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FORCED LABOUR

Report by the Secretary-General of the United Nations and the  
Director-General of the International Labour Office

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## INTRODUCTION

1. The Secretary-General of the United Nations and the Director-General of the International Labour Office have the honour to submit to the Council the following report setting forth the replies and information received pursuant to Council resolution 524 (XVII).

2. In the fifth paragraph of that resolution, the Council requested the Secretary-General and invited the Director-General to prepare jointly a report for consideration of the Council at its nineteenth session setting out:

"(a) whatever replies are received from governments in pursuance of General Assembly resolution 740 (VIII);

"(b) any new information on systems of forced labour which might be submitted by Member States, specialized agencies and non-governmental organizations in consultative status together with any comments submitted by governments concerned."

3. At its ninth session, the General Assembly, in resolution 842 (IX), requested the Council and the International Labour Organisation to continue their efforts towards the abolition of forced labour and expressed satisfaction with the Council's action referred to above.

4. It may be recalled that the Secretary-General and the Director-General were able to submit to the nineteenth session of the Council only a Preliminary Report (E/2699) on this subject. The Preliminary Report referred to, or reproduced, the replies received from Governments pursuant to General Assembly resolution 740 (VIII) up to the time of its issue. It also indicated that certain new information on systems of forced labour had been received, but that since the Governments concerned had not had sufficient time to prepare and transmit their comments on that information, the Secretary-General and the Director-General were not then in a position to submit a comprehensive report on it. In the circumstances, the Council decided to postpone consideration of the item on forced labour until its twenty-first session.

PART ONE

REPLIES FROM GOVERNMENTS

5. In resolution 740 (VIII) the General Assembly requested the Secretary-General to consult with those Governments which had not found it possible to provide information (comments and observations on the allegations concerning them) in response to the request of the Ad Hoc Committee on Forced Labour, to the effect that they should submit such information before the seventeenth session of the Council. Since the texts of all replies to this request have already been brought to the Council's attention, this part of the report is limited to a brief indication of the relevant documentation.

6. The following replies were brought to the attention of the Council at its seventeenth session: The Union of Soviet Socialist Republics (E/2431/Add.4), Czechoslovakia (E/2431/Add.6), Poland (E/2431/Add.7), and Venezuela (E/2431/Add.8). Certain additional observations of the Union of South Africa on the Report of the Ad Hoc Committee on Forced Labour were also circulated to the Council (E/2431/Add.5).

7. Three further replies, from the Governments of Brazil, Ecuador and Romania, were reproduced in an annex to the Preliminary Report (E/2699).

8. An additional reply containing information on "Labour Conditions in the U.S.S.R." was received from the Government of the Soviet Union. This reply was reproduced as an addendum to the Preliminary Report (E/2699/Add.1).

9. Thus, as of this date, the texts of all Government comments and observations submitted in response to the Ad Hoc Committee's request, or of replies received pursuant to General Assembly resolution 740 (VIII), may be found in the following documents: E/2431, Appendix III; E/2431/Add. 1 and 4 to 8; E/2699, and E/2699/Add.1.

PART TWO

NEW INFORMATION AND GOVERNMENT COMMENTS

10. This part of the report contains "new information on systems of forced labour ... submitted by Member States ... and non-governmental organizations in consultative status, together with any comments submitted by governments concerned" (paragraph 5(b) of Council resolution 524 (XVII)).

11. The following communications have been received in accordance with this resolution:

Governments

(a) A note dated 10 February 1955 from the Government of the Republic of China, transmitting a report entitled "Information on Forced Labour in Communist China";

(b) A note dated 15 February 1955 from the Government of the United States of America, transmitting a report entitled "Evidence of the Existence of Forced Labour in Albania", another report on "Evidence of the Existence of Forced Labour in Communist China", and a number of affidavits concerning forced labour in Albania, Bulgaria, Czechoslovakia, Hungary, Poland, Romania and the USSR;

(c) A note dated 7 April 1955 from the Government of the United States of America, transmitting "photostatic copies of newspaper articles, translations, and a summary memorandum containing information on the existence of a system of forced labour in Communist China, together with a number of affidavits containing information on the existence of systems of forced labour in Albania, Czechoslovakia, Hungary and Poland";

(d) A note dated 1 July 1955 from the Government of the United States of America, transmitting "information on the existence of forced labour in Eastern Europe and Communist China". The affidavits relate to Albania, Bulgaria and the Mainland of China.

