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SOCIAL COMMITTEE

SUMMARY RECORD OF THE THREE HUNDRED AND SIXTH MEETING

Held at Headquarters, New York,
on Wednesday, 25 May 1955, at 11 a.m.

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PRESENT:

Chairman:

Mr. PEREZ PEREZ (Venezuela)

Members:

Mr. QUIJANO)	Argentina
Mr. MIRANDE)	
Mr. LOOMES	Australia
Mr. TSAO	China
Mr. PSCOLKA	Czechoslovakia
Mr. DIPP GOMEZ	Dominican Republic
Mr. PRADO	Ecuador
Mr. ABDEL CHANI	Egypt
Mr. EPINAT	France
Mr. CHACKO	India
Mr. van DIJL	Netherlands
Mr. SALVESEN	Norway
Mr. MIRKHAN	Pakistan
Mr. ASTIROGLU	Turkey
Mr. FOMIN	Union of Soviet Socialist Republics
Mr. SCOTT FOX	United Kingdom of Great Britain and Northern Ireland
Mr. KOTSCHNIG	United States of America
Mr. PEREZ PEROSO	Venezuela
Mr. BOZOVIC	Yugoslavia

Representative of a specialized agency:

Mr. DUNAND International Labour Organisation

Representatives of non-governmental organizations:

<u>Category A:</u>	Miss SENDER	International Confederation of Free Trade Unions
	Mr. THORMANN	International Federation of Christian Trade Unions
	Miss KAHN	World Federation of Trade Unions

Category B and Register:

Mr. LONGARZO	International Conference of Catholic Charities
Mr. JACOBY	World Jewish Congress

PRESENT (cont'd):

Secretariat:

Mr. HUMPHREY

Director, Division of Human
Rights

Mr. MESSING-MIERZEJEWSKI

Secretary of the Committee

ALLEGATIONS REGARDING INFRINGEMENTS OF TRADE-UNION RIGHTS (E/2587 and Add.1, 2, 3, 4 and 5, E/2685)

Mr. KOTSCHNIG (United States of America) remarked that the Committee was once again considering an unhappy subject, which brought to the forefront the fact that the position of trade unions was not satisfactory in all countries. It was essential to safeguard the legitimate rights of trade unions, for labour was one of the major elements in the productive life of a society. The subject was doubly unhappy because, as the record showed, the Council could do little to remedy the situation. Since the adoption of Economic and Social Council resolution 277 (X), the Council had followed the procedure described in the resolution and had asked Governments to submit comments on the allegation regarding infringements of trade-union rights which concerned them, but in almost every case there had been no reply. The results of the Council's endeavours had been extremely disheartening.

By contrast it was well known that the ILO had been more effective in dealing with such allegations, for it had more suitable machinery, such as the Committee on Freedom of Association, to deal with the issues involved. In addition, the ILO was a much more representative body than the Council. Hence it was the considered opinion of his delegation that the subject could be more appropriately and effectively dealt with by the ILO. In the past the Council had referred most of such allegations to the ILO. A few countries against which charges had been made were not members of either the ILO or the United Nations, but in those cases too the charges should be referred to the ILO.

A small number of countries were Members of the United Nations but not of the ILO; the Council bore special responsibility so far as allegations concerning them were concerned but the advice of the ILO should be sought before the Council reached its conclusions.

He did not expect the Committee or the Council to act on his suggestions for the time being but he trusted that the delegations and the members of the ILO would bear them in mind. The topic might be given formal consideration by the Council in 1956.

Mr. FOMIN (Union of Soviet Socialist Republics) stated that the communication from the International Confederation of Free Trade Unions (E/2587), containing allegations regarding infringements of trade-union rights in the German Democratic Republic, was a compilation of slanderous charges and fabrications. As representatives of the German Democratic Republic could not appear in person he would comment on the communication in order to refute the allegations.

