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President: Mr. Juan I. COOKE (Argentina)

Present:

The representatives of the following countries: Argentina, Australia, Belgium, China, Cuba, Czechoslovakia, Ecuador, Egypt, France, India, Norway, Pakistan, Turkey, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela, Yugoslavia.

Observers from the following Member States: Colombia, Israel, Netherlands.

The representatives of the following specialized agency: International Labour Organisation.

Allegations regarding infringement of trade union rights (E/L.601, draft resolution A, E/L.601/Add.1)

[Agenda item 13]

1. The PRESIDENT invited the Council to take up item 13 of its agenda—Allegations regarding infringement of trade union rights (E/L.601 and Add.1).

2. Mr. VIRA (India) asked for a clarification of the position regarding Council resolution 474 (XV) in the light of the recent adhesion of the Soviet Union to the International Labour Organisation (ILO). He was not clear whether, under that resolution, the allegations of infringements of trade union rights within the boundaries of the Soviet Union, submitted by the International Confederation of Free Trade Unions (ICFTU) would be automatically transmitted to the ILO.

3. Mr. HAFIZ-UR-REHMAN (Pakistan), taking the view that the matter was one for decision by the Governing Body of the International Labour Office, said that his delegation would abstain from voting on draft resolution A submitted by the United States delegation (E/L.601).

4. Mr. GEORGES-PICOT (Assistant Secretary-General in charge of the Departments of Economic and Social Affairs) said that consultations with the Legal Department of the Secretariat had shown that, on a strict interpretation, resolution 474 (XV) did not cover the case before the Council. Nevertheless, the Secretariat was willing to treat draft resolution A in the spirit of

resolution 474 (XV), and to transmit the question to the ILO for examination.

5. Mr. AZMI (Egypt) reminded the Council that at the seventeenth session the question had been deferred, at the instance of the Indian and Egyptian delegations, to the eighteenth session because it had been hoped that the position of the Soviet Union in the ILO would by then have become clear. The aim of the two delegations in making that proposal had been to see that the allegations in question were given the same treatment as other allegations.

6. Referring to the statement by the Assistant Secretary-General, he formally proposed that the provisions of resolution 474 (XV) should be applied to the allegations submitted by ICFTU.

7. Mr. NUÑEZ PORTUONDO (Cuba) agreed with the Egyptian representative. At the time when Council resolution 277 (X) had been adopted, the Soviet Union had not been a member of the ILO. As it was now a member of that Organisation, the provisions of resolution 474 (XV) came into force, and the allegation should be referred to the ILO Fact Finding and Conciliation Commission on Freedom of Association.

8. Mr. TOBIAS (United States of America) recalled the historical background of the draft resolution submitted by his delegation, and stressed the repeated failure of the Soviet Union to reply to any of the four requests addressed to it by the Secretary-General in pursuance of Council resolutions 277 (X), 351 (XII), 444 (XIV) and 474 (XV). It was that situation which had led to the submission of the draft resolution at the seventeenth session. His delegation considered that such a serious charge as that preferred by ICFTU of withholding the right of freedom of association of workers, which had not been investigated over a period of four years, should be considered by the Council.

9. However, as the Soviet Union had recently joined the ILO, and as the view had frequently been expressed at the current session that matters within the competence of the specialized agencies should be referred to them, he would be willing to withdraw his draft resolution in favour of the Egyptian representative's proposal. He thought, however, that the ILO should be provided with all the relevant documents and should be requested to expedite its examination of the question. The Soviet Union, by its recent re-affiliation to the ILO, had endorsed the principles inspiring that Organisation—principles which, moreover, had been reaffirmed by the Soviet Union delegation on several occasions at the current session. That delegation now had an opportunity of demonstrating the sincerity of its devotion to the tenets of the ILO.

10. Mr. KUMYKIN (Union of Soviet Socialist Republics) said that at each of the five previous sessions of the Council a trumped-up and bogus accusation against the Soviet Union had been concocted at the instance of the United States delegation, backed by certain non-governmental organizations, alleging violation of trade union rights, and the Council had been obliged to consider those charges to the detriment of other items on its agenda. On every occasion the Soviet Union delegation had made an appropriate reply, pointing out that the real inspiration of those allegations was the disapproval felt in certain countries of social conditions in the Soviet Union, where the workers enjoyed the fullest rights and, moreover, were solidly behind the Government in all its policies.

