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**Chairman: Mr. G. F. DAVIDSON (Canada).**

**Evidence of existence of forced labour (A/2430,  
chapter V A, section VIII, E/2431, A/C.3/L.395)  
(concluded)**

[Item 69]\*

1. Mr. HAMBRO (Norway), speaking under rule 114 of the rules of procedure, regretted that he was obliged once more to reply to the unfounded aspersions cast by the Soviet Union representative on Chief Justice Paal Berg, whose integrity and impartiality had been commended at previous meetings. The USSR representative had offered the official records of the Norwegian Parliament in substantiation of his charge. It was quite correctly recorded therein that Chief Justice Berg had expressed gratitude to the traitor Quisling. But that citation had been taken out of its context. What had actually occurred had been that the Norwegian traitor Quisling had set up a puppet government for the Germans in April 1940. His illegal rule had become so intolerable that a number of leading citizens, including Chief Justice Berg, had persuaded the Germans to oust Quisling. Chief Justice Berg had headed a temporary national council until the Germans had unfortunately restored Quisling in September 1940. Chief Justice Berg had in fact expressed his appreciation of Quisling's resignation. The USSR representative's remark that he had added nothing to his citation from the official record was not correct; he had gone on to make the utterly unfounded allegation that Chief Justice Berg had "licked Hitler's boots"—which was certainly not in the record. On one point the USSR representative had been correct: it was true that the Red Army had participated in the liberation of northern Norway in 1945, a fact for which the Norwegian people were duly grateful. Friendly understanding certainly existed between the peoples of Norway and the USSR; but it was hardly strengthened by attacking a man who had rendered outstanding service to his country during the war and had won the highest decoration it could bestow.

2. Miss BERNARDINO (Dominican Republic), explaining her vote under rule 12 of the rules of procedure, said that she would vote for the joint draft resolution (A/C.3/L.395). Forced labour was an obvious violation of the principles of the United Nations Charter, and the adoption of that resolution would help

to eradicate it. Its abolition in countries which persisted in maintaining a system of forced labour would directly influence the maintenance of peace. The sponsors deserved the Committee's gratitude, as did the United States representative for the courage and conviction with which she had defended the many thousands who were undergoing unmerited suffering. The joint draft resolution was procedural, but it did express the General Assembly's wish that one of the most serious threats to fundamental human rights should be removed.

3. Mrs. AFNAN (Iraq) said that although the joint draft resolution was mainly political in intention, it also had an economic and social content, and its humanitarian basis was evident. It was a grim fact that most of the greatest monuments had been erected by forced labour, and even the simple need to earn a living was tantamount to coercion whenever there was not enough choice of work or equal access to work, or when the return for work was inadequate, as so often happened when economic development had not progressed far enough, or when political and social circumstances precluded equality of opportunity. Man had long exploited man but it was gratifying to note the emerging trend away from forced labour of all kinds. Undoubtedly, the United Nations should endeavour to free mankind from forced labour by international action. To that end forced labour should be treated as a whole. The very title of the item—evidence of existence of forced labour—had prejudged the matter and had created discord. She regarded the joint draft resolution (A/C.3/L.395) as unnecessary, since the General Assembly was not dealing with the substance of the question, and the Economic and Social Council had already decided to consider it. There was no need to request the Council and ILO to consider a report they themselves had called for. As the Assembly had not considered the report, it was in no position to say that its consideration was a matter of urgency, however urgent the problem itself might be. If the draft resolution was adopted, that would imply that the General Assembly regarded the terms of reference, method of work and conclusions of the *Ad Hoc* Committee on Forced Labour as those best suited for the purpose and that it endorsed the report. The Assembly could not do that at that stage.

4. She would accordingly abstain on all the procedural paragraphs. She would vote against paragraph 1 of the operative part because, first, it expressed an unfounded opinion and, secondly, the words "on such a scale" qualified the statement of principle, postulated an unfounded opinion and were out of place in a procedural motion. She would abstain on the joint draft resolution as a whole.

5. Mr. REYES (Philippines) said that the joint draft resolution was procedural, except in so far as the Committee had to decide whether the problem of forced labour was urgent enough to justify asking the Economic and Social Council and ILO to give priority to the

\* Indicates the item number on the agenda of the General Assembly.