The ICFTU, instead of protecting the economic and social rights of the workers whom it claimed to represent, persisted in making slanderous allegations regarding conditions in the USSR, the German Democratic Republic and the people's democracies. The communication before the Committee contained allegations devoid of all foundation in fact, and even gross falsifications.

Following the defeat of Nazism and the establishment of a workers' and peasants' régime in East Germany, rights hitherto unknown in Germany and still not enjoyed in West Germany had been bestowed upon the population. With the active participation of the trade unions in the German Democratic Republic, legislation had been introduced and vigorously enforced, guaranteeing the right to work, to leisure and to education, freedom of speech, of the Press and of association, the right to material security in old age, sickness or incapacity, the right to participate through the trade unions in the regulation of production and in the fixing of wages and working conditions in factories, and the right to strike. The eight-hour working day had been introduced and also equal pay for equal work; likewise the practice of concluding bilateral collective agreements between workers and employees on the one hand and employers on the other.

The right to work in the German Democratic Republic was guaranteed by the planned organization of the economy and by the growth and strengthening of the Republic's peaceful economic structure and the liquidation of unemployment. He then quoted various statistics to illustrate the benefits enjoyed by the workers in the German Democratic Republic, with particular reference to annual leave, restaurants, sanatoria, cultural and recreational activities, health services and social security.

(Mr. Fomin, USSR)

The free German trade unions truly represented the workers and employees and defended their rights and interests in the fields of the protection of labour, wages, social insurance, and material and cultural services. In the German Democratic Republic all State authorities and economic organizations were obliged by law to co-operate closely with the trade unions. The trade unions were in full control of social security matters and had ample means for organizing workers' recreation. The trade unions played an active part in the social-political and economic life of the country. In the People's Chamber of the German Democratic Republic, the highest legislative body in the Republic, the trade unions were represented by forty deputies. In local Government organs, the trade unions were represented by 10 per cent of the total number of deputies.

The trade unions, which made full use of the rights accorded them, enjoyed considerable authority among the country's workers. In Berlin alone, the trade unions had acquired 280,000 new members in the last quarter of 1953; at the present time the Association of Free German Trade Unions in the German Democratic Republic numbered more than 5 million workers among its members.

Making full use of the rights accorded them in a worker-peasant state, the trade unions of the German Democratic Republic, by contrast with West German trade unions, whose leaders had made possible the adoption of the so-called production charter, and with those of other capitalist countries, were able to defend the interests of workers and employers without resorting to strikes, although the right to strike was guaranteed in the constitution of the German Democratic Republic. In the capitalist countries, where labour was exploited by capital, strikes were the only means available to the workers in their daily struggle for their economic interests. In the German Democratic Republic, the position was entirely different, for the exploitation of man by man had disappeared.

Miss SENDER (International Confederation of Free Trade Unions) said that freedom was impossible without genuine trade-union rights. The revolt of 17 June 1953 in the Eastern Zone of Germany was not just a sudden emotional outbreak but the climax of a series of long-standing grievances. According to

(Miss Sender, International
Confederation of Free Trade
Union)

statements published in Communist newspapers, the officials of the Communist Party admitted that trade unions in Eastern Germany were meant only to execute orders from above, without any regard to the opinions of the workers. Once the revolt had started it had spread rapidly to all parts of Eastern occupied Germany. The workers could no longer tolerate the complete control of all phases of their existence by an occupying Power which used submissive parties for the task of keeping a stranglehold over the whole population. They sought full protection for strike leaders; abolition of labour norms; wages corresponding to prices in the German Democratic Republic; revision of the whole price level for foodstuffs and consumer goods; and the abolition of zonal boundaries. Those were very modest and reasonable demands.

The Charter of Trade-Union Rights (E/C.2/430) clearly stated that workers had the right to strike and that trade-union organizations had the right to support strike action. It was an outstanding event that hundreds of thousands of German workers had found the courage to face the dangerous situation in which they found themselves. It was also noteworthy that, after the revolt, the Prime Minister of the Eastern Zone had announced that the decision of the Government on 8 May 1953 to increase the labour norms had been abrogated. That at least was an admission that some concessions had to be made. The authorities in the Eastern Zone could not preserve the painstakingly built-up legend that the system enjoyed the support of the working people of East Berlin and Eastern Germany. It had been clearly shown that it was based on nothing but brute force.

