

54. Mr. SUTCH (New Zealand), speaking as Chairman of the Social Commission, pointed out that it was the first time that the preamble of an international convention made mention of the dignity and worth of the human person, and that those terms had been taken from the Universal Declaration of Human Rights. Moreover, though the avowed object of the convention was not the abolition of prostitution as such, the Social Commission had wished to give explicit expression in the preamble to its condemnation of that social scourge.

55. With regard to the suggestion made by the representative of the United States that "and" should be replaced by "or" in the last paragraph, he stated that "signature" and "acceptance" were not necessarily one and the same thing.

56. The CHAIRMAN thought it advisable to retain the formula "for signature and acceptance", since a State could sign the convention with or without reservations with regard to its acceptance, but in order to accept the convention, that State must first have signed it.

57. Mrs. ROOSEVELT (United States of America) said that she had suggested the change for the purpose of bringing the last paragraph of the preamble into line with article 24, which used the conjunction "or". If the existing wording were kept, it might be interpreted to mean that a State could not sign the convention without accepting it.

59. Mr. CONTOUMAS (Greece) pointed out that in recent years a new procedure had been adopted in the matter of acceptance of international conventions. At one time, conventions had been signed and subsequently ratified; they were now often signed without any reservations with regard to acceptance, and the signing constituted a definite pledge on the part of the signatory country. He suggested that the Committee should not enter into such details in the preamble but should use a general formula.

59. Mr. AZKOUL (Lebanon) shared the view of the representative of Greece. It was enough to say simply that the General Assembly approved the convention and invited Member and non-member States of the United Nations to become parties to it.

60. If that general formula were not retained, it would be necessary to alter the existing text to bring it into line with article 24, by the terms of which States could become parties to the convention in three different ways.

61. The CHAIRMAN proposed the following wording:

"The General Assembly . . . and proposes that each Member of the United Nations and each non-member State which the appropriate organ of the United Nations may invite to do so, become a Party to the convention in accordance with the terms of article 24."

62. Mr. AQUINO (Philippines) pointed out that the existing text left States free to choose between the different methods of becoming parties to the convention.

63. In his opinion, it was unnecessary to refer in the preamble to the various procedures specified in article 24. The wording suggested by the Chairman would, however, satisfy the objections raised by several representatives and he was prepared to accept it.

64. Following an observation by Mr. AZKOUL (Lebanon), the CHAIRMAN said there was no need for reference to article 24.

In the absence of any objections to the amended text, he put the revised version of the preamble to the vote.

The preamble was adopted by 45 votes to none, with 5 abstentions.

The meeting rose at 5.45 p.m.

TWO HUNDRED AND FORTY-NINTH MEETING

Held at Lake Success, New York, on Friday, 14 October 1949, at 3 p.m.

Chairman: Mr. Carlos E. STOLK (Venezuela).

Discriminations practised by certain States against immigrating labour and, in particular, against labour recruited from the ranks of refugees (A/888 and A/C.3/524)

1. Mr. ALTMAN (Poland) stated that the Polish Government had requested the inclusion of the question of immigrant labour in the agenda of the Assembly, because it presented a problem of great social and humanitarian importance to millions of people in many countries. It was undeniably a social problem which the United Nations had the duty to solve.

2. Although Poland had ceased to be an emigration country because social and economic reforms had succeeded in securing for all its citizens full employment in the national territory, the question of migrations was nevertheless of direct interest to it in view of the fact that a large number of Polish citizens had left their country during

the period between the two wars and also on account of the treatment meted out to Polish displaced persons, who were scattered over the world as cheap labour instead of being assisted to return to their own country.

3. In stating the reasons for which the Polish delegation had submitted its draft resolution (A/C.3/524), he would not deal with the economic aspects of the problem of migration. Everyone was familiar with those economic aspects because of which millions of people were unable to find work and the means of subsistence in their native land and were compelled to migrate in order to find work. He would deal only with the social aspect of the problem and would attempt to demonstrate the need for international action to ensure the social, legal and economic protection of immigrant labour.