Non-governmental organizations in consultative status

- (e) A letter dated 25 June 1954, from the Anti-Slavery Society transmitting information concerning "forced labour in the Union of South Africa";
- (f) A letter dated 30 August 1955 from the Anti-Slavery Society transmitting information concerning "forced labour in Portuguese Colonies";
- (g) A letter dated 31 December 1954 from the International Commission against Concentration Camp Practices, transmitting a memorandum entitled "Information on the System of Forced Labour believed to be in force in the Territory of the People's Republic of China";
- (h) A memorandum dated 28 March 1955 from the International Commission against Concentration Camp Practices, transmitting additional information on the same subject;
- (i) A note dated 5 October 1954 from the International Confederation of Free Trade Unions, transmitting a memorandum entitled "New Data on China Forced Labour";
- (j) A letter dated 28 March 1955 from the International League for the Rights of Man, transmitting a "Statement on Forced Labour" and a detailed supplement to this statement concerning "the practice of forced labour in self-governing countries, specifically in the People's Democracies of Albania, Bulgaria, China, Czechoslovakia, Hungary, Poland, Romania, and Yugoslavia". The material also contains references to the USSR.

12. The material thus submitted consisted of reports, memoranda and statements prepared by Governments and non-governmental organizations, accompanied in some cases by the texts of laws, regulations, official statements, newspaper articles and affidavits. With the exception of the affidavits, this material is reproduced verbatim in the report, with only minor editorial changes.

13. A different treatment has been given to the affidavits in order not to divulge the identity of their authors or of other persons mentioned in them, and to achieve a measure of documentary economy. The principle of not divulging the identity of the authors of communications on human rights, except in cases where the authors state that they have already disclosed or intend to

disclose their names or that they have no objection to their names being disclosed, has been established by the Council in resolution 75 (V) as amended. The Ad Hoc Committee on Forced Labour, which collected similar information including affidavits from individuals, decided to comply strictly with those provisions of that resolution which concern the non-divulgence of the identity of the authors of communications.<sup>1/</sup> The Secretary-General and the Director-General have observed this principle in compiling their present report, which contains a summary of each of the affidavits submitted.

14. As required under paragraph 5(b) of Council resolution 524 (XVII), the material submitted by Governments and non-governmental organizations, and reproduced in this report, has been transmitted to the Governments concerned for comment. Thus, the following have been requested to comment on the material: the Governments of Albania, Bulgaria and the Republic of China; the Central People's Government of the People's Republic of China; and the Governments of Czechoslovakia, Hungary, Poland, Portugal, Rmania, Union of South Africa, Union of Soviet Socialist Republics and Yugoslavia.

15. By 12 January 1956, the Governments of the Republic of China, Hungary, Portugal and Yugoslavia had submitted their comments which are reproduced in this report immediately following the material to which they relate. Any further comments that may be received will be reproduced in addenda to the present document up to the time the Council considers this report.

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<sup>1/</sup> Resolution I of the Ad Hoc Committee (E/2153, pages 6 and 7).



I. ALBANIA<sup>1/</sup>

A. REPORT BY THE GOVERNMENT OF THE UNITED STATES OF AMERICA

By notes dated 1 February, 7 April and 1 July 1955, the Government of the United States of America submitted a report entitled "Evidence of the Existence of Forced Labour in Albania", and thirteen affidavits by private individuals relating to Albania. The text of the report (A) and summaries of the affidavits (B) are reproduced below:

EVIDENCE OF THE EXISTENCE OF FORCED LABOUR IN ALBANIA

Abstract

Forced labour has been used extensively in Albania since the present Communist regime seized control in November 1944. A number of laws and decisions have been promulgated which legalize compulsory labour, and the new Albanian Penal Code adopted in May 1952, based on the Soviet Penal Code, makes elaborate provisions for "corrective labour" and banishment of citizens to concentration and labour camps. Even children who have reached the age of twelve are liable for punishment at "corrective labour" camps for alleged crimes against the State. In the past ten years some forty political prisons and concentration camps have been in operation at one time or another, through which over 80,000 men, women and children have passed and in which some 16,000 have perished. At present it is estimated that some 10,000 persons are serving in political prisons and an additional 10,000 to 15,000 in concentration camps. In addition to those doing penal labour, there is a large number of people in Albania, chiefly youths, who are forced to perform "voluntary" (actually compulsory) work. Nearly all industrial projects and road and railway construction undertaken by the present regime since 1944 have been built by penal labour and "voluntary" workers.

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<sup>1/</sup> Certain references to Albania were also made in the "Statement on Forced Labour" submitted by the International League for the Rights of Man. The formulation of this statement makes it impracticable to extract these references and reproduce them under the present heading, but see pages 336-354 below.

Forced Labour in Albania.

A. Legislation

1. Varieties of Compulsory Labour Practised. The present Albanian Government makes no attempt to conceal the fact that it exacts forced labour from political opponents and "idle" persons, most of whom are members of the former bourgeoisie or of the landowning class. In addition, it conforms to and even exceeds the usual satellite pattern in its exercise of controls over labour and its extensive use of the so-called "voluntary" (really compulsory) labour on public industrial, construction, and agricultural projects..