As a result of the shootings, executions and arrests, the workers had lost many of their speakers and active leaders but they had also seen how, after twenty years without any trade-union training or experience, men could rise within a few minutes to become leaders of strikes and demonstrations. The workers of East Berlin and East Germany had shown the world that they loved liberty enough to be ready to die for it and that they had the courage to oppose totalitarianism.

Mr. FOMIN (Union of Soviet Socialist Republics), speaking on a point of order, said that the Chairman should admonish the representative of the

(Mr. Fomin. USSR)

International Confederation of Free Trade Unions for using expressions that were inappropriate to the United Nations and for piling up slanderous accusations against certain States, instead of talking about the substance of the item under discussion.

The CHAIRMAN requested the representative of the International Confederation of Free Trade Unions to confine herself to the matters before the Council and to avoid entering into controversy with representatives of Member States.

Miss SEIDER (International Confederation of Free Trade Unions) said that she had no desire to enter into polemics but was merely describing the facts which had occurred during the Berlin revolt. The armed terror which had suppressed it had been sufficient to prevent any recurrence. Nevertheless, the revolt had broken down the barriers of fear that the systems of spying and terror had erected between the workers; they now knew upon whom they could rely in their struggle for human rights and freedom.

The International Confederation of Free Trade Unions recommended that an investigation should be put in hand by referring the matter to the International Labour Office and, in particular, to their Fact-Finding and Conciliation Commission, which would then submit its findings to the Economic and Social Council.

Mr. THORMANN (International Federation of Christian Trade Unions) said that his organization had always stressed that trade-union rights involved the fundamental and inalienable right of man to associate freely with his fellows. Workers should be entirely free to establish trade-union organizations of their choice, since such organizations were essential to their welfare and to that of society.

His organization had always supported the principle of freedom of association and had wholeheartedly assisted the efforts made by the international community to guarantee rights of association throughout the world. Experience

(Mr. Thormann, International
Federation of Christian
Trade Unions)

had shown, however, that even the best machinery could not be expected to produce satisfactory results in the absence of co-operation by Governments. The existing machinery could be improved; in the case of States Members of the United Nations, which were not members of the ILO, the Council had not yet evolved a satisfactory procedure. There were also countries which were members neither of the ILO nor of the United Nations and were consequently not adequately covered by the machinery set up in accordance with Council resolution 277 (X).

The best way to bring about some improvement would be to set up an ad hoc committee of the Council, whose task it would be to examine allegations regarding infringements of trade-union rights in countries not members of the ILO and to formulate recommendations for subsequent action by the Council.

His organization would do its utmost to inform public opinion in all free countries of the seriousness of the question and would continue to use every legitimate means to help restore democratic liberties in all those countries where arbitrary and intolerable restrictions of elementary human rights had been imposed.

Mr. SCOTT FOX (United Kingdom) said that his Government was concerned at the fact that the Council had been frustrated in its efforts to implement resolution 277 (X). The sole reason why the procedure laid down had not proved satisfactory was that governmental co-operation had not been forthcoming. While his Government would commend any measure to improve that procedure, it could not agree that the responsibility for dealing with allegations against States which were Members neither of the ILO nor of the United Nations should be shifted to the ILO. Under the proposed change the recommendations of the Governing Body of the ILO would be subject to critical examination in the Council without adequate representation of those responsible for them. In any case the essential difficulty remained, namely, that nothing could be done without the co-operation of Governments. If they had not co-operated under the old scheme they would be unlikely to co-operate under the new scheme proposed by the United States. Indeed, it might give them a pretext for co-operating less. His delegation had reluctantly concluded, therefore, that the procedure should remain unchanged.