4. It was well known that foreign labour was subject to exploitation and particular discrimination. In the United States, the classical immigra-

tion country, cheap Mexican labour was imported for agricultural work in Texas. The Standard Oil Company of New Jersey was doing the same thing. More than half its tankers did not fly the American flag, and because the crews employed were not American, their wages were between 26 and 50 per cent less than those of American crews.

5. Discrimination against immigrant labour was most often and most strikingly exercised in the field of wages, in the employment of such labour for the hardest, unskilled work, and in the denial of opportunities for promotion and occupational training. He instanced in particular the case of Latin-American workers employed in industry in the state of Texas. The figures given in a report of the Public Works Administration for 1938 showed unequal treatment for foreign workers, in respect of wages.

6. No less marked a discrimination was to be observed in the field of industrial safety measures and hygiene, that is to say, in respect of the elementary requirements for the protection of the workers' lives and health. In several countries foreign workers who were the victims of accidents at work or contracted occupational diseases did not receive the allowances to which nationals were entitled under the social security system.

7. The housing conditions for immigrant workers were generally very bad. In Belgium and France, workers recruited from amongst displaced persons were accommodated with their families in wooden barracks or disused factories. The housing and sanitary conditions for immigrant workers from Latin America in the United States were still more terrible, and there was no lack of reports, and articles in the American Press on that matter. An article that had appeared in one of those papers stated that Mexican workers and their families in Texas lived in filthy, unsewered hovels. The well-water was contaminated and it was not therefore astonishing that the mortality rate amongst these immigrants was very high. A Polish-American paper also reported the complaints of displaced persons working on the Louisiana plantations.

8. With regard to labour contracts, he pointed out that observation of the facts in several immigration countries proved that such contracts remained a dead letter. There also, the displaced persons were most often the victims of such practices. In Belgium, displaced persons, including numerous Poles, had a labour contract which stipulated that they must work in the mines, although there were few miners among them. They were promised that after two years they would be permitted to choose other work, but, contrary to those promises, neither the Belgian authorities nor Belgian firms gave them an opportunity to find work in other branches of industry.

9. It was clear that men who migrated to foreign countries in search of work needed effective protection. The abuses of which these immigrants were the victims proved that such protection was not being extended to them. While almost all legislations recognized the equality of the economic and social rights of immigrant workers more or less, that principle was not observed in many countries. The General Assembly of the United Nations should urge all Member States to desist from discriminatory measures against such work-

ers. It should request them to apply the rule by which the conditions of work, the wages and the advantages of social security enjoyed by the national workers should also be guaranteed for immigrant workers. The same should apply in regard to housing, medical assistance and the right to schooling and occupational training.

10. Particular attention should be given to trade union rights. Immigrants should enjoy full possession of those rights to enable them to affirm and defend their interest by trade union action. Recently, in various countries the danger to which an immigrant worker exposed himself when he took part in trade union action led by the national workers in defence of their rights had become obvious. For some time France had been expelling more and more immigrant workers who were becoming troublesome to the employers or to the authorities because they were claiming their rights as workers. Polish miners were arrested and expelled for taking part in strikes notwithstanding the fact that the Franco-Polish convention of 1920 which guaranteed trade union rights, including the right to strike, to Polish workers, was still in force. There had also been numerous cases of arrests of Polish workmen, whose only crime had been that of belonging to legal Polish organizations. Those men, who had not infringed the French laws in force, in any way, were arrested, brutally treated by the police and very often expelled without warning and without being able to take their personal effects with them. Those facts showed the importance of the principle of equal treatment for immigrant and national labour, in regard to freedom to belong to a trade union and to exercise trade union rights.

11. That question raised another problem not less important. That was the right of trade unions to take part in the negotiations between governments when agreements on immigration were drawn up. The immigrants, just as the labourers of the countries of immigration, should be allowed to voice their demands. The participation of trade unions would do much to prevent difficulties in the relationship between immigrants and local workers and to gain for the immigrants better working conditions.