Both manual and mental workers are obliged to work for the State on the basis of laws and regulations adopted since the Communist regime assumed control of the country late in 1944. The basic principle of obligatory labour was embodied in the Communist Constitution of 1946, article 22 of which said in part that "in the People's Republic of Albania work shall be an honour and an obligation."<sup>2/</sup> This was further strengthened by the Constitution of 1950, article 13 of which stated that "he who does not work does not eat."<sup>3/</sup> Certain legislation had already been enacted which regimented workers and professional classes even before the Constitution of 1946 (the first Communist constitution) was promulgated. Thus, on 15 December 1944, a few weeks after the Communists "liberated" Albania, all skilled workers and professional people were declared mobilized by the State,<sup>4/</sup> and in April 1945 Law No. 48 provided that all persons appointed to any public office or to State service either temporarily or permanently were in a state of mobilization.<sup>5/</sup>

Meanwhile, as almost all economic enterprises were nationalized in 1945-46 and became State operated, nearly every worker became a State employee. Simultaneously, strict controls over all workers were vested in the trade unions, which are in turn mere/front organizations for implementing Party and Government programme and policy

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<sup>2/</sup> Gazeta Zyrtare (Official Gazette), 19 March 1946.

<sup>3/</sup> Ibid., 4 August 1950.

<sup>4/</sup> Ibid., 15 December 1944.

<sup>5/</sup> Ibid., 25 April 1945.

in the labour field. The Law for the Protection of Workers and Regulation of Work, adopted 9 July 1945 and amended 20 April and 31 August 1946, granted the trade unions sweeping powers to regulate hours, wages, working conditions, and hiring and dismissal of both manual and mental workers.<sup>6/</sup> Moreover, the statute of the trade unions and their Ordinance for the Regulation of Work in All Enterprises provide for strict discipline of all workers and outline in detail their duties and obligations.<sup>7/</sup> Law No. 372 of 12 December 1946 on the creation of the People's Police empowered the police authorities to arrest individuals and send them to prison camps for forced labour. A characteristic government decision taken on 30 July 1947 provided that throughout the government administration, in plants, and in all centres of work, "work which can be done by women must not be done by men and men must do the work that cannot be done by women."<sup>8/</sup> On 13 August of the same year Radio Tirana announced that the government had decided to "introduce forced labour," adding that, according to this decision, "all the persons who served the former anti-people's regimes and who at present are jobless will be mobilized and employed in construction work." And again on 28 February 1948 the same station said that the Albanian Government had recently issued an order providing for the employment of all able-bodied citizens between sixteen and fifty who "as a result of their idleness avoid work" [sic].

The Albanian Directorate of Labour, created by Law No. 427 of 6 May 1947, was empowered to mobilize and conscript all workers through employment offices. The primary function of these offices was defined in the Gazeta Zyrtare of 16 January 1948 as the distribution of labour in enterprises, economic institutions, etc., both state and private, on the basis of state economic plans. Under this law economic enterprises can hire workers only through the employment offices. Law No. 726 of August 1949 widened the labour-conscription powers of the government. Article 1 of this law states that various categories of skilled and professional workers, including teachers, other specialists, and all qualified

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<sup>6/</sup> Puna (Labour-official organ the Albanian trade unions), 15 July 1945, and 1 May and 15 September 1946.

<sup>7/</sup> Ibid. 1 May 1945, 9 April 1946, and 3 March 1948.

<sup>8/</sup> Radio Tirana, 1 August 1947.

workers who are capable of work may be ordered to work in production and construction centres or in the service of the State. Heavy fines are imposed upon workers who do not abide by such orders. Law No. 747 of 30 December 1949 provides for the mobilization of the entire male population between 18 and 45 years of age for a certain number of days annually for road construction and maintenance. Other laws dealing with rigid work discipline provide heavy penalties for workers who quit their jobs without permission, break work discipline, or arrive late at work. The Albanian Official Gazette is replete with court orders and decisions calling workers for trial and inflicting heavy punishments on them for even such minor infractions as being 20 minutes late for work.

Among the decrees dealing with compulsory transfer or freezing of workers in their jobs is Decision No. 137 of 2 March 1950 of the Council of Ministers, on collective agreements, which states that in order to fulfil the 1950 state economic plan before the specified time a general mobilization of the working masses is essential. A similar decision of the Council of Ministers was issued on 30 June 1951 providing that: (1) all labourers and specialists must remain at the various state industrial projects after 1 July, regardless of their contracts, until those projects were finished; (2) all civil servants and other workers between the ages 16 and 55 in the cities of Tirane, Korçe, and Elbasan must work a minimum of 10 days each month on various specified state industrial projects and must meet the minimum work norms assigned to them; and (3) the Ministry of State Control was empowered to supervise the execution of this decision. Since July 1952 all women between the ages 18 and 55 have been required to work in various public projects, especially at the "Enver" Hydroelectric Power Station on Mat River.