(Mr. Scott Fox, United Kingdom)

The allegations with which the Council was now dealing concerned Saudi Arabia, Romania, Spain and Eastern Germany. With regard to Saudi Arabia, the Secretary-General had already, on 9 April 1954, asked for that Government's consent to refer the allegations made against it to the Fact-Finding and Conciliation Commission. No reply had been received. His delegation therefore proposed that the Secretary-General should repeat the request. With regard to Romania and Spain, he felt that the Council could only conclude reluctantly that the Governments concerned had no intention of replying to the communications addressed to them on the subject and note with regret their lack of response to the invitations transmitted in pursuance of resolutions 523 (XVII) A and B respectively.

In the case of Eastern Germany, the appropriate authority was the Government of the Soviet Union a member of the ILO. It seemed therefore that the allegation should be referred automatically to the ILO. As it was a special case, however, the Council would perhaps be well advised to adopt a resolution to that effect.

His delegation in collaboration with other delegations, would submit a draft resolution containing the proposals he had outlined.

Mr. FOMIN (Union of Soviet Socialist Republics) could not agree with all the remarks made by the United Kingdom representative, particularly with regard to Romania and Eastern Germany, and reserved his right to comment on them in detail when the proposals relating to them had been circulated.

Mr. ASIROGLU (Turkey) said that his delegation was much interested in the United States representative's proposal of a fresh procedure to deal with complaints of infringements of trade-union rights, for it felt that the present procedure was not satisfactory. Trade-union rights must be safeguarded, for they were among the most elementary and important of all human rights. He agreed that an organization such as the ILO was more competent to deal with such matters and would probably achieve better results. He would therefore support any formal resolution to that effect which might be put forward.

Mr. EPINAT (France) was well aware of the difficulty of dealing with trade-union questions, closely connected as they were with political issues. Under the present procedure, the Council's possibilities for action were admittedly limited. The United States representative had made a suggestion for a fresh procedure which merited very careful attention, but he shared the United Kingdom representative's doubts whether any course of action would be effective without the goodwill and co-operation of Governments.

With regard to the complaints actually before the Committee, his delegation was prepared to support any proposal which was in line with the procedure in force.

Mr. KOTSCHNIG (United States of America) referred to the communication which the Council had received from the International Confederation of Free Trade Unions (E/2587). All the available evidence made it clear that Eastern Germany was not the workers' paradise which the representative of the Soviet Union had represented it to be. There was no denying - indeed, the facts had been attested in the East German Communist Press itself - that a genuine uprising of the working population had occurred in June 1953. The labour force had gone on strike against what it considered to be intolerable conditions and it had in fact won certain concessions: the new work norms had been abolished and certain regulations had been changed. It appeared to his delegation, therefore, that there had been real grounds for complaint and he did not feel that the charges put forward in the document before the Committee could be dismissed as slanderous fabrications. The situation called for some action by the Council. He would comment on the United Kingdom representative's proposal in that respect when it had been circulated.

With regard to the point of order raised by the representative of the Soviet Union, he wished to record his delegation's view that the statement made by the representative of the International Confederation of Free Trade Unions had been perfectly in order. She had made a statement of facts regarding an item before the Committee and had given her organization's views on them. It would be regrettable if a precedent were to be established whereby organizations in consultative relationship with the Council were debarred from expressing their views before it.

Mr. FOMIN (Union of Soviet Socialist Republics) said that he was not surprised that the representative of the United States of America had spoken in active support of the slanderous fabrications of the so-called International Confederation of Free Trade Unions, for it was well known who was the real initiator of the campaign of slander against the USSR and the peoples' democracies which had been going on in United Nations bodies for some years. He considered that the United States representative had attempted to refute his discription of the situation in Eastern Germany, which had been based on legislation and documented facts, by an appeal to general considerations. Workers' rights were respected in the German Democratic Republic and that, he contended, was not always the case in certain Western countries.

The meeting rose at 12.35 p.m.