

UNITED NATIONS
ECONOMIC
AND
SOCIAL COUNCIL



GENERAL

E/2276
E/AC.36/13
3 July 1952
ORIGINAL: ENGLISH

SECOND PROGRESS REPORT OF THE AD HOC COMMITTEE ON
FORCED LABOUR TO THE ECONOMIC AND SOCIAL COUNCIL
AND TO THE GOVERNING BODY OF THE
INTERNATIONAL LABOUR OFFICE

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CHAPTER I

Organization and opening of the second session

1. The Ad Hoc Committee on Forced Labour, appointed jointly by the Secretary-General of the United Nations and the Director-General of the International Labour Office in accordance with resolution 350 (XII) of the Economic and Social Council, held its second session at the United Nations Headquarters, New York, from 2 June to 1 July 1952.
2. Sir Ramaswami Mudaliar, Mr. Paal Berg, and Mr. E. Garcia-Sayan were present as members of the Committee.
3. The session was opened by Sir Ramaswami Mudaliar, elected Chairman and Rapporteur at the Committee's first session, who expressed on behalf of the Committee its deep sense of loss upon the death of Mr. Felix Fulgencio Palavicini, a former member. He extended a welcome to the new member, Mr. E. Garcia-Sayan.
4. Mr. John P. Humphrey represented the Secretary-General of the United Nations and Mr. Rudolf A. Métaill represented the Director-General of the International Labour Office.
5. Mr. M. Simon was the Secretary of the Committee and Mr. H. Zwahlen its Technical Adviser.
6. The following non-governmental organizations in consultative status with the Economic and Social Council or recognized by the International Labour Organisation were represented at public meetings of the Committee:
 - Category A: International Confederation of Free Trade Unions
International Federation of Christian Trade Unions
 - Category B and Register: International Federation of Free Journalists
International League for the Rights of Man
7. The Committee confirmed its previous decision (E/2153, para. 7) to hold all meetings in closed session unless it decided otherwise. It also continued the practice established at its first session (E/2153, para. 8) of having informal

/discussions

discussions among members of the Committee preliminary to arriving at formal decisions. All formal decisions were taken in regularly constituted meetings of the Committee acting as a body. The Committee held nineteen meetings, three of them in public session. The summary records of the meetings are contained in documents E/AC.36/SR.8-26, but only the records of the public meetings have been given general distribution.

CHAPTER II

Adoption of the agenda

8. At its first meeting, the Committee considered and adopted the provisional agenda (E/AC.36/12) as follows:
1. Opening of the session,
 2. Adoption of the agenda,
 3. Study of the problem of forced labour,
 - (a) Study of government replies;
 - (b) Study of the documentation assembled by the Secretariat;
 - (c) Study of documentation submitted by non-governmental organizations,
 4. Hearings of non-governmental organizations and other witnesses invited by the Committee,
 5. Other business,
 6. Report of the Committee.

CHAPTER III

Study of the problem of forced labour

9. In connexion with its study of the problem of forced labour, the Committee had before it the following documentation:
- (a) Replies to the questionnaire transmitted to all governments in conformity with resolution III^{1/}; (E/AC.36/11 and Add.1 to 17);

^{1/} The text of resolution III and of the questionnaire may be found in the report of the first session, document E/2153, para. 23.

- (b) Documentation transmitted by governments and non-governmental organizations having consultative status with the Economic and Social Council (E/AC.36/4 and Add.1) relating to the allegations made in the debates of the Council;
- (c) Documentation assembled by the Secretariat on the basis of the Committee's instructions at its first session (E/2153, para. 28);
- (d) Documentation submitted to the Committee by non-governmental organizations and private individuals, in accordance with resolution II (E/2153, para. 20);
- (e) Communications concerning forced labour received by the Secretary-General of the United Nations or the Director-General of the International Labour Office.

A. Study of governments' replies

10. In accordance with resolution III adopted by the Committee at its first session, the Secretary-General of the United Nations and the Director-General of the International Labour Office transmitted in December 1951 the questionnaire annexed to this resolution^{1/} to all governments whether members or not of the United Nations or of the International Labour Organisation, and requested their replies as soon as possible and, in any case, not later than 1 April 1952. A further letter was sent at the beginning of May by the Secretary-General and the Director-General to all governments which had not replied at that time requesting them to send their replies before the opening of the Committee's second session.
11. During its second session, the Committee had before it replies to the questionnaire received from the following Governments:

Afghanistan	France	Nepal
Austria	Germany	Netherlands
Belgium	Greece	Norway
Brazil	Guatemala	Philippines
Cambodia	Hashemite Kingdom of Jordan	Sweden
Canada	Iceland	Switzerland
Ceylon	India	Syria
Chile	Ireland	Turkey
China	Israel	Union of South Africa
Cuba	Italy	United Kingdom
Czechoslovakia	Japan	United States of America
Denmark	Laos	Uruguay
El Salvador	Leichtenstein	Viet Nam
Finland	Luxembourg	Yugoslavia

^{1/} The text of resolution III and of the questionnaire may be found in the report of the first session, document E/2153, para. 23.