2. Labour Provisions in the New Penal Code. The new Albanian Penal Code, which was adopted by the People's Assembly 23 May 1952 and became effective 1 September of the same year, is based, as Minister of Justice Bilbil Kloçi said when he presented it on 22 May to the Assembly for approval, on the principles of class warfare and "revolutionary justice" and embodies the basic principles of Soviet justice.<sup>9/</sup> The code is in two parts, containing general and special provisions respectively. The

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<sup>9/</sup> The text of the code, some 200 pages long, is published in Gazeta Zyrtare, No. 15, 1 August 1952, which is on file in OIR/DRS.

general provisions (articles 1-63) state the purpose of the code as that of serving and preserving the "dictatorship of the proletariat" and define the principal element of crime as being "endangerment of socialist society". "Social endangerment" is further defined as an activity directed against the economic and political basis of the socialist state, against the "people's authority" and socialist wealth. The lower age limit of general penal responsibility is set at 14 years, but penal responsibility for crimes against the state, damage to state property, and economic sabotage is set at age 12 (article 6). The major penalties provided by the code are death, imprisonment, and internment at "corrective labour" camps (article 16). Internment is defined as the "removal of the defendant from his residence with the obligation that he live at a designated place with or without 'corrective labour'" (article 21). Internment as a major penalty, adds this article, is given for a period of one to 10 years. The penalty for corrective labour ranges from 15 days to one year and is carried out at a work site assigned by court decision, or at places designated by the executive organs of the State (article 23).

The basic provisions dealing with labour are contained in the second part of the code, particularly articles 90 and 201-205. Article 90 states that producing industrial goods of bad quality, not in sufficient quantity, or in violation of the designated standard by the director, engineer or his assistant, and the chief of technical control of the industrial enterprise, is to be penalized with corrective labour or imprisonment up to five years. Article 201 states that the departure without permission of a worker or civil servant from a state or social enterprise or institution is to be penalized with corrective labour up to six months and in serious cases with imprisonment up to four months. The next article provides that absenteeism from work of a labourer or civil servant of a state or social enterprise or institution without reasonable excuse is to be penalized by up to six months of corrective labour. Article 203 provides penalties ranging from six months at corrective labour to four years' imprisonment for any worker or civil servant who disobeys an order transferring him from one enterprise to another. More stringent penalties, including up to

two years of corrective labour, are provided by article 204 against those who disobey orders requesting them to work permanently or temporarily for the realization of the state production and construction plans.

B. Concentration and Penal Labour Camps

1. Labour by Political Prisoners. No sharp distinction appears to be made in Albania between persons sentenced to hard labour as a result of court proceedings and those who have been simply rounded up and put to work. Most of the several thousand political prisoners who are currently engaged in "chain-gang" types of hard labour were sentenced before the promulgation of the new Penal Code of 1952, under article 18 of the law on organization and function of military tribunals (January 1945), which made persons convicted of alleged "fascist" collaboration (i.e., anti-Communist activities) liable to fines in money or to compulsory labour from one month to 20 years.<sup>10/</sup> Others have been mobilized by administrative action of the Ministry of Interior under the provisions of the notorious decree of 26 February 1951, issued a few days after the explosion of a bomb at the Soviet Legation in Tirana, and providing for capital punishment and other penalties without due process of law<sup>11/</sup> for anyone "engaged in terroristic activities".

The political prisoners in Albania, who include many prewar, wartime, and postwar ministers, deputies, other high government officials, high clergymen, and all types of people who have actually opposed or have been suspected of opposing the Communist regime, have been interned in such penal colonies as those at Burrel, Beden, Maliq, and Vloqisht (usually referred to as the "Death Camp") and have been employed mainly on drainage projects, highway and port construction, building of military barracks and fortifications, etc. The size of these penal colonies has fluctuated since the end of the war in accordance with local labour needs. The Director of the Albanian Statistical Bureau in the State's Prosecutor's Office, who fled the country late in 1948, has declared that there

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<sup>10/</sup> Gazeta Zyrtare, 23 January 1954.

<sup>11/</sup> The decree may be found in Bashkimi of 27 February 1951.

were at the end of 1947 some 18,000 political prisoners, in addition to concentration camp inmates (see below). Some of these, like Koço Kota, the last Prime Minister before the Italian invasion in 1939, have died of exposure and malnutrition at the notorious Burrel penal colony; others, like Kol Kuqali, an employee of the American Legation in Tirana from 1922 to 1938 who originally attempted to collaborate with the Communist-dominated National Liberation Front, committed suicide in the political prison in Tirana.