consideration of the *Ad Hoc* Committee's report (E/2431), and whether it was important enough to justify a request that governments should provide more information and that the General Assembly should consider the report at its ninth session. He had no difficulty in accepting the draft resolution (A/C.3/L.395) as it stood. He had the highest respect for the integrity and good judgment of the *Ad Hoc* Committee on Forced Labour, particularly the Chairman, Sir Ramaswami Mudaliar, an eminent former President of the Economic and Social Council. It might be asked whether to discuss forced labour at that moment was wise or politic; it might be alleged that nothing was to be gained from a debate that was bound to be acrimonious and fruitless. Those doubts were unfounded. The General Assembly should take every opportunity to express its abhorrence of forced labour as a system, because the denial of the most essential freedoms, among them freedom of thought, expression and choice of livelihood, affected the very principles upon which the United Nations was based. Even the fact that the United Nations lacked powers to end such systems by direct action was an argument for keeping the problem under continuous review. It was worth noting that the *Ad Hoc* Committee's main findings had been denied by the delegations of the countries concerned; that might be an indication that they would ultimately abandon the system. A concern for international peace and security had led certain delegations to take a non-committal position. But they should reflect that countries which deprived their own people of fundamental rights and freedoms without compunction could hardly be expected to respect those rights and freedoms in other countries. That fact had ominous implications when it was considered that some of the countries which practised forced labour were in possession or on the way to obtaining possession of the most powerful weapons of mass destruction. The power to destroy life could be considered safe only in the hands of those who valued life and the dignity of the human person. Those who took a non-committal attitude should ponder that thought.

6. Mr. BELAUNDE (Peru) said that he would whole-heartedly support the joint draft resolution (A/C.3/L.395).

7. It had been said that it was in general a procedural motion, but the sponsors had been able to incorporate in it some of the basic principles of the United Nations Charter. They were of such general application that he was surprised that the draft resolution could not be adopted unanimously. At San Francisco the assembled nations had not only created an international organization to solve legal and political problems and ensure peace and security, but had cherished the idea of forming a real family of nations to promote the cultural and economic well-being requisite for peace. The Charter was not wholly a political document, but also dealt with closely related cultural and economic matters. Great stress was laid on the protection of human rights and on full employment, and, therefore, on the freedom of labour. It was hard to see how any delegation could object to the third paragraph of the preamble and paragraph 1 of the operative part, the basic paragraphs of the joint draft resolution (A/C.3/L.395). No allusion was made to any particular country, and those paragraphs would encourage governments which sincerely wished to complete the elimination of feudal survivals. The Economic and Social Council was asked to study the report impartially; the General As-

sembly was not passing any judgment thereon. The records of the Third Committee debates would be available to the Council, which could discuss the matter with a full knowledge of the views of the Member States. The only reason for the acrimonious debate in the Third Committee had been the political tension between the major Powers, which had continued since 1947, not, be it said, through any fault of the western Powers. But he could not agree that the debate had been useless, apart from some regrettable controversial passages. Information reaching the General Assembly had indicated that some countries, in the desire to hasten or intensify public works or to develop the heavy industry they regarded as essential for their national defence, had been led into misuse of manpower, culminating in the development of a system of forced labour run by the State. The General Assembly could not disregard a situation in which systems had been revived where man was simply an instrument in the hands of the State. It was morally bound to investigate such situations, not with any intention of criticism or blame, but in an endeavour to understand the cause of the evil. He could well appreciate what circumstances had led the USSR to develop a moral climate which had led to the abuse of manpower.

8. The General Assembly was not yet competent to pass judgment, and accordingly was referring the matter to the qualified technical organs. The Council was perfectly free to draw its own conclusions. The countries which believed themselves wrongly accused were in duty bound to supply it with proofs of the falsity of the allegations against them.

9. There was a distinction to be drawn in every nation between the State and what might be termed the spiritual community. The State wielded the executive power; the spiritual community exercised free will. Hegelian and Marxist doctrines had led the USSR to liquidate the spiritual community almost entirely, but the latter could never wholly disappear and always found some way of asserting itself. In countries which lacked a free Press, freedom of thought and freedom of association, the State was always tempted to treat man as an inanimate object. By showing concern for the situation, the General Assembly would not be injuring the USSR and would be encouraging the spiritual community in that country. He regretted that the USSR delegation had thought fit to pass such bitter criticism upon the United States of America, the historic champion of freedom. The United States had its problems; but the Third Committee should not look solely at those problems, but also at the great efforts being made to solve them. He was sure that the forces of right would triumph in the United States; he hoped that they would in the Soviet Union too. The General Assembly should continue to encourage the moral forces in the USSR; otherwise, they would forever remain in servitude. The United States representative had shown at the 535th meeting how the spiritual community in her country was progressively winning equality of rights. The General Assembly should calmly and dispassionately endeavour to encourage such efforts in every country.

10. Mr. MORALES (Argentina) said that he would abstain on the draft resolution (A/C.3/L.395), without prejudice to his delegation's eventual position on the *Ad Hoc* Committee's report (E/2431).

