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Chairman: Mr. Jiří NOSEK (Czechoslovakia).

AGENDA ITEM 30

Forced labour: report of the Economic and Social Council (A/2662, A/2686, chapter V, section VIII, A/C.3/L.456) (*continued*)

1. Mr. PAZHWAQ (Afghanistan) said that his delegation wished to express its views on the question of forced labour, although that practice had been abolished by law in Afghanistan some decades previously. He would be willing to vote for paragraphs 2, 3 and 4 of the eleven-Power draft resolution (A/C.3/L.456), but would abstain from voting on the draft resolution as a whole because it contained some extraneous provisions which were not in keeping with the purely humanitarian attitude which the General Assembly, and especially the Third Committee, should adopt in such matters. The sponsors should have confined themselves to a brief draft resolution censuring forced labour.

2. Mr. NUÑEZ (Costa Rica) said that his delegation's interest in the question did not mean that forced labour existed in Costa Rica, but merely betokened acceptance of the joint responsibility of Member States in problems affecting all mankind. In that spirit, Costa Rica had become one of the sponsors of the eleven-Power draft resolution. The Costa Rican view of labour was that it was the exercise of personal spiritual and physical forces inherent in every human being and that it should therefore be used for the benefit of the human being concerned. Labour, as the primary source of wealth, should not be regarded as a commodity to be bought or sold at will. On the basis of that concept, Costa Rica adhered to the principles of the Universal Declaration of Human Rights and of the Atlantic Charter which guaranteed four fundamental freedoms, especially with regard to freedom from fear; it was the violation of that freedom that led nations to intervene in situations where human beings were subjected to systems operated on the basis of fear and were reduced to conditions not far removed from slavery.

3. Costa Rica also adhered to the principles of the Declaration of Philadelphia adopted by the International Labour Conference at its 26th session in 1944. That instrument reaffirmed the fundamental principles

of the International Labour Organisation, laying special emphasis on the fact that labour should not be regarded as a commodity, and stated that freedom of expression and of association was an essential factor of progress and that all human beings, without any distinction, had the right to pursue spiritual and material well-being freely, with dignity and with equal economic opportunities. Those principles were in line with the Costa Rican Constitution, which provided that labour was a right of the individual and a duty of society; the State had to provide useful and adequately paid employment and any tendency to regard labour as a commodity was precluded. The Constitution also laid down that no one should be persecuted for expressing his opinions, subjected to cruel or degrading treatment, or prevented from joining any association.

4. The Brazilian representative's brilliant analysis of the development of forced labour systems (615th meeting), together with the Economic and Social Council's definition (Council resolution 350 (XII)) and condemnation (Council resolution 524 (XVII)) of forced labour made it incumbent on the Third Committee to censure such systems wherever they might exist. No Member of the United Nations could consider that they should be condoned and the principles contained in the eleven-Power draft resolution should receive unanimous support. Nevertheless, the practical action to be taken raised some difficulties. The well-documented charges in the report of the *Ad Hoc* Committee on Forced Labour (E/2431)¹ called for decisive censure by the General Assembly.

5. He did not think that any doubt could be cast on the good faith of the American Federation of Labor and the International Confederation of Free Trade Unions, which had submitted some of the specific allegations of the existence of forced labour in the Soviet Union. The American Federation of Labor genuinely represented the interests of United States labour and, in his opinion, was largely responsible for the high standard of living enjoyed by the workers. Moreover, it could not be called a tool of capitalism, as it had recently co-operated with the workers of a Latin-American country in their struggle against a big United States firm. The International Confederation of Free Trade Unions carried on an unremitting struggle to improve labour conditions and to unite its component organizations in securing greater well-being for the workers of the democratic countries. Its denunciations of forced labour should therefore be taken into consideration and its recommendations, together with those of other reputable organizations, should form a basis for action. The provisions of the

¹ Joint United Nations and International Labour Organisation document. See *Official Records of the Economic and Social Council, Sixteenth Session, Supplement No. 13*, and No. 36 in the *Studies and Reports (New Series) of the International Labour Office*.

eleven-Power draft resolution seemed to be a modest half-measure; the Committee should prolong the *Ad Hoc* Committee on Forced Labour or set up a committee to visit the countries against which allegations had been made. Nevertheless, it was obviously imprudent for the General Assembly to take such strong measures at that time and it was wiser to recommend that the Council should continue the work which it had begun.