12. In addition to the question of equality of treatment, Mr. Altman stressed the significance of two other problems which were particularly important for the protection of immigrant labour. The first was the question of remittance of a part of the salary earned by the immigrants to their families who had remained in the country of origin. That problem must be solved in the most satisfactory manner in order to prevent those families from being reduced to destitution. For that reason, the delegation of Poland proposed that agreements on immigration should contain binding clauses concerning the transference to the country of origin of the sums of money sent by emigrant workmen to their families.

13. In addition, the Polish draft resolution contained a proposal for the repatriation of immigrants at the expense of the country of immigration. The solution of that important problem would certainly do much to combat the shocking exploitation of foreign labour. Mr. Altman quoted in that respect a report on the living conditions of Italian immigrants in Latin America. Those workmen lived in terrible conditions and their only wish was to return to their country. How-

ever, they had no money to pay for their return passage, and the government or the employers of cover those expenses. Certain governments, as for cover those expenses. Certain Governments, as for instance that of Colombia, even required immigrants to prove that they had sufficient means to pay, if necessary, for the expenses of repatriation.

14. Mr. Altman could not ignore, in that respect, the varied obstacles raised by the French Government in order to hinder the repatriation of Polish workmen who had worked in France for years, while the same French Government persecuted and expelled Polish workmen who claimed their trade union rights. The French authorities hindered the organization of collective transport, refused the delivery of collective visas, made the customs formalities especially complicated, and so on.

15. The delegation of Poland was accustomed to see certain members of the Committee refuse to continue the discussion on the pretext that it was only a question of propaganda when the problems raised were not to their liking. However, the concrete proposals contained in the draft resolution of the Polish delegation were well-founded and could not be denied, because their fairness from the social and human viewpoints was evident.

16. Mr. Altman expected his delegation's proposal to be opposed on the ground that the problem of immigration, and particularly in regard to its social aspect, had already been settled by certain international instruments. It would be stated that it was within the competence of the specialized agencies, in particular the International Labour Organisation. To that argument, which would probably be put forward, Mr. Altman wished to reply that the Polish delegation was aware of the work of the International Labour Organisation in that field. Poland was a member of the ILO and had participated in its last conference in June, in the course of which the Convention concerning Migration for Employment, which was to replace that of 1939, had been adopted. He wished to point out that the ILO was not a universal organization: certain Member States of the United Nations did not belong to it. Moreover, the convention of 1949, and for that matter, all the other conventions of the ILO, would be binding only upon the members of that organization who ratified it, and that was most important. However, practice had unfortunately shown that the majority of member states of the ILO did not ratify the conventions adopted by that organization.

17. Without wishing to be a prophet of evil, Mr. Altman feared that the convention of 1949 would share the fate of scores of others which had not yet been ratified by a number of States, in spite of the fact that the clauses of that convention were far from taking into consideration the recommendations which the labour world formulated for the protection of immigrant workmen. In those conditions, a vote by the United Nations Assembly on a resolution concerning the fundamental rights of immigrant workmen would be much more efficacious.

18. In conclusion, Mr. Altman expressed the hope that the representatives, who wished to achieve effective and positive results for the protection of immigrant workmen, would not be influenced by a dispute concerning the competence of the United Nations and that of the specialized

agencies, and that they would give their support to the proposal submitted by his delegation.

19. Mrs. CASTLE (United Kingdom) stated that she had listened with close attention to the remarks of the representative of Poland, but, in her opinion, he had given no conclusive reason for asking the Assembly to deal with the question of immigrant labour at that particular time. The representative of Poland had made allegations against several countries, and Mrs. Castle was surprised that the United Kingdom had been spared that time. That was perhaps because on three previous occasions, in the Economic and Social Council and the General Assembly, the delegation of the United Kingdom had not only refuted similar allegations against its country, but had also invited its critics to visit the country and ascertain the position for themselves. As yet none of the critics had accepted the invitation.

20. Speaking of the Polish draft resolution, Mrs. Castle stated that it contained several points of which the Committee and the General Assembly could approve in principle. There were others, however, to which her delegation could not agree. It might have been worth while to put that draft resolution in a form which would be acceptable to all. But in recent months the question of migrant labour had been dealt with in a most comprehensive way by the ILO, which was charged with the main responsibility in that field.