12. The text of these replies may be found in documents E/AC.36/11 and E/AC.36/11, Add.1-17. The Committee also had before it an analysis of these replies in the form of a working paper prepared by the Secretariat with a view to facilitating the systematic study of these replies in the light of the Committee's terms of reference.

13. At the conclusion of the session the following Governments had not yet replied to the Committee's questionnaire:

Albania	Haiti	Pakistan
Argentina	Honduras	Panama
Australia	Hungary	Paraguay
Bolivia	Indonesia	Peru
Bulgaria	Iran	Poland
Burma	Iraq	Portugal
Byelorussian SSR	Korea	Romania
Colombia	Lebanon	Saudi Arabia
Costa Rica	Liberia	Thailand
Dominican Republic	Mexico	Ukrainian SSR
Ecuador	Monaco	Union of Soviet Socialist Republics
Egypt	New Zealand	Venezuela
Ethiopia	Nicaragua	Yemen

14. The Committee studied these replies in connexion with its examination of the other documentation at its disposal. It expressed the hope that replies still outstanding would be forthcoming before its third session. At its twenty-fourth meeting the Secretariat was instructed to complete the above-mentioned analysis of the replies received up to 15 September 1952 for discussion at the third session.

B. Study of evidence transmitted by governments and non-governmental organizations relating to the allegations made in the Economic and Social Council

15. At its first session the Committee had before it certain documents and evidence transmitted by France, the United Kingdom, the United States and the International Confederation of Free Trade Unions which had been referred to by their representatives in the debates on forced labour in the Economic and Social Council (E/AC.36/4). In the course of its second session, the Committee received supplementary documentation and evidence from the United States (E/AC.36/4/Add.1). The Committee decided to continue its study of this material during its third session.

/C. Study

C. Study of the documentation assembled by the Secretariat

16. In accordance with a decision adopted by the Committee at its first session,^{1/} the Secretariat assembled a large amount of documentation which was cited or referred to in allegations made in the debates of the Economic and Social Council, supplemented by research based on the Committee's interpretation of its terms of reference and on the information received from governments and other sources. This documentation was not published in the form of official documents, but was placed at the disposal of the Committee in the form of working papers. At its twenty-fourth meeting, the Committee examined this material in connexion with its study of the problem of forced labour and requested the Secretariat to supplement and analyse and, in so far as possible, to complete the task of assembling this documentation before the third session.

17. At its twenty-third meeting, preliminary regional studies on documentation concerning Africa and Latin America were presented to the Committee by Mr. Berg and Mr. Garcia-Sayan, respectively.

D. Study of documentation submitted to the Committee by non-governmental organizations and individuals

18. In implementation of resolution II,^{2/} the Secretariat had sent letters to all non-governmental organizations in consultative status with the Economic and Social Council or recognized by the International Labour Organisation inviting them to notify the Committee if they wished to be heard and questioned by the Committee or to submit any documentary material and information which they might have in their possession relating to the terms of reference of the Committee as it had interpreted them.

19. Replies to this letter were received from the following non-governmental organizations in consultative status: Carnegie Endowment for International Peace, Commission Internationale contre le Régime Concentrationnaire, Comité International Radio-Maritime, Instituto Sudamericano del Petróleo, International Federation of Business and Professional Women, International Confederation of Free Trade Unions, International Federation of Free Journalists, International

^{1/} See report of the first session, document E/2153, para. 28.

^{2/} The text of this resolution may be found in document E/2153, para. 20.

Institute of Administrative Sciences, International League for the Rights of Man, International Organization of Employers, Union Internationale des Chemins de Fer, Union Internationale de Protection de l'Enfance, World Assembly of Youth, World Federation of United Nations Associations, World Power Conference and World Young Women's Christian Associations.