11. The Constitution of the Soviet Union guaranteed to everyone extensive democratic rights, including that of free association. Over 40 million workers belonged to the many trade unions, whose activities were concentrated on raising the standards of living, both material and cultural, of the people. By various methods, such as the organization of competitions for the speedier implementation of State plans for improving living conditions, the negotiation of collective contracts with management, the undertaking of responsibility for social security programmes, the trade unions took an active part in all matters affecting the interests of their members. They had large material resources; there was, for instance, a vast scheme of sanatoria and holiday rest homes. Thousands of millions of roubles were spent each year on the social security services, old age and disability pensions, public health services, etc. In 1954 alone the social security and trade union budgets had amounted to 30,000 million roubles. The entire activities of the trade unions were devoted to the service of the workers, and the recent Eleventh Congress of the All-Union Central Trade Union Council held in his country had shown how strong were the bonds of sympathy and understanding between the workers, the trade unions and the State, and had provided convincing proof of the support and respect the whole Soviet Union people felt for the trade unions.

12. Since he could not conceive that the ICFTU representative's allegations had been based on a misunderstanding of social conditions in his country, he could only conclude that they had been inspired by other motives. His delegation considered that there was no question of infringements of trade union rights within the Soviet Union that called for examination either in the Council or elsewhere, whether it be in the ILO or in any other body. Such was his delegation's attitude to the procedural issue. If, however, the Council wished to embark on a substantive discussion, he would be perfectly agreeable, and would then make an appropriate statement comparing the situation of the trade unions in the capitalist countries and in the Soviet Union, where the power was exercised by the workers and where there was no exploitation of man by man.

13. Mr. NUÑEZ PORTUONDO (Cuba) could not accept the Soviet Union representative's implicit suggestion that the Council should refrain from dealing with the question substantively, since that would amount to giving that Government special treatment.

14. When the World Federation of Trade Unions, which was a communist organization, had made similar allegations against Cuba, the Cuban Government had not objected to the ILO holding an enquiry in accordance with its Constitution. All countries that were members of the ILO, including, of course, the Soviet Union, assumed the same obligations. The Egyptian proposal, which he himself supported, should therefore be accepted by the Soviet Union delegation. Moreover, if the Soviet Union was really the workers' paradise, the best way of proving that fact would be to give all the necessary information to the ILO, which would be the first to welcome such a state of affairs.

15. Mr. HOTCHKIS (United States of America) said that, having understood the Soviet Union representative to have suggested that the allegations regarding infringements of trade union rights within the Soviet Union had been initiated by the United States Government, he wished to make it quite clear that the original statement regarding the matter had been made by ICFTU, which was an independent and responsible non-governmental organization.

16. He had been interested also in the account of the happy lot of the working man in the Soviet Union. In those circumstances, however, he would have imagined that the Soviet Union Government would have been only too proud to invite an investigation into the allegations that had been made. Nevertheless, that Government had not seen fit to reply to any of the requests addressed to it by the Secretary-General. Moreover, it had not been any more forthcoming in the case of previous United Nations questionnaires, such as that on forced labour. Such an attitude impelled him to ask the question: were there then two types of States Members of the United Nations, one constrained to follow the accepted rules of the organization and the other a privileged category whose participation depended upon caprice? He could not emphasize too strongly his delegation's opinion that the value and success of the United Nations lay in the unequivocal subscription of all its Members to the principles of the Charter and the accepted methods for their implementation. In the belief that remittal of the question to the ILO was logically the next step to take, provided that all the relevant documents were transmitted at the same time, his delegation would support the Egyptian proposal.

17. Mr. NOSEK (Czechoslovakia) said that, following the Soviet Union representative's exposition of the true situation of the trade unions in that country, he would propose that no action be taken in the matter, and would invoke the second paragraph of rule 66 of the Council's rules of procedure.

18. The PRESIDENT put to the vote the Czechoslovak proposal.

The proposal was rejected by 10 votes to 2, with 5 abstentions.

19. The PRESIDENT then put to the vote the oral proposal of the Egyptian delegation that the allegations submitted by ICFTU of infringements of trade union rights in the Soviet Union, and all the documents relating thereto, be forwarded to the Governing Body

of the International Labour Office for its consideration as to referral to the ILO Fact Finding and Conciliation Commission on Freedom of Association.

The proposal was adopted by 15 votes to 2, with 1 abstention.