21. Mrs. Castle then proceeded to show why she proposed that there should be no further study of the question. The problem of immigrant labour was very complex and concerned several international organizations. Accordingly, some two years previously the Economic and Social Council had invited the specialized agencies concerned to co-operate in the examination of the question,¹ and agreement had been reached as to the allocation of functions between the various interested organizations. Naturally the Economic and Social Council maintained its general responsibility for co-ordinating and in a sense supervising action in that field, but it was not incorrect to say that the main responsibility for taking action relating to migrant labour had been laid upon the ILO.

22. In the spirit of the agreement, the ILO had applied itself in the previous two years to an intensive study of the problem, and had taken important action. In the two most recent sessions of the Permanent Migration Committee, which was composed of experts from the chief countries concerned, it had performed most valuable preparatory work. The International Labour Conference had then discussed the question, and it was to be noted that the representatives of fifty Member States who had taken part in the discussion had been authoritative representatives not only of their Governments, but—what was of especial importance in view of the nature of the problem—also of trade unions and managements. The discussions had been extremely successful. The Conference had adopted both a Convention and a Recommendation concerning migration for employment. Those instruments were very comprehensive and between them covered every aspect of the problem.

23. The Convention itself was relatively short, but it laid down most important principles. To it

¹ See *Resolutions adopted by the Economic and Social Council during its Fourth Session, resolution 42 (IV)*.

were attached three annexes, two of which dealt in detail with the treatment to be accorded to migrants recruited respectively under government-sponsored schemes and under other arrangements. The third annex provided for the exemption from customs duty of the personal effects and tools of migrants on arrival in the country of immigration.

24. The Recommendation contained still more detailed provisions relating to the treatment of migrants for employment, and included a draft model agreement to be used as the basis for bilateral agreements between countries of emigration and of immigration where such agreements were deemed appropriate.

25. It was clear, therefore, that the Convention and Recommendation represented a considerable advance in the international treatment of a very important problem.

26. The United Kingdom representative thought all the points in the Polish draft resolution had been covered by the Convention and by the Recommendation adopted by the ILO. She proposed to review rapidly the various points of that resolution.

27. Taking first the preamble, she agreed that there might be cases of discrimination against immigrant labour, although she knew of none in her own country; but in her view the facts available did not justify a preamble drawn up in such sweeping terms. Whatever the facts, she considered that the way to deal with the situation was not to pass a resolution such as that before the Committee, but to put into effect much more binding instruments, such as the Convention and Recommendation recently adopted by the ILO.

28. The Polish representative had expressed the fear that the ILO Convention might remain a dead letter: that was a strange comment in view of the fact that the Polish delegation had voted against that Convention at the International Labour Conference.

29. Paragraph *a* of the operative part of the Polish resolution laid down a principle which was not open to any objection and to which all the members of the Committee would certainly agree. That did not mean that in everyday life there must be exactly identical treatment for the immigrant and for the national of the country concerned. Like all other foreigners, immigrants had to report periodically to the authorities. Consequently, although the general principle contained in paragraph *a* was acceptable, the matters in which equality of treatment applied should be specified and that was done in the convention and recommendation adopted by the ILO.

30. Paragraph *b* of the Polish draft resolution proposed that immigrant workers should have the right to transfer savings to their country of origin. She asked the Committee to note the curious way in which that provision was drafted. There was no question of the worker's right to transfer his savings to the country where his family was living but to his "country of origin" which was not the same in many cases. Once again, the International Labour Organisation had studied that question very carefully and had dealt with it in a more realistic manner in article 9 of the Convention, which she quoted.