Among first-hand accounts of the penal colonies is the one given by Skender Dume, who spent five years in these camps prior to his escape to Greece in April 1951. According to Dume,<sup>12/</sup> there were as of that date 10 political prisons in Albania in which some 10,000 people were living under the most appalling conditions; their tortures and inhuman treatment were described as beyond belief. Dume himself served at two of the penal colonies: at the "Death Camp" in the village of Vloçisht near Korçe, where some 1,200 persons, chiefly lawyers, doctors, students, former high army officers, former state employees, Catholic and Moslem clergymen, and businessmen were held, and at the Beden Camp in Kavaje. The prisoners at the former camp worked on the Maliq reclamation project; while those at the latter worked on the Peqin-Kavaje irrigation canal. At the "Death Camp" at Vloçisht the prisoners were awakened at 3:30 a.m. and began working on the canal at 6:00; they returned to camp at 8 p.m. Some of the inmates who were too sick to work were actually buried alive at the canal. Among these were the Reverend Josif Mihali, head of the Uniate (Catholic) Church in Korçe; Lt. Col. Sulejman Vuçiterni; a Moslem priest named Qazim Melçani; Lt. Col. Tefik Hoxha; Riza Qeko; Jaçe Zleusha; Luigi Luli; Ali Elegi; and others. Because of an infraction of regulations, a student was tied by the prison warden to a column, and left there for 72 hours.

The camp at Lake Maliq may be cited as another example showing how the political prisoners fare in Albania. The prisoners at this camp are organized into 12 work brigades, each consisting of from 120 to 140 men. Each brigade is composed of three companies, and each company of three platoons. The personnel

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<sup>12/</sup> Article in May-June issue of Flamuri (The Flag), Rome, 1951.

commanding the various units are composed of inmates considered reliable by the camp commandant, although each brigade is under the close supervision of a police officer. The prisoners are lodged in wooden barracks, with a brigade in each barrack. The barracks are not divided into rooms; along the walls are two rows of two-storied bunks in which prisoners sleep. The State does not provide any bedding, and those prisoners who have none must sleep on the bare bunk. The barracks are not insulated against the weather. Each prisoner is furnished only with one work suit consisting of trousers, shirt, and coat, all of which are soon worn out because the work of the prisoners is concerned with the drainage of Lake Maliq and requires that they work in water much of the time. If the prisoner does not possess some clothes of his own for a change when he returns from work, he must remain in the wet work clothing. As a rule prisoners work 10 hours a day, unless overtime is ordered by the commander of the brigade. In digging the channel to dry Lake Maliq, most of the prisoners are usually in water which comes up to the knees, and sometimes up to the waist. In spite of these conditions, work goes on without regard for the weather or the season of the year. Another work hazard is the large number of leeches in the channel, which attack the prisoners. As a result, many prisoners become ill, and often as many as 150 of them require daily medical assistance. The camp doctor himself is a prisoner serving a life sentence. Although he is a good physician, he has neither the instruments nor the medicines required. Besides the regular work schedule, which begins at 4 a.m. and ends at 4 p.m., with two hours required for marching back and forth from the barracks to the work site, work is often continued for one or two hours more. Food is provided three times a day. The bread ration is 500 grams; a mixture of wheat and rye, usually insufficiently baked, which is given to the prisoners at noon. Cooked food is given only for breakfast and supper; it usually consists of watery soup of macaroni, beans, or squash. Each prisoner is supposed to receive 100 grams of meat daily, although this rarely happens. Prisoners are at times allowed to receive food parcels to supplement their diet.<sup>13/</sup>

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<sup>13/</sup> For additional details on the Maliq camp, cf. Rilindja (Pristina) of 6 December 1951, which contains statements of four former inmates of the camp.



2. Forced Labour at Concentration Camps. The present Albanian regime instituted the concentration camp system immediately after it assumed control of the country late in 1944. The original purpose of these camps was to intern the families of the large existing number of political prisoners and to receive the deported families of the former higher classes in order to seize their homes and install in them the members of the new regime and their Communist followers. Later when resistance to the regime became increasingly annoying to the latter and anti-Communist elements began to flee the country, these camps were greatly expanded to include all elements considered dangerous to the regime, recalcitrant peasants, and the families or close relatives of those who had succeeded in escaping abroad. Thus, beginning soon after Tito's break with the Cominform in the summer of 1948, the Tirana Government began moving a large number of people, taking individuals from one part of the country and placing them in concentration camps in another. As a rule, people from the north are sent to camps in the south, particularly in Tepelene, Himare (at the ancient fort known by the name of Porto Palermo), Fier, Berat, etc.; while people from the south are interned at Kruje, Burrel, Kamze, Valias, Çerrik, and other places in the north. As far back as 15 September 1947 former Prime Minister Enver Hoxha himself admitted the existence of concentration camps. In a major speech in Shkoder on that date he declared that opposition elements were interned in such camps. Late in 1949, after the assassination of Bardhok Biba, a local Communist chief in the Mirdite area, Mehmet Shehu, then Minister of Interior and now Prime Minister, inaugurated a new wave of internments. In a punitive expedition in this area he moved some 400 persons from Mirdite to camps in southern Albania.