20. Of the above-mentioned organizations, hearings were requested or documentation submitted by the Commission Internationale contre le Régime Concentrationnaire, the International Confederation of Free Trade Unions, the International Federation of Free Journalists, the International League for the Rights of Man and the International Organization of Employers.

21. In addition to the non-governmental organizations mentioned above, memoranda were received from many other organizations and individuals who expressed the wish to be heard and questioned by the Committee or to transmit documentary material. At its first session the Committee had decided to extend this privilege to organizations other than those in consultative status and to individuals, provided that documentation or requests for hearings were submitted by them in conformity with the conditions laid down in resolution II (E/2153, para. 21).

22. Acting in accordance with the powers expressly delegated to him by resolution II, paragraph 2, the Chairman examined the replies and memoranda received from non-governmental organizations in consultative status and memoranda received from other organizations and individuals, and decided which of these organizations and individuals should be invited to send representatives for hearing and questioning or to transmit to the Committee the documentary material and information in their possession. Letters were sent to these organizations and individuals informing them of the Chairman's decision. The Committee, at its tenth meeting, confirmed his choice of organizations and individuals who would be invited to testify. The names of organizations which the Committee decided to hear at its second and third sessions will be found in Chapter IV of this report.

23. At its first session the Committee had decided to establish 31 March 1952 as the time limit for receipt of additional evidence advanced by non-governmental organizations and private individuals in accordance with resolution II (paragraph 1 (d)). By resolution VI, adopted at its tenth meeting, the Committee

/decided

decided to extend to 15 June 1952 the time limit for the reception of such documentary material or requests for hearings. The Committee felt that a rigid upholding of the time limit might have prevented it from taking cognizance of valuable evidence which had been forthcoming later than 31 March 1952. The text of this resolution is as follows:

RESOLUTION VI

"Whereas the Ad Hoc Committee on Forced Labour has during its first session decided by its resolution II that communications from non-governmental organizations and private individuals will be considered only if they reach the Secretary of the Committee by 31 March 1952 at the latest,

"Whereas several organizations have submitted such material after that date, the Committee

"Decides to extend the time limit for the reception of such documentary material or requests for hearings to 15 June 1952;

"Decides furthermore to instruct the Secretariat not to receive any such material after 15 June 1952."

At its twenty-second meeting the Committee decided to interpret resolution VI with a certain flexibility and to authorize the Secretary, in consultation with the Chairman, to accept new evidence which might be of value to the Committee in the implementation of its task, in particular if such evidence aimed at rebutting other evidence before the Committee.

E. Communications concerning forced labour received by the Secretary-General of the United Nations and the Director-General of the International Labour Office

24. At its first session the Committee had decided (E/2153, para. 16) that any communications concerning forced labour received after 19 March 1951, the date on which the Economic and Social Council adopted resolution 350 (XII), should be brought to its attention. In connexion with a communication so received from the Union Internationale des Syndicats des Travailleurs du Bâtiment, du Bois et des Matériaux de Construction (Finland) (WFTU) transmitting "an open letter of the anti-Franco prisoners to world public opinion", the Committee decided, at its twenty-fourth meeting to invite this organization to submit a more detailed

/memorandum

memorandum relating to the Committee's terms of reference and to indicate whether they would be prepared to send a representative to Geneva for questioning.

25. The Committee took note of a communication from the Minister for Social Affairs of Egypt addressed to the Director-General of the International Labour Office, and also of a report by his representative who investigated the position on the spot. This communication and this report relating to alleged conditions in the Suez Canal area, had been brought to the attention of the Committee by the Director-General of the International Labour Office. The Committee agreed with the statement of the Officers of the Governing Body of the International Labour Office that this communication did not fall within the terms of reference of the Committee and therefore decided to take no action on it. Another communication from the General Confederation of Labour of the Argentine Republic relating to conditions in Hungary, which had also been brought to the attention of the Committee by the Director-General of ILO, will be examined in connexion with the study of the documentation before the Committee.