31. Paragraph *c* of the Polish draft resolution asked the General Assembly to recommend Mem-

ber States to grant to immigrant labour the right of repatriation at the expense of the country of immigration. It was out of the question to expect that in all cases and in all circumstances the Government of the country of immigration would pay the expenses of repatriating an immigrant to his country of origin. That could only be the case for migrant workers recruited under a government-sponsored scheme. It was obvious that the Government concerned should examine every case sympathetically and Mrs. Castle assured the Committee that her Government did so. Thus, if a migrant worker recruited under a government-sponsored scheme returned from the United Kingdom to his country either because he was not capable of practising his occupation, because he was incapable of working as a result of a long illness or at the end of his contract the United Kingdom Government bore the cost of his repatriation. Even if the migrant worker wished to return for personal reasons the Government assisted him financially if he had not enough money to pay for his return. Furthermore, with regard to workers who had come to the United Kingdom on their own responsibility, the Government, under an arrangement with the employer, made it obligatory for the latter to bear the cost of repatriation if called upon to do so by the competent authorities. At all events, she considered that the question of repatriation was appropriately dealt with in article 9 of annex II of the Convention which provided that if the immigrant worker failed to find suitable employment, for reasons outside his control, the costs of repatriation for himself and his family would not fall upon him.

32. Lastly, with reference to paragraph *d* of the draft resolution, which requested Member States to recruit immigrant labour and fix the working and living conditions of such labour exclusively on the basis of bilateral conventions concluded between the emigration and immigration countries and negotiated with the participation of the trade unions of the countries concerned, she stated that no provision more likely to impede the flow of labour could be imagined and that at a time when the world situation demanded the maximum mobility of labour. In the opinion of the United Kingdom Government that provision was completely unacceptable. It did not, however, underestimate the value of bilateral agreements governing the working and living conditions of migrant workers which were complementary to the more general provisions applying to all States. The ILO recommendation specifically proposed that in appropriate cases bilateral agreement should be concluded and it contained a model agreement on temporary and permanent migration of workers, including refugees and displaced persons. In that matter too the United Kingdom delegation considered that the ILO had examined the problem in the most appropriate way.

33. In conclusion she hoped that she had convinced the Committee that it was unnecessary to continue the examination of the Polish draft resolution. The United Kingdom delegation thought that the problem had been comprehensively and appropriately dealt with by the International Labour Organisation, which was responsible for taking the necessary measures with regard to immigrant labour. The records of the debate should be transmitted to the ILO and she submitted to the Committee a proposal to that effect (A/C.3/

L.19), to replace the resolution submitted by the Polish delegation.

34. Mr. STEPANENKO (Byelorussian Soviet Socialist Republic) recalled that the question of migrant labour had already figured in resolutions 8 (I), 62 (I) and 136 (II) of the General Assembly and of resolutions 85 (V), 104 (VI) and 156 (VII) of the Economic and Social Council. Some Member States, however, were neglectful as regards putting those resolutions into practice. They indulged in a policy of discrimination against immigrants, whom they regarded simply as cheap labour.

35. Even before the Second World War, clever propaganda on the part of immigration countries had attracted the unemployed of others which were in the grip of the economic crisis inherent in the capitalist system. Those workers had been used by the exploiting classes to strengthen their power. The Marshall Plan, by its negative effect on the economy of participating countries, was tending, in the current period, to increase emigration, which was even expressly encouraged by means of agreements between those countries.

36. Refugee and displaced persons camps were another source of manpower. According to the IRO report, more than 600,000 persons in those two categories had been absorbed by the United States, the United Kingdom, France, Canada and several countries of Latin America. The United States had legislated for the admission of 200,000 refugees and a new law, in course of preparation, would increase that number still further. Immigration countries were endeavouring to represent the practice as extremely humanitarian. In point of fact, it was inspired by purely selfish economic motives. By welcoming foreigners, who were compelled to accept wages lower than those of native workers and who enjoyed no protection, employers could bring pressure to bear on the mass of workers and keep down its standards of living.

37. From the sources already used by the representative of Poland the speaker quoted statistics to the effect that, of 3,000 immigrants working in the Louisiana plantations, 500 had expressed their determination to leave at the end of one month. For the discontented, there was, however, no possibility of leaving since the high cost of living drove them to fall into debt to their masters. The system resembled the serfdom of the feudal period.

38. Similar conditions prevailed in Belgium. Many of the immigrants who were working in the mines had expressed the desire to leave the country. The Government had taken action to frustrate such movement and had arrested and interned the workmen who had voiced complaints.

