

Direct Request (CEACR) - adopted 2012, published 102nd ILC session (2013)

Abolition of Forced Labour Convention, 1957 (No. 105) - Italy (Ratification: 1968)

Article 1(c) of the Convention. Imposition of sentences of imprisonment involving the obligation to work as a means of labour discipline.

For many years the Committee has been drawing the Government's attention to the incompatibility with the Convention of sections 1091(1) and 1094(1) of the Maritime Code, under the terms of which sentences of imprisonment may be imposed upon maritime and aeronautical transport staff in the event of desertion resulting in considerable difficulties in the navigation service, and in the event of insubordination in a technical service of a ship or an aircraft. Under the terms of section 23(1) of the Penal Code, sentences of imprisonment involve the obligation to work.

The Committee notes the Government's confirmation that amendments to the abovementioned sections are under way and that these will also be taken into account in the context of the procedure to ratify the Maritime Labour Convention, 2006 (MLC, 2006), which is expected to take place by the end of the year.

Noting this information, the Committee hopes that the amendments to the sections of the Maritime Code will be completed in the very near future in such a way that acts of desertion or insubordination which do not endanger the safety of the vessel or the life or health of persons cannot incur penalties of imprisonment involving the obligation to work. The Committee also requests the Government to supply information on any progress made in this regard.