6. He had been very glad to hear the USSR representative's assurance that a high standard of labour conditions prevailed in the Soviet Union. Costa Rica, as a country in the process of development, was not yet able to provide its workers with the good conditions existing in such countries as the United States of America and the USSR, but it was trying to raise its standards by establishing a social security system, a national housing institute and nationalized banking to serve the interests of small businesses and individual farmers. Those government services were provided for workers irrespective of their political views and were not withheld if their views differed from those of the Government. He wanted to know whether workers in the Soviet Union who expressed opinions contrary to those of the State continued to enjoy the privileges described by the USSR representative, or whether, as was stated in the *Ad Hoc* Committee's report, they were denounced as saboteurs and reactionaries.

7. In conclusion, he drew attention to the fact that the Governing Body of the International Labour Office had recently decided unanimously that the International Labour Conference should hold a first reading of a draft convention on forced labour. That fact was particularly important since the Soviet Union was a member of the ILO and, together with the United States representative's statement to the effect that the situation with regard to forced labour in the USSR was improving, showed that the right course had been followed towards observance of respect for the human dignity of workers and towards securing freedom from fear.

8. Mr. KUDRIJAYTSEV (Byelorussian Soviet Socialist Republic) said that the question of forced labour had once again been brought up by the United States of America to stir up the "cold war" and hatred among peoples, to slander the Soviet Union, the peoples' democracies and the People's Republic of China and to divert attention from the alarming plight of the workers in the United States. The ruling circles in the United States wished to curb the growing sympathy of the workers at home and in the colonies for the efforts towards peace made by the Soviet Union and the People's Republic of China and to intensify the militarization of the United States economy, with all the misery it entailed.

9. The United States delegation had discredited the notorious report of the *Ad Hoc* Committee on Forced Labour (E/2431), which had long ago been discredited as a tissue of lies and slanders. The Byelorussian delegation dissented most emphatically from the judgment passed by the Economic and Social Council on that report in its resolution 524 (XVII). The Committee had been composed of three persons who had not been in any way representative of the masses and could not fulfil the requirements for an objective study in the way in which a genuine commission with full trade-union representation, as proposed by the Soviet Union,

could have done. The Committee had disregarded conditions in capitalist countries and in the colonies and had concentrated on slanders against the Soviet Union and the peoples' democracies. It had used bogus material, such as United States State Department allegations about forced labour in the Soviet Union and fabrications by non-governmental organizations well known for their malicious campaigns against the USSR, such as the American Federation of Labor and the International Confederation of Free Trade Unions. It had entered into contact with traitors who had co-operated with the Hitlerite invaders and had then fled to asylum with certain intelligence agencies, although it had purported to be a United Nations organ. In paragraph 41 of its report, the Committee admitted that it had heard organizations and persons not recognized by the United Nations behind closed doors in New York. It had kept aloof from public opinion and had not entered into contact with any authoritative international organization which could have described conditions in the capitalist countries and the colonies. It had deliberately rejected material which drew a dark picture of conditions in the United States. It had failed to adduce facts about forced labour in the Soviet Union for the simple reason that there were none. It had therefore resorted to falsifying quotations from the works of Soviet jurists.

10. The United States delegation in various United Nations organs had for several years been levelling its slanderous allegations about forced labour against the Soviet Union and the peoples' democracies. The campaign had failed. Now the United States and its reactionary followers had opened a similar campaign against the People's Republic of China at a time when that Government and the Chinese people had no genuine representatives in the United Nations who could give the accusations the lie direct. Neither the United States, nor any other government, nor any person had the right to use the United Nations as a platform for slanders against the great Chinese people.

11. The campaign would fail as the previous one had. No lies could hide the striking fact that China had rid itself forever of the imperialist yoke, had achieved real independence and had ended the feudalism which had kept it back for so long. The destruction of colonialism and feudalism had opened the way to the development of productive forces and a national culture, culminating in September 1954 in the promulgation of the first genuinely democratic Chinese Constitution. For the first time in China, the rights of the workers had been proclaimed as paramount and had been fully guaranteed. Pensions, public assistance, the right to work and to leisure, equal rights for men and women and for all nationalities, the rights of freedom of expression, of the Press, of association, of assembly and of demonstration had not only been proclaimed but were guaranteed by the State and living conditions had been created in which those rights could be enjoyed.

12. It was unthinkable that the United States should compare conditions in a happy and free China with the terrible conditions prevailing in the United States, where there were millions of unemployed, where militarist maniacs threatened to bring on a new world war, and where forced labour was widespread, as it must be in any country in which the workers did not control the means of production and enjoy the full fruits of their labour. In the United States, unemploy-

ment, taxes and prices were rising steeply, living standards were falling and productivity both in industry and in agriculture was shrinking. According to *The New York Times* of 26 October 1954, there had been 2,700,000 unemployed in that month. At the Conference of the United Automobile Workers of America the President of the Congress of Industrial Organizations had stated that there were five million totally and ten million partly unemployed. An example of the terrible plight of the unemployed had been given in the *CIO News* of 22 February 1954.