39. In the United Kingdom the discontent of immigrant workers showed itself in the same way. 380 of them had already returned to Germany.

40. The United Nations could not remain apathetic to so grave a problem, which concerned human rights. The representative of the Byelorussian Soviet Socialist Republic supported the Polish proposal.

41. Mr. PITTALUGA (Uruguay) said that there was no proof whatever of the accusations which the representative of Poland had levelled at the countries of Latin America. So far as Uruguay was concerned, they were wholly gratuitous. His country had reason to be proud of the type of democ-

racy it had achieved. He would ask the representative of Poland to bring some evidence in support of his statement.

42. Mr. SALAZAR (Peru) said that his country had welcomed a considerable number of Italian workers. Those immigrants had only themselves to blame if their circumstances were not always of the best. Far from experiencing discrimination, the newcomers were better paid than the Peruvians. The Italians, however, were not content with that and demanded a share in profits. Peru could not tolerate the undue demands of the immigrants. It had welcomed them in the hope that they would contribute towards a progressive raising of the general standard of living, but it had no intention of opening its doors to those who sought to become rich rapidly at the expense of the community.

43. There was a clause in the Polish draft resolution which the delegation of Peru could not accept, namely paragraph c, by which immigration countries would be compelled to pay the repatriation costs of immigrant labour. Such a provision would be seriously prejudicial to the countries of Latin America. It could be justified only in cases where immigration countries had failed to carry out their pledges to the immigrants. A restriction of the sort should be embodied in the text of the draft resolution.

44. Mr. DE ALBA (Mexico) considered that the Polish proposal was deserving of detailed study. Many of its recommendations were identical with those which the delegation of Mexico had submitted to the Permanent Migration Committee of the ILO. In the main, the convention drawn up by the International Labour Conference in June 1949 met the concern of the Polish draft resolution, but there was room for improvement in the convention. Mexico had suggested the insertion of a clause advocating the fitting of immigrant labour into the social life of their country of adoption. If the Polish proposal were carried, the Mexican delegation would reserve the right to bring forward an amendment to that effect.

45. All things considered, the protection of immigrant labour was a question more far-reaching in scope than the technical considerations which must weigh with the ILO. Human rights were involved and that in itself justified the United Nations' interest in the question.

46. Mexico had devoted considerable attention to the protection of immigrants. A special department of the Ministry of Labour was concerned with that category of workers. The most important problem with which it had to deal was that of Mexican labour in the United States. The conditions offered those workers before the Second World War were far from satisfactory. During the war, the two Governments concerned had agreed to regulate those conditions in a spirit of friendly co-operation. Mexican citizens engaged in the United States on work which was often exacting were sharing in the war effort for a common victory. The same friendly spirit still prevailed in the drawing up of manpower agreements between the two countries. Mexico had received a pledge that there would be no social discrimination whether of race, language or religion against its citizens, that they would be given the same pay as citizens of the United States for equal work and that they would enjoy the benefits of

that country's social legislation. Moreover, Mexico had a right to recall any of its citizens subjected to discriminatory treatment.

47. There was still a great deal of progress to be made, of course, especially with regard to the attitude towards immigrants in the field of social relations; but that related to the sphere of custom, and neither legislation nor constraint would be of any use. The prejudice of centuries could only be overcome by education and universal goodwill. The Universal Declaration of Human Rights would undoubtedly do a great deal to accelerate that development.

48. Mr. JOUHAUX (France) wished to reply briefly to the accusations the Polish representative had made against France. Those accusations were absolutely unfounded, since the system under which foreigners worked in France was exactly the same as that which applied to French workers. It was untrue, for instance, that the French authorities refused foreign workers the right to strike. Foreign workers not only had the right to strike, but even had the right to vote in French trade unions. If injustices had perhaps occurred in certain individual cases, the Polish representative was not justified in laying down a general rule, especially with regard to a nation which placed foreign workers on an equal footing with its own nationals and above all in view of the fact that that nation had been outstandingly liberal in its treatment of Polish workers.