CHAPTER IV

Hearings of non-governmental organizations and other witnesses invited by the Committee

A. Organizations and individuals heard during the second session

26. The Committee reviewed the list of organizations and individuals who had requested to be heard in New York and confirmed the selection made by the Chairman. The text of this decision, contained in resolution V adopted by the Committee at its tenth meeting, is as follows:

RESOLUTION V

"Whereas the Ad Hoc Committee on Forced Labour has during its first session decided (resolution II) that it is in the interest of its work to hear and question certain non-governmental organizations which are in consultative status with the Economic and Social Council or recognized by the International Labour Organisation and, where appropriate, to examine any documentary material and information such organizations may have in their possession,

/"Whereas

"Whereas the Committee has delegated to the Chairman of the Committee the power to examine replies and memoranda from the non-governmental organizations and to decide which of these organizations shall be invited to send representatives for hearings and questioning at the second session or to transmit to the Committee the documentary material and information in their possession and,

"Whereas the Committee considered (document E/2153, para. 21) that, in addition to the non-governmental organizations mentioned above, other organizations and individuals should have the possibility of transmitting to the Committee any documentary material they might have and of expressing the wish to be heard and questioned, and

"Whereas the Chairman, in conformity with the above-mentioned decisions of the Committee, has examined various memoranda and requests for hearings submitted by a number of non-governmental organizations and private individuals and has recommended to the Committee to hear during its second session the following organizations: Association of Former Political Prisoners of Soviet Labour Camps, Council of Free Czechoslovakia, Estonian Consultative Panel, Hungarian National Council, International Confederation of Free Trade Unions, International League for the Rights of Man, Latvian Consultative Panel, Lithuanian Consultative Panel, National Committee for a Free Europe, Inc., Rumanian National Committee, the Ad Hoc Committee on Forced Labour

"Decides to hear representatives of the non-governmental organizations enumerated above."

27. One of the above-mentioned organizations, the National Committee for a Free Europe, Inc., subsequently informed the Committee that it no longer wished to be heard, but that one of its consultants would be willing to testify in his personal capacity. At its fifteenth meeting the Committee decided to invite that consultant to be heard.

28. The list of organizations which were heard and examined by the Committee during its second session is as follows: Council of Free Czechoslovakia, International League for the Rights of Man, Estonian Consultative Panel, Latvian Consultative Panel, Rumanian National Committee, Hungarian National Council, Association of Former Political Prisoners of Soviet Labour Camps,

/Lithuanian

Lithuanian Consultative Panel, International Confederation of Free Trade Unions. The Committee also heard two individuals whom, at its thirteenth and fifteenth meetings, it had invited to testify.

29. In addition to the representative of each of the above-mentioned organizations, the Committee examined a number of witnesses supplied by those organizations. Each organization was permitted to send two witnesses in addition to its representative, if it so desired. After hearing an introductory statement by representatives of organizations mentioned above, and individuals, the Committee proceeded to examine them and the witnesses associated with them with particular reference to the relevant laws, regulations, administrative practices and economic significance of forced labour in countries concerning which they had testified.

30. The hearings of non-governmental organizations and other witnesses invited by the Committee took place during the fourteenth, sixteenth, seventeenth, eighteenth, nineteenth, twentieth, and twenty-first meetings of the Committee, in closed session. After serious consideration of the matter during several meetings, the Committee had come to the conclusion that the purpose of these hearings would be best achieved if they were held in closed session. It felt that it should be in a position to proceed with its task in an atmosphere of complete and undisturbed serenity. Its conclusions would be mainly based on documentary evidence, particularly the relevant laws and regulations already before it. These hearings would serve to clarify certain points connected with this documentary material and would illustrate the application of these laws and regulations. Moreover the Committee had before it unpublished documentary evidence of a much wider scope than that referred to by the witnesses.

Consequently, by having open hearings, the public would be incompletely informed on the merits of the case. The Committee decided that for the above-mentioned reasons and also taking into account the necessity to protect the identity of certain witnesses, the summary records of these hearings (E/AC.36/SR.14 and 16-21) would be given restricted distribution and that, for the time being at least, the verbatim records of these hearings would not be published. The final report would indicate the precise documentary and other evidence upon which its conclusions had been based.

B. Programme of future hearings

31. The Committee was of the view that the hearing of non-governmental organizations and individuals during its second session had yielded additional information on certain aspects of the problem of forced labour, which had not been covered by the documentary evidence in its possession, and felt that these results were of sufficient value to justify the Committee continuing its hearings during the third session in Geneva (E/AC.36/SR.22).

32. At its twenty-second meeting, the Committee decided that the following organizations should be heard during its third session: The Anti-Slavery Society, the Committee of Free Jurists, Commission Internationale contre le Régime Concentrationnaire and the International Federation of Free Journalists. The Chairman will decide on the basis of further information requested from the Estonian National Council and the National Committee for a Free Albania, whether either or both of these organizations will be invited to send representatives to be heard in Geneva.