The number of concentration camps in operation and the number of inmates in each of them has varied considerably, depending largely on where the inmates were needed most for compulsory labour. Thus, the camp at Valias was almost emptied early in 1952, when work began at Çerrik, near Elbasan, for the construction of a large oil refinery. A new camp was established here and staffed with inmates from the camp at Valias and from other areas. Similarly, when the Lenin Hydroelectric Power Station near Tirana was finished at the end of 1951, most of some 2,500 forced labourers who had worked there for several years were transferred to the Enver Hydroelectric Power Station on Mat River,

where work began in January 1952. In 1952-53 some 1,500 forced labourers were moved from various camps to Ura Vajgurore and Berat to help in the construction of a large airfield which the Soviet authorities built in that area. When this was completed, most of the forced labourers were transferred to an area near Vorre, where another large airfield is currently under construction.

Some 40 political prisons and concentration camps have been in operation in Albania at one time or another since 1944, in which over 16,000 people are said to have perished in the 10-year period. (See map and table attached.) It is believed that since the end of the war some 80,000 people have passed through these prisons and concentration camps. The total number of inmates of concentration camps at present is estimated to be between 10,000 to 15,000, while the number in political prisons is estimated at about 10,000. (The total current population of Albania is 1.3 million.) Since the end of the war a number of amnesties have been decreed in Albania, but they have been induced chiefly by a desire of the authorities to get rid of unproductive elements and to make room for new arrivals.

Gjon Pietri, a 12-year old school boy from Orosh, Mirdite region, who fled to Yugoslavia on 13 August 1951, is one of the former inmates of the concentration camp at Tepelene who has given a graphic account of life at that camp, where he had been interned with his entire family. A few weeks before he fled to Yugoslavia the police had released him from the camp together with his 8-year old brother because they were too young, but the parents and the other members of the family were retained. The young boy said that he knew that he might lose his life in the attempt, but he decided to flee the country because there was no one to look after him, he could not find any work, and was always hungry. Although a child, he experienced at the camp all the difficulties of the adults. He said that there were 1,200 people at the camp, mostly old men, women, and children. All they received in the way of food was a "small piece of bread made of maize flour and some kind of soup in which occasionally I was able to find a few beans". He said that many people slept on the concrete floor, since the police did not allow them to take blankets when they were arrested. Hunger, unsanitariness, and maltreatment in the camp caused the death of many people the child reported. He remembered in particular a dark and narrow room which

contained several hundred children and adults who had contracted tuberculosis, skin diseases, and other maladies. The boy said that the police tortured many of the inmates who were unable to work, and that the sick people avoided going to see the camp's doctor since he usually told them that there was no hope at all of recovery. Even the sick had to haul wood at the camp, and this was a strenuous job even for the healthy grown-ups because the forest was 12 kilometres away from the camp. No one dared fail to work, the child said; acquaintances of his parents were not permitted one day's absence from work to look after their sick daughter, and "the little girl died without her mother being able to do anything for her".<sup>14/</sup>

Another of the many accounts given by former inmates of the Tepelene concentration camp is the one by Mustafa Hoxha, an Imam (Moslem priest), who was interned at this camp in 1949 and fled to Yugoslavia early in 1953.<sup>15/</sup> Originally Hoxha was interned with his family at Turan village near Tepelene, where the concentration camp was then located. There were more than 2,800 men, women, and children at the camp. The camp life was deplorable; inmates received 550 grams of poorly baked corn bread and nothing else. Since the food was insufficient, they ate grass and dead animals. This resulted in the spreading of an epidemic at the camp, with seven or eight deaths daily, mostly of children. A mother from Elbasan, Hoxha said, lost five of her six children within six months. When the camp was moved to Tepelene the situation became even worse. As an Imam, Hoxha himself officiated at the funeral of 318 Moslems, and during his 20-month internment over 1,200 died at the camp. The camp officials one day decided to move the graveyard from a field near the camp to Ura e Bençit. Accordingly, the inmates, both men and women, were forced to dig up the graves of those most recently buried and rebury them at the new place. This operation gave rise to a new epidemic, and the death rate at the camp increased.

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<sup>14/</sup> The statement given by the boy was published in Borba (Belgrade) of 27 August 1951.

<sup>15/</sup> See Rilindja, 5 April 1953.