49. The position of foreign workers in France was regulated by reciprocal treaties. In certain cases, a clause of a foreign worker's contract prohibited his employer from discharging him before one year, and that placed the worker in a privileged position in comparison with national workers. French trade unions, far from supporting agitation which had at one time broken out against the granting of that privilege to foreign workers, had denounced such agitation.

50. There was not a single French trade union which would condone arbitrary treatment of foreign workers. Citing as an example certain incidents that had occurred in 1947 and 1948, he pointed out that while legal proceedings might have been taken in certain contentious cases, they had been taken against all the workers who were considered to be at fault and the prosecution of foreign workers could only have been involved incidentally. Moreover, the French trade unions had not failed to protest at the time.

51. He appealed to the Polish representative's sense of reality. He invited him to go to France and to interrogate for himself the Poles who were working there. The Polish representative would find that there were many who had returned of their own accord or who refused to leave the country, although the French Government did not in any way oppose their departure.

52. The problem of immigrant labour was not a new one. The International Labour Office had been studying the problem since 1927, and the fact that its efforts had not had the results they deserved was often due to the insistence of the countries of emigration on obtaining considerable advantages at the expense of the countries of immigration. The International Labour Organisation had, during the current year, concluded the preparation of a convention which, according to general opinion, should gain universal support; it was

not, of course, a perfect convention, but the Members of the United Nations should accept it as a first step in the right direction and should try to improve upon it.

53. Mr. Vos (Belgium) also wished to refute the allegations made against his country. Refugees and foreign workers employed in Belgium enjoyed full equality with Belgian citizens in respect of labour contracts and social security. Contrary to what had been alleged, the miners were adequately housed: the Belgian Government had recently undertaken the construction of 25,000 dwellings for those workers. In other industries, the housing question was left to the initiative of the employers and had hitherto given rise to very few complaints. If the workers had any grievances, they could always appeal to trade unions or to the regional offices of the IRO. Foreign workers who, although they had freely accepted a contract, asked to be repatriated, were repatriated without delay. When refugees had to be expelled, either because of violations of public order or as a result of actions contrary to the national interest or refusal to abide by the terms of a contract, they were sent in the direction of Western Germany, and the Belgian authorities arranged matters in accordance with the conditions agreed upon with the occupation authorities. Furthermore, the Director of the International Refugee Organization had frequently expressed in public his appreciation of the support given to him by the Belgian Government.

54. Foreign workers in Belgium received such generous wages that they were able to save between 10,000 and 25,000 francs by the time their contracts expired, and very few of them expressed a desire to leave the country. Mr. Vos admitted that they had some difficulty in finding new work, owing to the partial unemployment prevailing in Belgium but they were always given permits for domestic and agricultural work.

55. He regretted that the debate had moved into the realm of accusation and refutation. He agreed with the United Kingdom representative that the Committee would be wasting time by continuing the discussion, especially in view of the fact that a convention, which was agreed by all to be complete and which was an adequate reply to the question raised by the Polish delegation, had been drawn up at Geneva by the United Nations specialized agency which was competent in the matter.

56. Mr. CARRIZOSA (Colombia) emphasized that immigration was limited in his country and the problem of foreign labour did not therefore arise. In any case, article 11 of the Colombian Constitution laid down that no discrimination should be exercised against immigrants.

57. The Colombian delegation could not vote for the draft resolution submitted by the Polish delegation, because of the provisions of paragraphs *b*, *c* and *d*. It would, however, support the United Kingdom proposal that the records of the debate should be sent to the International Labour Organisation.

58. Mr. CONTOUMAS (Greece) considered that the International Labour Organisation was more competent than the Third Committee to deal with the question. He therefore suggested that the United Kingdom proposal be put to the vote forthwith.

59. Mr. AZKOUL (Lebanon) supported the United Kingdom draft resolution, which was in

keeping with the principle of the division of work between the United Nations and the specialized agencies. The Polish draft resolution, however, provided for the transmission of a questionnaire to all Member States employing immigrant labour. He wondered whether the ILO had already considered that possibility; if it had not, the suggestion should be retained, since its implementation would provide concrete evidence of the interest taken by the General Assembly in the position of immigrant workers.