20. Mr. HARRY (Australia) explained that he had abstained from voting because his delegation considered that all cases of allegations regarding infringements of trade union rights made against the Union of Soviet Socialist Republics prior to its admission to the ILO should be dealt with by the Council, and not by the ILO.

World calendar reform (E/2514, E/L.628)

[Agenda item 15]

21. Mr. VIRA (India), introducing the Indian Government's proposal for the reform of the Gregorian calendar (E/2514), said that in a subject that affected many aspects of human affairs his delegation took a midway position between those who, on the one hand, regarded the matter as unworthy of the Council's serious attention, and those who, on the other, approached it as if it were a matter of life and death for millions.

22. The subject was by no means a new one, and much thought had been given to it over many years by men of learning and leadership in many countries. It had been frequently discussed both by the League of Nations and the United Nations. His Government, feeling that the time had come for specific action to be taken, was proposing that the Council should recommend that a study be made of world calendar reform, and that the Secretary-General should be requested to obtain the views of Governments and to place them before the Council for further consideration at its twentieth session. On the basis of that interim report, the Council would be in a position, if it so desired, to set up a committee of some kind, enjoying the advice of an expert body, to examine the matter further. The Council would not be required to take a decision on what form, if any, calendar reform should take before having considered the report of the expert body.

23. Turning to the specific sources inspiring his Government's action, he would recall that, during the current session, the Council had been rightly concerned with the problem of rationalizing its own activities. Nevertheless, the very framework within which the Council—and indeed all international institutions—carried on its major activities rested upon certain assumptions and certain social habits related to the existing calendar which were unsatisfactory.

24. After describing in detail some of the social and economic drawbacks of the existing inequality in the length of months, quarters and half-years, he reminded the Council that those defects had already been appreciated by many industries, which had gone so far as to introduce, for internal purposes, a calendar of their own—for example, the thirteen-month calendar of four-week periods. The advantages which would accrue from the adoption of some such plan as the one proposed by his Government were many. Government planning programmes, acts of parliament and official records would be more easily arranged; tax assessments for

millions of weekly wage earners would be facilitated; the calculation of interest rates by banks and financial institutions would be simplified and lead to real savings—a consideration that would also apply to large business firms which, relying upon current statistics for their efficient operation, were constantly obliged to make adjustments from month to month; landlords and tenants would no longer have to work out their fluctuating liabilities for quarterly and half-yearly payments of rents; and lastly, law courts, schools and academic institutions would be able to fix their terms on regular dates, for the mere specification of the day of the week on which an event was to be held would automatically give the date of the month.

25. His delegation had no desire to be dogmatic in the matter, and had no intention of offending anyone's religious or other susceptibilities. He would like to see the civil calendar reformed without change to the religious calendars, and, given a thorough and expert study of the problem, that should not be impossible. He was not advocating any unseemly haste, but he did feel that the question merited careful and dispassionate examination. He hoped that the Council would accept his delegation's very modest proposal that the views of the Governments concerned be secured for consideration at the twentieth session, for such action as the Council might then consider desirable.

26. Mr. PLEIĆ (Yugoslavia) noted that the Indian representative had given an account of the defects of the Gregorian calendar and of the advantages of reforming it. The defects would certainly increase as the modern world made progress towards unity.

27. Although many different opinions were held on the subject, all concerned recognized the need for removing the difficulties created by the present calendar. That unanimity should be the starting point for an objective examination of the question by a procedure that would enable all parties to study it at the international and, especially, at the national level.

28. Such was the precise purpose of the joint draft resolution submitted by the Indian and Yugoslav delegations (E/L.628), the adoption of which would not entail any decision by the Council, but would simply enable governments to form their opinions in the light of all the factors involved.

29. Mrs. de la CAMPA (Cuba) said that her delegation would support the joint draft resolution provided it was understood that the Holy See would be among the non-member States to be consulted on the subject.

30. Mr. PICO (Argentina) also supported the joint draft resolution with the same reservation as the Cuban delegation.

31. Mr. HUSAIN (Pakistan), while not opposed to calendar reform in principle, found it impossible to accept the joint draft resolution as it stood. In view of the sharp differences of public opinion on the question which emerged from documents submitted to delegations to the current session by a number of non-governmental organizations, and since much more urgent problems were awaiting the Council's attention, he formally proposed that the Council take no action at that juncture.