11. Forced labour was forbidden by the Argentine Constitution and legislation, and he repudiated it in any

form; but the criticism of the Economic and Social Council implied in the second paragraph of the preamble and paragraph 2 of the operative part of the draft resolution was unjustified. The Council was to consider the report at its seventeenth session, and the Third Committee should not anticipate its conclusions.

12. He would vote for the third paragraph of the preamble and paragraph 1 of the operative part if they were put to the vote separately.

13. Mr. KOS (Yugoslavia) observed that the problem of forced labour could not be solved in the atmosphere of accusation, counter-accusation and propagandist fervour which had characterized the Third Committee's debate. It was for the Council and ILO to analyse the report, and they should do so with open minds.

14. He was aware of the existence of large-scale forced labour in certain countries, but the problem existed in many parts of the world and should be studied as a whole. Slavery, which was closely related with forced labour, should be studied at the same time. He asked that paragraphs 1 and 4 of the operative part of the draft resolution should be voted on separately since he wished to abstain on both. Paragraph 1 gave an inadequate picture of the varieties of forced labour, and paragraph 4 urged undue haste on the Council in dealing with such a serious question.

15. There was no forced labour in Yugoslavia, where labour was held to be an honour, and a right of the individual, who should be free to choose his own occupation; and the *Ad Hoc* Committee had not sent a questionnaire to Yugoslavia.

16. Mr. HUIZI AGUIAR (Venezuela) expressed satisfaction that the *Ad Hoc* Committee had disposed, in its report (E/2431), of all false accusations made against Venezuela. To say that conditions equivalent to slavery existed in Venezuela was an exaggeration of the sort often made by superficial observers lacking background knowledge of local conditions and of the progress already achieved. Every allegedly "exploited" worker in Venezuela knew the relevant provisions of the Labour Law and how to apply them by recourse to the Labour Inspectorates. Most agricultural workers belonged to trade unions, and their understanding of material standards and their own dignity was increasing. All impartial observers recognized the Government's efforts in that direction, and there was nothing resembling forced labour in the country.

17. The substance of the question was the Economic and Social Council's concern, and he wished only to express the hope that forced labour, wherever it existed, would be stamped out.

18. He would vote for the draft resolution (A/C.3/L.395).

19. Mr. PAZHWAK (Afghanistan) stated that he would abstain on certain paragraphs of the draft resolution, first because of the failure of his attempt early in the debate to persuade the Committee to adopt a humanitarian approach to the question—he withdrew the suggestions he had put forward at that stage—and secondly, the draft resolution in effect asked the Council to take action which it would take in any case.

20. He withdrew his request for a separate roll-call vote on each paragraph, and on the draft resolution as a whole.

21. He would vote for the first and third paragraphs of the preamble and paragraph 3 of the operative part and would abstain on the remainder.

22. He would not comment at that stage on the substance of the report (E/2431), but his position as to principle was adequately expressed in the terms of the three paragraphs he had suggested at the Committee's 532nd meeting.

23. Mr. SAKSIN (Union of Soviet Socialist Republics) said that he would oppose the draft resolution because it tended to give legal recognition to the *Ad Hoc* Committee on Forced Labour and its report. Workers and peasants in the Soviet Union had enjoyed freedom since 1917 and should be allowed to defend it without interference from capitalist monopolies and their agents. It was inadmissible that the study of forced labour should be given into the hands of a Committee sitting in closed session in New York, which had produced a mendacious report slandering the Soviet Union and the peoples' democracies.

24. The Peruvian and other representatives should note that the Soviet Union was by no means opposed to the study of labour conditions, provided that such a study covered all aspects of the problem and all countries, the capitalist countries and the Soviet Union and peoples' democracies alike. As a constructive contribution to international economic and social co-operation in the spirit of the Charter, the Soviet Union had proposed to the Council,<sup>1</sup> and still proposed, the establishment of an international commission representing, not monopolistic interests, Powers administering dependent territories and millionaires, but the workers and their trade unions. The Commission should consist of representatives of all existing trade unions, including, besides USSR trade unions and those of the United Kingdom, France, Italy, China, Germany, India, Japan and other countries, the American Federation of Labor, the Congress of Industrial Organizations, the World Federation of Trade Unions, the International Federation of Christian Trade Unions and others.

25. Through studies carried out on the spot, such a commission would be able to give the Council a scientific and impartial report, with recommendations, on the living conditions both of the unemployed and semi-employed, including housing, social insurance and medical services—conditions which in capitalist countries, unlike the Soviet Union, were unsatisfactory—and of workers in the Trust and Non-Self-Governing Territories, thus revealing how far the Administering Authorities were discharging their responsibilities. It should use information from trade-union organizations in any plant, mine, agricultural plantation and the like, and the results of its work should receive wide publicity. Such a commission could make a useful contribution to friendly international economic relations in accordance with the principles of the United Nations Charter.