60. Mr. LALL (International Labour Organisation) said that the Permanent Migration Committee of the ILO had sent a questionnaire to all its member states when it had started to consider the problem of immigrant labour. It had been on the basis of the replies received that the draft convention had been drawn up for submission to the previous session of the International Labour Conference.

61. Mr. DE ALBA (Mexico) recalled that every year the International Labour Organisation submitted to its members a list of the conventions that had been prepared, together with the reasons for which Governments had not yet subscribed to them. In his view, the General Assembly should not merely refer the matter to the ILO, but should accompany it with a recommendation so formulated that the ILO would be able, through its normal channels of work, to accelerate the acceptance of the Convention concerning Migration for Employment.

62. He suggested that the United Kingdom representative should complete his draft resolution in that sense, bearing in mind the categorical terms of the Universal Declaration of Human Rights. Such action would certainly give considerable satisfaction to the Polish delegation, since, by relying on the competence of the ILO, the General Assembly would be showing both the importance it attached in principle to the matter and its desire that the Convention should not remain a dead letter.

63. Mrs. KRIPALANI (India) thought that any country which admitted foreign workers into its territory was under an obligation to treat the immigrant workers on terms of complete equality with its own nationals. The Indian delegation therefore whole-heartedly supported the intention of the Polish draft resolution. It appeared, however, that the ILO had already made a very thorough study of the matter, which was unquestionably complex and delicate. That organization was particularly well qualified for that task, in view of its tripartite structure whereby Governments, trade unions and management had worked together on the same footing in the preparation of the Convention concerning Migration for Employment.

64. The Indian delegation did not think that the United Nations should re-do work that had already been carried out to the general satisfaction by one of its specialized agencies; it would be a waste of time and money. Furthermore, a convention such as that drawn up by the ILO was binding, whereas

the General Assembly's recommendations were not.

65. The Indian delegation would therefore vote for the United Kingdom draft resolution.

66. Mrs. VIAL DE SEÑORET (Chile) recalled that in 1939 Chile had opened its doors to the victims of Nazi persecution, who had adapted themselves without difficulty to the economic and social life. Chile, a young country and essentially democratic, as testified by its constitution, disapproved of any discrimination on grounds of race, religion or class. It offered to all those living within its borders equal chances of work; all its workers, whether nationals of Chile or immigrants, enjoyed equal protection by trade unions and the law.

67. Having given the above clarification, she proposed the closure of the debate.

68. The CHAIRMAN pointed out that five members had requested the floor. He believed he would be correctly interpreting the intention of the Chilean representative by closing the list of speakers.

69. Mr. LÓPEZ (Cuba) and Mrs. CASTLE (United Kingdom) drew attention to rule 106 of the rules of procedure, which provided that a motion of closure should be put to the vote immediately after two speakers had spoken against the motion.

70. Mr. DEMCHENKO (Ukrainian Soviet Socialist Republic) expressed surprise that any representatives should wish to close a debate which had only just started, and which concerned a question affecting millions of human beings.

71. Mr. PANYUSHKIN (Union of Soviet Socialist Republics) thought that the Third Committee, which dealt with social questions, could not avoid the discussion of such an important problem as that of the treatment of immigrant labour. He supported the expression of indignation voiced by the representative of the Ukrainian SSR.

72. Mr. ALEXIS (Haiti) also considered that the question before the Committee deserved more thorough examination. Every representative had a right to be heard.

73. Mr. LÓPEZ (Cuba) emphasized that he had only presented a purely procedural objection relating to the application of a very clear provision in the rules of procedure.

74. Mrs. VIAL DE SEÑORET (Chile) said it had never been her intention to challenge in any way the right of members to speak. For her own part, she agreed to the Chairman's interpretation and would be satisfied with the closure of the list of speakers.

75. The CHAIRMAN declared the list of speakers closed; on the list were the representatives of the following States: Haiti, the United States, the Ukrainian SSR, the USSR and Czechoslovakia.

The meeting rose at 5.50 p.m.