Working conditions at the camp were appalling, Hoxha reported. Most inmates, irrespective of the condition of their health, were required to carry on their backs half a cubic metre of firewood from a forest five to six kilometres from the camp. Others carried from the same distance material for building some 70 columns for the bridge at Ura e Bençit. The camp officials were merciless in forcing the inmates to perform slave labour. Punishment against recalcitrants was savage; the most common punishment was the tying of the individual with strong wire until it touched the bones and then locking him in a cell for an indefinite period.

There was practically no provision for medical care at the camp, Hoxha reported. Medicines were practically nonexistent; a doctor visited the camp only at rare intervals; and the inmates did not dare ask for medical care for fear of reprisals. Those who were sent to a hospital in Gjinokaster never returned; they were liquidated.

Another account on conditions at the Tepelene camp was given by Mrs. Gjyshte Ndoci, a young Albanian woman who escaped to Yugoslavia at the end of 1952. According to Mrs. Ndoci, she and her three children - Zef, 9 years old, Dede, 6 and Lule 5 - were arrested after her husband deserted from the army. Despite the fact that she was pregnant, the police treated her brutally at the Sigurimi (state security) offices at Koplík village; later she and her children were taken to the Tepelene concentration camp. At the camp she and her children were confined in a large, filthy barrack where many inmates were suffering from various diseases. She was forced to work notwithstanding her physical condition. After three months she gave birth to a boy in a hut next to the barrack and almost in full view of other inmates. Her baby died after six months because of malnutrition and diseases. Three days after her baby's death, she and her three children were ordered to proceed on foot to another camp in Gjinokaster. On the way her son Dede died and she herself had to dig the grave for him by the wayside, while the police accompanying her insulted her. Four days after she arrived at the new camp her oldest son, Zef, died, also from malnutrition and diseases. 16/

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16/ For additional details on the testimony of Mrs. Ndoci, cf. Rilindja (Pristina), 28 December 1952.

Abedin Zeqiri, who was an inmate of the Tepelene concentration camp before escaping and crossing into Yugoslavia in 1952, reported that Shafer Pogavci, director of this camp, raped daily one of the better looking female inmates. The police serving at the camp have also abused every good-looking girl at the camp.<sup>17/</sup>

Life at the concentration camp at Çerrik (near Elbasan) where a large oil refinery is under construction was described by four former inmates who escaped from the camp on 20 August 1952 and a few weeks later crossed into Yugoslavia. The four are Halit Mulla Qamili, age 20, from Çangonj village; Sami Feimi, age 32, from Kuc i Zi village; Hazem Berdo Laze, age 19, from Dukat village; and Harry Benel, a West German prisoner of war who had been interned at the Valias camp since 1944. All four internees were at this camp until most of its inmates were transferred to the Çerrik camp to work as slave labourers at the oil refinery.

The Çerrik camp had at that time about 500 inmates, including children and old people. Its director was Lt. Zeman Saliaj from Gjinokaster, assisted by Second Lt. Hameti from Tepelene, Second Lt. Marko Hoçishti, and Sargeant Bule Hyseni. These men employed the most bestial methods to exploit the inmates to the maximum. The camp, located on a wide plain, has only two barracks in which all the inmates live. The barracks have no provisions of any kind against inclement weather; rain and snow penetrate them unhindered. As a consequence, the incidence of death among the inmates, especially among children and old men and women, is very high, and the great majority are ill from pneumonia and tuberculosis. According to the four former inmates, food at the camp consists of inedible watery soup and 700 grams of poor bread daily for those who do heavy labour and 600 grams for the rest. Officially the work-day is eight hours, but in most cases the inmates have to work up to 14 hours, and often on Sundays, in order to complete their work norms. Those women who are unable to perform heavy work are required to supply firewood, for which task they

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<sup>17/</sup> For further details, see Rilindja (Pristina), 7 July 1952.

have to walk with a load of firewood on their backs from three to four kilometres. Goads are often employed to force people to work, and cruel penalties are imposed on those who show any inclination to disobey.<sup>18/</sup>

The fact of transfer of the inmates from Valias to Cerrik was confirmed in 1952 in a letter received by an Albanian refugee who fled his country in 1948 and is now living in Washington. He received the letter from his mother in Tirana saying that his father, who was, in 1952, 71 years of age and an invalid, had been transferred from Valias to Cerrik; his daily duties were to attend to children while their mothers worked.

Two Albanian women who had served time at the Valias and Kamze camps and who fled to Greece on 23 March 1953 declared that living conditions at the two camps were dreadful, and that the work to which they were submitted had been exhausting. There was no medical care, they said, and dysentery and tuberculosis took heavy toll among the prison population. The two women and their children were arrested on 24 June 1949 on suspicion of planning to escape from the country. They were first shipped to Kamze, to work at the Ylli i Kuq (Red Star) state farm, where they were retained until 1 April 1950, on which date they were transferred to the camp at Valias.