26. The Norwegian representative had confirmed the statement he had quoted, to the effect that Mr. Pål Berg, a member of the *Ad Hoc* Committee, had publicly thanked Quisling.

27. Mr. BAROODY (Saudi Arabia) said that he would abstain from voting on the joint draft resolution (A/C.3/L.395) because his delegation did not consider that the *Ad Hoc* Committee's report (E/2431) was a document with which the Third Committee had to deal.

<sup>1</sup> See *Official Records of the Economic and Social Council, Twelfth Session, Annexes*, agenda item 13, document E/L.165.



Moreover, the draft resolution was described as procedural and there was therefore no need to go into the substance of the question. He had perused the report and had listened to the various definitions of forced labour given during the debate, but he did not consider that all forms of forced labour had been covered in the report or by the definitions. Any person who was obliged to earn his living by doing work which he did not like was performing forced labour, even if that labour did not form part of a system. Much frustration, neurosis and mental conflict were due to the fact that people had to perform uncongenial tasks as part of their duty.

28. Furthermore, the report contained no reference to the serious problem of enforced idleness, which was conducive to forced labour. Private and State monopolies had been responsible in many parts of the world for unemployment which made labour cheap and forced people to accept any job to earn a living. As a result some people became maladjusted and unhappy; others became resigned to their fate and resorted to metaphysics, philosophy or religion.

29. A further reason why he could not vote for the joint draft resolution was that it provided no solution for the problem. There was in fact such a solution, which was not far-fetched, but merely depended on the willingness of the countries which controlled the wealth of the world to expand production and distribution on a global scale, using all the available technological means, in order to create a world surplus of goods for distribution to the needier nations. In that way, no one would have to work for more than three or four days a week and everyone could pursue his avocation at his leisure. Forced labour and enforced idleness would thus be abolished, and the happiness of mankind, which was the basis of world-wide harmony, would be assured.

30. Mrs. AFNAN (Iraq) asked for a separate vote on each paragraph of the joint draft resolution and on the words "on such a scale as" in paragraph 1 of the operative part.

31. The CHAIRMAN put the preamble to the joint draft resolution (A/C.3/L.395) to the vote paragraph by paragraph.

*The first paragraph was adopted by 44 votes to none, with 6 abstentions.*

*The second paragraph was adopted by 36 votes to 5, with 9 abstentions.*

*The third paragraph was adopted by 42 votes to 5, with 3 abstentions.*

*The fourth paragraph was adopted by 36 votes to 5, with 9 abstentions.*

*The fifth paragraph was adopted by 36 votes to 5, with 9 abstentions.*

32. The CHAIRMAN put to the vote the phrase "on such a scale as" in paragraph 1 of the operative part.

*The phrase was adopted by 35 votes to 8, with 8 abstentions.*

33. The CHAIRMAN put the operative part of the joint draft resolution to the vote paragraph by paragraph.

*Paragraph 1 was adopted by 36 votes to 7, with 8 abstentions.*

*Paragraph 2 was adopted by 36 votes to 5, with 10 abstentions.*

*Paragraph 3 was adopted by 37 votes to 5, with 9 abstentions.*

*Paragraph 4 was adopted by 35 votes to 5, with 10 abstentions.*

34. The CHAIRMAN put the joint draft resolution as a whole to the vote.

*At the request of the representative of Uruguay, the vote was taken by roll-call.*

*Norway, having been drawn by lot by the Chairman, was called upon to vote first.*

*In favour:* Norway, Pakistan, Peru, Philippines, Sweden, Thailand, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Yugoslavia, Australia, Belgium, Brazil, Canada, Chile, China, Colombia, Costa Rica, Cuba, Denmark, Dominican Republic, Ecuador, El Salvador, France, Greece, Honduras, Iceland, Israel, Liberia, Luxembourg, Mexico, Netherlands, New Zealand, Nicaragua.

*Against:* Poland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Byelorussian Soviet Socialist Republic, Czechoslovakia.

*Abstaining:* Saudi Arabia, Union of South Africa, Yemen, Afghanistan, Argentina, Burma, India, Indonesia, Iran, Iraq.

*The draft resolution as a whole was adopted by 36 votes to 5, with 10 abstentions.*

35. Mr. MARTIJONO (Indonesia) explained that he had abstained from voting on the joint draft resolution as a whole because, in spite of the fundamentally humanitarian character of the draft, the political aspects stressed in some major statements made during the debate had made it impossible for his delegation to vote for any of the paragraphs of the draft except those which reaffirmed the principles of the United Nations Charter.

The meeting rose at 5.15 p.m.