL

Belgium

L. DE BROUCKÈRE

British Empire

I declare that my signature does not bind India or any British Dominion which is a separate member of the League of Nations and does not separately sign or accede to the Convention.

CECIL

Canada
GEORGE EULAS FOSTER

Australia
J. G. LATHAM

Union of South Africa⁷
J. S. SMIT

New Zealand
J. C. PARR

India

Under the terms of Article 9 of this Convention I declare that my signature is not binding as regards the enforcement of the provisions of Article 2, subsection (b), Articles 5, 6 and 7 of this Convention upon the following territories; namely, in Burma: the Naga tracts lying West and South of the Hukawng Valley, bounded on the North and West by the Assam boundary, on the East by the Nanphuk River and on the South by the Singaling Hkamti and the Somra Tracts; in Assam, the Sadiya and Balipara Frontier Tracts, the tribal area to the East of the Naga Hills District, up to the Burma boundary, and a small tract in the South of the Lushai Hills District; nor on the territories in India of any Prince or Chief under the *suzerainty* of His Majesty.⁸

I also declare that my signature to the Convention is not binding in respect of Article 3 in so far as that Article may require India to enter into any Convention whereby vessels, by reason of the fact that they are owned, fitted out or commanded by Indians, or of the fact that one half of the crew is Indian, are classified as native vessels, or are denied any privilege, right or immunity enjoyed by similar vessels of other States Signatories of the Covenant or are made subject to any liability or disability to which similar ships of such other States are not subject.

W. H. VINCENT

Bulgaria
D. MIKOFF

China
CHAO-HSIN CHU

Colombia
FRANCISCO JOSÉ URRUTIA

Cuba
ARISTIDES DE AGÜERO BETHANCOURT

Denmark
HERLUF ZAHLE

Spain
For Spain and the Spanish Colonies, with the exception of the Spanish Protectorate of Morocco [translation].
MARQUIS DE LA TORREHERMOSA

Estonia
J. LAIDONER

Abyssinia
GUETATCHOU
MAKONNEN
KENTIBA GEBROU
ATO TASFAE

Finland
RAFAEL ERICH

France
B. CLAUZEL

Greece
D. CACLAMANOS
V. DENDRAMIS

Italy
VITTORIO SCIALOJA

Latvia
CHARLES DUZMANS

Liberia
Subject to ratification by the Liberian Senate
B^{on} R. LEHMANN

Lithuania
VENCESLAS SIDZIKAUSKAS

Norway
FRIDTJOF NANSEN

Panama
EUSEBIO A. MORALES

Netherlands
W. F. VAN LENNEP

⁷ This signature applies to South-West Africa. [Footnote in original.]

⁸ In a communication dated May 30, 1938, the Government of India notified the League of Nations that it was withdrawing the first paragraph of its reservation.

Persia

Ad referendum and interpreting Article 3 as without power to compel Persia to bind herself by any arrangement or convention which would place her ships of whatever tonnage in the category of native vessels provided for by the Convention on the Trade in Arms [translation].

PRINCE ARFA

Poland

AUGUSTE ZALESKI

219-916-69—40

Portugal

AUGUSTO DE VASCONCELLOS

Roumania

N. TITULESCO

Kingdom of the Serbs, Croats and Slovenes

M. JOVANOVITCH

Sweden

EINAR HENNINGS

Czechoslovakia

FERDINAND VEVERKA

Uruguay

B. FERNANDEZ Y MEDINA