In spite of what the Indian representative had said, he felt that to ask governments to express their views within a given time limit would be to precipitate matters. He asked the representatives of Argentina, Cuba, India and Yugoslavia to consider whether the interests of calendar reform itself might not best be served by waiting until public opinion became more propitious for a thorough investigation of the subject.

32. He would not, at that stage, speak on the merits of the Indian Government's substantive proposal, but reserved the right to do so should his own proposal be rejected.

33. He requested that, in accordance with the second paragraph of rule 66 of the rules of procedure of the Council, his proposal should be put to the vote before the joint draft resolution, unless agreement was reached in the course of the discussion.

34. Mr. KUMYKIN (Union of Soviet Socialist Republics) made a preliminary statement to the effect that the Soviet Union delegation was in favour of the proposed calendar reform and that it would support the Council's efforts to find an appropriate solution to the problem.

35. The Soviet Union delegation had no comment to offer on the joint draft resolution, and would vote for it.

36. Mr. HOTCHKIS (United States of America) recalled that the United States delegation had, at the 753rd meeting of the resumed part of the sixteenth session, voted against the inclusion of the question of world calendar reform in the agenda for the present session. It was still of the opinion that the subject was of a political rather than of an economic or social nature, and that it should accordingly be considered, if at all, by some United Nations body other than the Council. Calendar reform was, moreover, comparable to linguistic reform, and as such was a purely domestic matter falling within the competence of the particular country concerned. It was true that the question had been before the League of Nations for a number of years, but it had finally been abandoned in 1937. Since 1947 the matter had appeared on the agenda of the Council but had again been abandoned.

37. He suggested that the words "its twentieth session" in the final paragraph be replaced by the words "the resumed part of the nineteenth session", since under the reorganization plan adopted by the Co-ordination Committee at its 123rd meeting a report such as that one should be considered there.

38. Mr. AZMI (Egypt) recalled that although his country, which had given mankind its first calendar, still retained the Pharaonic calendar, which was primarily agricultural and climatic, it concurrently used other calendars for social and religious reasons, and had adopted the Gregorian calendar for civil and administrative purposes.

39. Egypt was therefore entirely open to any suggestion concerning calendar reform. It was not in principle opposed to the Indian proposal, and supported the joint draft resolution. If the latter were adopted, it would make known its point of view on the basis of the documentation it received from the Secretariat.

40. Mr. FENAUX (Belgium) also supported the joint draft resolution, which simply recommended a particular procedure without touching on the substance of the subject. It was true, as the representative of Pakistan had said, that there were differences of opinion on the subject, but their extent could not be judged, or the importance to be attached to the question determined, until governments had been consulted.

41. However, he supported the United States amendment, for governments would have ample time to transmit their replies to the Secretariat before the Council met for the resumed part of the nineteenth session.

42. He further proposed the insertion of the words "and to the non-governmental organizations concerned" in operative paragraph 1, between the words "the United Nations" and "with the request".

43. Mr. HSIA (China) congratulated the Indian representative on his persuasive statement, but, although not competent to enter into a technical discussion, considered that there might be disadvantages offsetting the advantages outlined.

44. China had for many centuries had a calendar of its own, based on the lunar cycle, which regulated the time of sowing and harvest to the great convenience of farmers, who made up about 90 per cent of the population, and for whom the concept of a day of rest in every six or seven had little or no meaning. Although the Chinese Government had introduced the Western or Gregorian calendar some forty years previously, festivals and traditional celebrations continued to be fixed in terms of the old calendar. Moreover, country people still retained the latter, and city dwellers consulted it side by side with the new one. Since it was unlikely that the two existing calendars would disappear without trace, the people of China would, if the proposed reform were carried through, find themselves burdened with a third calendar. In order, therefore, to avoid the confusion and inconvenience which would be bound to result, he would support the Pakistan proposal that no action be taken by the Council. He agreed with the Pakistan representative that the matter was of little urgency, believing that it was unlikely that there would be any significant change in public opinion for a number of years to come.

45. Mr. VIRA (India) thanked the delegations which had supported the joint draft resolution. The amendment proposed by the United States representative expressed what had been his own original intention, and he gratefully accepted it, on condition that it was agreeable to the Yugoslav representative.

46. He had no strong views about the suggestion made by the Belgian representative, but thought it would be better to secure the views of governments before consulting the interested non-governmental organizations, since only in that way would it be possible to establish whether or not there was a general desire to proceed with calendar reform.