13. In the United States, industrial accidents were on the increase owing to anti-labour laws, especially the federal Taft-Hartley Act and the even more stringent state labour laws. Open discrimination against workers was practised on the grounds of sex, colour and nationality. The Secretary of Defense had compared workers to dogs. Negro workers were treated as second-class citizens. The Indians were on the verge of extinction. *The New York Times* of 1 March 1954 had reported that the House Appropriations Committee had learned that the death-rate and incidence of disease among the Navajos were many times higher than among whites.

14. The United Kingdom representative had joined in the campaign of slander against the USSR. He might have used the information published by recent United Kingdom visitors to the Soviet Union, but had preferred to use the same tainted sources as the United States representative. He had failed to mention the real cases of forced labour in Africa, such as that of the British-owned railway in Angola, described in the *New Statesman and Nation* of 8 May 1954.

15. The picture in the Soviet Union and in the peoples' democracies was quite different. In the Byelorussian SSR, all the rights of workers were proclaimed and guaranteed in the Constitution. The rights to work, to leisure, to paid holidays and to social security were all guaranteed, and provision was made by the State for them to be put into effect. Men and women were equal before the law.

16. The draft resolution (A/C.3/L.456) before the Committee had nothing in common with the purposes of the United Nations, especially as set out in Chapter IX of the Charter; he would vote against it.

Mr. Núñez (Costa Rica), Vice-Chairman, took the Chair.

17. Mr. JOHNSON (United States of America), speaking on a point of order, asked for the right of reply under rule 116 of the rules of procedure. The alleged facts cited by the Byelorussian representative were quite inaccurate, in some cases fantastically so.

18. Mr. FOMIN (Union of Soviet Socialist Republics), speaking on a point of order, stated that the United States representative had gone into the substance of the question and was not therefore in order.

19. The CHAIRMAN observed that the United States representative had merely explained briefly why he wished to reply; there had been precedents for such remarks being allowed in introducing a point of order.

20. Mr. HOOD (Australia) recalled that, after the Economic and Social Council had not been able to examine the report of the *Ad Hoc* Committee on Forced Labour at its sixteenth session, the Third Committee had had a general discussion of it and had adopted resolution 740 (VIII) inviting the Council and the ILO, as a matter of urgency, to give early

consideration to the Committee's report. The Council had done so and had adopted resolution 524 (XVII). Such was the background of the joint draft resolution before the Committee (A/C.3/L.456), of which his delegation was one of the sponsors. The draft resolution endorsed the Council's condemnation of systems of forced labour, supported the Council's appeal to Governments, and expressed the Assembly's satisfaction with the action taken by the Council, in extremely moderate terms. The Council had set up the *Ad Hoc* Committee only after thorough consideration of the question of forced labour and of the allegations made, and the Committee's report had been as thorough as could have been expected, since some Governments had failed to co-operate to the same extent as others, including his own, had. In the face of the evidence it seemed impossible to deny that the appalling social evil of forced labour constituted one of the most flagrant breaches of human rights ever practised, and that systems of forced labour were being instituted and maintained by certain Governments as a matter of policy. He accordingly hoped that the draft resolution would meet with the widest possible acceptance; such support would express the Committee's strongest censure of systems of forced labour.

21. Mr. YU Tsune-chi (China) said that labour was essential and that its sanctity depended on men's freedom to choose how they would work. They might be compelled to work by natural catastrophes, but they would always revolt against labour forced on them against their will. The fundamental difference between free labour and forced labour was part of the fundamental difference between the free world and the Communist world. The free world should consider the problem, and the totalitarian States should be invited to re-examine the question, in the hope that they might change their course of action.

22. Human history was a record of the constant struggle between freedom and slavery. The totalitarian régimes considered forced labour as a means to their political and economic ends and completely ignored the freedom and dignity of the individual as a human being. One of the great dangers of forced labour was that it created social disturbance and impeded progress. Unless checked, it would continue to cause social unrest and wars.

23. China realized that lasting harmony could be brought about only by conviction, never by coercion. Force was always met by force and those who had relied on force had failed, just as those who had placed their faith in persuasion had triumphed. Unless people adopted a new outlook, the world was doomed to see history repeat itself. There were believers in force who were attempting to impose their ideas and ideologies on others. Millions of Chinese were the victims of forced labour and many millions more had been liquidated by force since the advent of the Communist régime. That rule of force, in which forced labour played a considerable part, would continue to create disturbances of international scope. The worshippers of force should be met openly, not only by China, but by all the freedom-loving countries of the world. The Republic of China hoped that, by providing certain facts and figures on forced labour, it would contribute to the general discussion and solution of the problem.