33. A number of other organizations, not having consultative status and several private individuals had forwarded memoranda to the Committee in conformity with resolution II. The Committee, after examining these memoranda, decided that it would not be necessary for them to appear before the Committee in order to supplement the memoranda and documentation which they had submitted, and that they should be so informed (E/AC.36/SR.22).

CHAPTER V

Other business discussed by the Committee

A. Appointment of regional consultants

34. By resolution IV, adopted at its first session, the Committee had envisaged that the proper discharge of its duties might require the engagement, for a given period, of consultants to study, with due regard to the Committee's interpretation of its terms of reference, the de jure and de facto situation in respect of forced labour in certain continents, groups of countries or specific countries, and it delegated to the Chairman the authority, in the interval between the first and the second sessions, to appoint and define more
/specifically

specifically the duties of such consultants, in consultation with his colleagues. The Chairman had not in fact exercised this authority prior to the second session. The Committee felt that such action now appeared to be indicated by the progress of the inquiries and the nature of the information received, and therefore decided at its twenty-fourth meeting to extend during the interval between the second and the third sessions the validity of resolution IV. Such consultants as may be appointed in accordance with this resolution will collect information and relevant documentary evidence such as laws and regulations on the existence of systems of forced labour in the regions for which they may be appointed. The Chairman will advise the governments of the countries to which the consultants may expect to travel of the mission entrusted to them.

B. Letters to governments

35. At its twenty-second meeting the Committee expressed the opinion that governments should be informed of specific allegations contained in the documentation or made in the course of the hearings, regarding the existence of forced labour. Letters transmitting these allegations should indicate the supporting evidence and documentation, particularly the laws and regulations involved, and be dispatched to governments for comment. The Committee decided that the Chairman, assisted by the Secretariat, should prepare those letters for approval by the Committee at its third session and for their subsequent transmittal to governments.

C. On-the-spot inquiries

36. During the first session, the Committee had agreed (E/2153, para. 26) to defer until the second session any decision regarding on-the-spot inquiries. At its twenty-second meeting the Committee again decided to postpone further consideration of this question until its third session.

D. Secretariat programme of work after the second session

37. At its twenty-fourth meeting, the Committee decided that the following specific assignments should be undertaken by the Secretariat after the second session:

1. Implementation of the Committee's decisions.
2. Administrative preparation of the third session.

/3. Follow-up

3. Follow-up on most recent legislation concerning forced labour in all countries for which documentation had been submitted. Complete documentation so far as necessary and feasible.
 4. Complete analysis of government replies received until 15 September 1952 in the form of a working paper for the Committee and for future publication.
 5. Research concerning legal and other texts quoted in governments' replies to be submitted to the Committee with analysis mentioned under point 4.
 6. Check all documentation and so far as feasible other evidence submitted to the Committee by non-governmental organizations and individuals. For this purpose contact responsible representatives of those organizations which have submitted evidence in order to discuss any points which might need further elucidation and collect such further documentation as had been listed by such organizations during their hearings.
 7. So far as feasible, undertake research concerning the existence of forced labour in those countries which had been the subject of allegations by non-governmental organizations and individuals as well as of communications received by the Secretary-General, even if such countries had not been mentioned in the course of the debates in the Economic and Social Council on the subject.
 8. Collect some general historical information on forced labour.
 9. Assist members of the Committee in their studies by drafting for each country or territory on which documentation has been submitted an analysis summarizing all information available to the Committee including evidence submitted by governments, documentation transmitted by non-governmental organizations and private individuals, evidence resulting from records taken during hearings and documentation collected by the Secretariat at the Committee's request (E/2153, para. 28).
38. The Committee also established an order of priorities for the completion of these assignments.

CHAPTER VI

Future sessions of the Committee

39. At its twenty-second meeting, the Committee decided to hold its third session in Geneva on 14 October 1952, for a period of approximately six weeks.

/During

During this session the Committee will examine new organizations and witnesses, continue its study of the documentary evidence, examine the allegations to be transmitted to governments, and lay the broad outlines of its report to the Economic and Social Council and to the Governing Body of the International Labour Office.

40. The last session before transmittal of its report to the Economic and Social Council and the Governing Body of the International Labour Office will probably be held in May or June 1953 in Geneva. The Committee felt, however, that a final decision on this point could only be taken after further consideration during its third session.

CHAPTER VII

Adoption of the second progress report of the Committee

41. At its 26th meeting on 1 July 1952 the Committee adopted its second progress report to the Economic and Social Council and to the Governing Body of the International Labour Office.