47. He could not agree with the United States representative that the matter was a political rather than an economic and social one. The contrary seemed to him to be the case, as he thought he had made clear in his

earlier statement, and he believed that the Council was the appropriate body to discuss the question. He was in complete agreement with the United States representative that calendar reform was a domestic matter in the sense that changes could be made only with the consent of the various States which were, of course, sovereign. On the other hand, in a matter of that kind it was obvious that unilateral or even bilateral changes would be of little point. Unless the reforms were carried through universally, only chaos could result.

48. He appreciated the good will shown by the Pakistan representative, but was not convinced by his arguments that the time was unpropitious and the climate of public opinion unfavourable. All reforms had to be carried through against a certain amount of opposition, and it was for the reformers to win over public opinion rather than to wait passively for it to evolve. Nor could he feel that the charge of precipitancy could be maintained in respect of a matter which had been under discussion for 44 years. It was quite true that further delay would not be a cosmic disaster, but action would have to be taken sooner or later and he did not see why it should not be taken forthwith.

49. He would emphasize that the joint draft resolution went no further than to draw the attention of governments to the question and invite their views on it. He did not think that that would involve an undue burden for any government.

50. Mr. HUSAIN (Pakistan) said that he was still of the opinion that the matter did not call for urgent consideration, since the Gregorian calendar had served its purpose very well for the last 400 years. Nevertheless, in view of the support which had been expressed for the joint draft resolution, and in order to promote a compromise solution, he might find it possible to accept the proposed text, provided that some wording were devised which made it clear that governments were being asked to express their views on the question of calendar reform as a whole, and not merely on the specific proposal put forward (E/2514), to which his Government, for one, was unshakeably opposed.

51. Mr. PLEIĆ (Yugoslavia) accepted the United States amendment. With regard to the Belgian amendment, he felt that at that stage it was more important to consult all the parties concerned at national level. However, if the Belgian representative insisted, he would not oppose his amendment.

52. Mr. VIRA (India) thought that he had already made it abundantly clear that his delegation was not wedded to any particular method of calendar reform. He thanked the Pakistan representative for his suggestion, and would willingly accept an appropriate amendment.

53. Mr. MEADE (United Kingdom) wondered whether agreement could not be reached by amending the second paragraph of the preamble to the joint draft resolution by substituting the word "necessary" for the word

"desirable", by substituting the phrase "the desirability of calendar reform" for the last word, "it", and by deleting the words "on it" from operative paragraph 1.

54. Mr. VIRA (India), after consultation with the Yugoslav representative, announced that they were able to accept the United Kingdom amendments.

55. Mr. HUSAIN (Pakistan) would support the joint draft resolution as amended by the United Kingdom representative.

56. Mr. HOTCHKIS (United States of America) would vote for the joint draft resolution as amended, but wished it to be understood that his delegation did not favour calendar reform, being satisfied with the present calendar. His Government would comply with the request to make known its views in writing on that matter, but would take no action to modify the calendar without the prior approval of the United States Congress. A vote for the joint draft resolution did not in any way imply support for calendar reform.

57. Mr. FENAUX (Belgium) withdrew his amendment since, as the Indian representative had said, it was better to proceed stage by stage and to consult governments first. The non-governmental organizations could be approached at a later date.

58. The PRESIDENT put to the vote the Indian and Yugoslav joint draft resolution (E/L.628) as amended in the course of the discussion.

The joint draft resolution, as amended, was adopted unanimously.

59. Mr. HSIA (China), Mr. HUSAIN (Pakistan), Mr. MEADE (United Kingdom) and Mr. ROGERS (Australia), explaining their votes in favour of the joint draft resolution, wished to make it clear that their Governments were not thereby committed to supporting the idea of calendar reform.

Report of the Commission on Human Rights (tenth session): Report of the Social Committee (E/2638)

[Agenda item 10]

60. Mr. NOSEK (Czechoslovakia), speaking as Chairman of the Social Committee, wished to draw the attention of the Council to the statement of financial implications contained in Annex VI to the report of the Commission on Human Rights on its tenth session (E/2573). The Social Committee had discussed at its 820th meeting the question of the date of the next session of the Commission on Human Rights in connexion with resolution XII contained in Chapter IX of the report. He would suggest to the Council that it refer that resolution to the Interim Committee on Programme of Conferences.

It was so agreed.

The meeting rose at 1.15 p.m.