24. The only five votes cast against General Assembly resolution 740 (VIII), which recognized that forced

labour constituted a contravention of the obligations and provisions of the Charter of the United Nations, had been those of the five Communist Member States. They had thus admitted that forced labour existed in their countries. The *Ad Hoc* Committee on Forced Labour had confirmed the existence of forced labour in the USSR and other Communist countries, but had been unable to complete its study of forced labour on the mainland of China. The *Ad Hoc* Committee's scope had been limited by the fact that it was obliged to lay special emphasis on laws and regulations pertaining to forced labour and had been unable to obtain sufficient data concerning Communist China.

25. He had pointed out, at the eighth session of the General Assembly, that a system of forced labour, similar to that in the Soviet Union, existed on the mainland of China. He had quoted Mao Tse-tung's statement of 1 July 1949 on the so-called "People's Democratic Dictatorship" and article 7 of the "Common Programme" adopted by the so-called People's Political Consultative Conference of 24 September 1949, which was especially important as the Common Programme was the basis of all the laws and policies of Communist China.

26. The principle of reform through labour defined in article 7 had been implemented in articles of different laws, such as the agrarian reform law (28 June 1950), the provisional statutes punishing illegal landlords of eastern China (19 September 1950) and central south China (16 November 1950), and the provisional measures to control and restrain counter-revolutionaries (27 June 1952). Under all those statutes individuals whom the Communist régime considered politically undesirable could be placed in forced labour camps, both as a punishment and as a measure of political indoctrination. A large number of such camps existed under different names on the mainland of China and were controlled by the General Office of Reform through Labour in Peiping.

27. The same principle was affirmed in article 19 of the draft constitution published by the Communist régime on 14 June 1954, which was implemented by the statute on forced labour of 7 September 1954. That statute, known as the Regulations Governing Labour Service for Reform, deserved thorough analysis. The basically political character of the system was defined in article 2, which stated that the techniques of reform through labour constituted a tool of the People's Democratic Dictatorship for the punishment and reform of all counter-revolutionary and other criminals. Other articles provided that forced labour camps should carry out the policy of co-ordinating labour production and political education and laid down the educational methods to be used. It was an extraordinary document, which told in great detail how the forced labour system operated in Communist China. It contained the essence of the Peiping régime's experience with forced labour camps and showed that the Chinese Communists wished to perpetuate the system as a permanent feature of their régime. That was clear also from the statement made at a meeting of the Administrative Council on 26 August 1954 by Lo Jui-ching, Minister of Public Security of the Peiping régime and chief of the forced labour camps. According to that statement, the regulations, which had been drawn up with the assistance of Soviet legal experts, were based on a directive from Mao Tse-tung and article 7 of the Common Programme. Lo Jui-ching

had defined the basic policy of the Chinese Communist party in that respect as co-ordinating punishment and control with ideological reform, and labour production with political education. He had boasted that the policy of reforming criminals through labour had the support not only of the people of the country but of many of the reformed criminals themselves.

28. The law on reform through labour and the statement by Lo Jui-ching did not provide any new facts, as it was well known that forced labour had existed in Communist China for five years, but they showed that, far from yielding to world public opinion and United Nations pressure, the Chinese Communist leaders actually took pride in their programme. Millions more Chinese who were considered politically out of sympathy with the Communist régime would be sent to forced labour camps.

29. Two books gave horrifying details of the fate that awaited them: *I Came from a Slave Labour Camp in Manchuria*, by Pei Yuo-ming, and *The Slave Labour Camp in Northern Shensi*, by Su Wei-chuan.

30. Pei Yuo-ming, who had been a Kuomintang executive, had been condemned to forced labour in the Chatseyao coal-mines. On arrival, he had been surprised to discover that the mines were operated by the Liaotung provincial court, but a glance at the manual of criminal procedure by Andrei Vyshinsky would show that there was nothing surprising in it. According to that manual, the task of revolutionary legality was so to organize justice that the courts should be turned into an unerring weapon against class enemies. It was quoted in paragraph 394 of the report of the *Ad Hoc* Committee on Forced Labour (E/2431).

31. Pei Yuo-ming had undergone hard physical labour with little food, constant indoctrination and occasional punishment, first in the mines, then in a refinery and a lumber yard, before he had finally escaped. His life had been so gruelling that a period of solitary confinement had been welcomed as a rest.

32. Su Wei-chuan, a former Communist, had been an executive in a labour camp in Northern Shensi. The North-West Reform through Labour Corps, composed mainly of former Chinese Government soldiers, had been established on 5 January 1950. Of the 32,000 members of the Corps, only 78 had been army officers. On the first day, the Communist authorities had ordered the summary execution of 1,214 persons, and 3,000 old and disabled persons had been dismissed.

33. Su Wei-chuan had been able to supply charts, maps and personnel tables in support of his information. Three major public works projects had been completed during his tenure of office: the dredging of the Yen-shui river, at which 12,000 labourers had worked for seven months; the building of the Western Hills tunnel, for which 54,000 labourers—820 of whom had been put to death after completing some secret work, and 1,300 of whom had been injured—had been mobilized under the direct command of Russian experts; and the enlarging of the Yen-tung airport by fifty acres, the construction of two underground hangars and the prolongation of the runways by two miles, for which 10,000 labourers had been employed.

34. Under the inhuman conditions in the labour camps, riots had inevitably occurred. Su Wei-chuan described one which had occurred in April 1951 at the Yen-ch'ang oil wells, where a corps of technicians

from Russia, Czechoslovakia, Germany and Poland, with only ten Chinese, had commanded a labour force of 20,000. Seven forced labourers had presented a petition and been summarily executed for their temerity. A mass riot had broken out three days later during which the labourers had set fire to the thirteen oil wells; 2,300 forced labourers had been killed before the riot had been subdued.

35. On 13 May 1951, Su Wei-chuan, who had been appointed Deputy Political Commissar of a camp in Yen-an, had been ordered to execute 43 "reactionary labourers" without wasting bullets. His horror at the execution had brought him into disfavour with his superiors and he had been exiled to Sinkiang before managing to escape.

36. The civilized world, in particular international labour organizations such as the International Confederation of Free Trade Unions, could not but be disturbed by the existence of such conditions. In a statement dated 5 October 1954, the International Confederation of Free Trade Unions had stated that: first, forced labour existed in various parts of the Chinese mainland; secondly, the treatment of prisoners and the inmates of camps was closely related to the Soviet forced labour system and copied from the USSR regulations; and, thirdly, the majority of the prisoners were persons who could not be forced to accept Communist thinking and practice.

37. A comparison between the laws and regulations of the two countries showed the basic similarity between the system of forced labour in China and that in the Soviet Union; but there was one basic difference between the two. As there was no shortage of manpower in China, the forced labour system was being used to punish anti-Communists rather than to mobilize manpower for reconstruction. It was therefore more strongly political and more sinister in China than in the Soviet Union.

38. In view of the basically political nature of the forced labour system in China, the efficiency of production and of construction undertaken with forced labour had been extremely low, and there had been considerable sabotage and passive resistance. More severe repressive measures were not improving the situation, but merely creating a vicious circle. The Communist régime had attempted to deal with the annual famines

in China by means of water conservancy works undertaken with forced labour. A total of 10,370,000 forced labourers was engaged on such projects, of which 4 million were working on the Huai river project, which had been started in 1950. In 1954, there had been an unprecedented famine on the China mainland, the principal reason for which had been the failure of the Huai river project. That instance alone showed that it was unsound to use political punishment as an instrument of economic reconstruction, but it was a permanent feature of Communist China, which had in fact become one vast forced labour camp.

39. Mr. FOMIN (Union of Soviet Socialist Republics), speaking on a point of order, said that the previous speaker's statement had been out of order, as the only legitimate representatives of the Chinese people were those accredited by the Central People's Government of the People's Republic of China. The Kuomintang representative therefore had no right to speak in the Committee, the more so as his statement had contained slanderous charges against the People's Republic of China. The USSR delegation had previously pointed out the injustice of such slanderous statements made in the absence of the legitimate representatives of the Chinese people. He asked that those views should be recorded.

40. The CHAIRMAN did not consider that the USSR representative had made a genuine point of order.

41. Mr. YU Tsune-chi (China) thought that the USSR representative's statement was out of order, in view of the resolutions adopted by the General Assembly to confirm the legitimacy of the representation of China by the Republic of China.

42. The CHAIRMAN stated that, in his opinion, the Chinese representative was occupying his legitimate place in the Committee.

43. Mr. FOMIN (Union of Soviet Socialist Republics) disagreed. In any case, every delegation was entitled to have its views recorded.

44. The CHAIRMAN observed that the USSR representative had not only alleged that the Chinese representative's statement was out of order, but had questioned the legitimacy of his credentials.

The meeting rose at 1.20 p.m.