An Albanian truck driver who fled to Greece on 28 February 1953 had visited his mother at the Kamze camp in April 1952. He reported that the internees at that camp were lodged in two large barracks, 30 by 10 metres in dimension, surrounded by a double line of barbed wire. His mother was arrested together with his 17-year old brother in the fall of 1949, following the escape to Greece of an elder brother. At that time the truck driver was serving in the army and was spared deportation. His mother told him when he visited her that she worked at the camp's farm (Ylli i Kuq) in order to get a supplementary half-ration of bread, i.e., 600 grams daily instead of the usual 400 grams, as well as a salary of 300 leks a month and some soap.

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<sup>18/</sup> For further details, cf. Flamuri i Liris (Prizren), October-November 1952.

Mrs. Ekaterini Filis, who fled to Greece with seven other Albanians on 9 March 1954, declared that immediately after her eldest son escaped to Greece in 1949 all of her property, including clothes and household goods, was confiscated, and she and her five children - three daughters and two sons - were shipped to the concentration camp at Kamze (her husband, an Orthodox Christian priest had died in 1946). There were more than 500 deportees at this camp, she said, and living conditions were extremely difficult. The daily diet consisted mainly of thin soup and 700 grams of maize bread. The favorite sport of the camp guards and officials, Mrs. Filis said, was the seduction of "reactionary" girl inmates. Owing to poor diet and lack of medical care, many of the deportees contracted tuberculosis. Mrs. Filis and her children remained at the Kamze camp from April 1949 to August 1951, when they were set free. As all her property had been confiscated, she and her children had to hire themselves out as farm laborers until they fled Albania. During this period, one of her daughters, Anastasia, 18 years of age, was twice drafted for "voluntary" work at the Enver Hydroelectric Power Station on Mat River; she was called up for three months in 1952 and again for three months in 1953, and worked on road-building at a daily wage of 50 leks. One of her sons, Theodoros, was called to military service in 1952 and was assigned to an auxiliary labour battalion in Kruje because he was a member of a "reactionary" family.<sup>19/</sup>

C. "Voluntary" Labour And Labour Brigades In The Armed Forces

1. "Voluntary" Labour. The Albanian Communist regime has resorted to large-scale recruitment of what it euphemistically calls "voluntary" labour in order to "build socialism" in that country. As the regime newspaper Zeri i Popullit phrased it editorially on 12 May 1953, the "working people, following the example of the Communists, have always answered the Party's appeals for voluntary contributions to the building of Socialism in Albania." For example, added the

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<sup>19/</sup> The source of this statement was a broadcast by Radio Free Europe.

paper, the Kukes-Peshkopi highway, all the country's railroads built since the war, the Stalin Textile Plant, the "November 8" sugar factory at Maliq, and dozens of other projects were largely built by "voluntary" workers, chiefly young boys and girls. In a broadcast of 19 March 1953, Radio Tirana declared that as of that date some 4,000 youths had "registered" for "voluntary" work at the Enver Hydroelectric Power Station. According to a Radio Tirana broadcast of 17 January 1949, in the building of the Durrës-Tirana railway line in 1948-49, more than 165 "volunteer" brigades, comprising 27,000 young people, including 3,000 young girls, participated. In another broadcast on 4 August 1950, the same station said that over 16,370 young men and women organized in youth "voluntary" labour brigades were then working in different parts of the country on various projects of the Two-Year State Economic Plan.

This so-called "voluntary" (actually compulsory) labour in Albania embraces every person from school children to aged men and women. It includes both paid and unpaid "volunteers". There are three types of "volunteer" workers. (1) The first group is composed of those who receive regular wages and work full time in any project or enterprise where the State needs them; the great majority of the full-time "volunteer" workers are employed in the building of national roads and railways, coal, copper, and bitumen mines, and power plants.

(2) The second group is made up of part-time "volunteer" workers, extending from two weeks to three months a year; they are engaged in local road construction, drainage projects, clearing of swamp lands, and in sawmills and other enterprises, all of which are operated by the State. As many as 50,000 "volunteers" were said to have worked on Lake Maliq during the summer of 1946. Subsistence is provided by the State for those of this group who are too poor to bring their own food with them; the rest must live on their own resources.

An example of the method employed to recruit this type of "voluntary" workers was furnished by Isuf Koci, who fled to Yugoslavia in September 1952. He described his experiences as follows: One day in the Oksun e Vogel village (northern Albania) the president of the local People's Council read a list of names which had been brought to him by Sigurimi agents. They contained the names of all those villagers who were to go to the chrome mines as "voluntary" workers to complete the production plan. Included in the list was Koci, who had



already gone to work in his fields that day and thus he did not know that he was to perform "voluntary" work. Nevertheless, he was taken from the fields and forced to go to the chrome mines at Bulqize, along with other villagers. In the beginning they were told that they would be required to work for one month only, but they were retained at the mines for a much longer period. Koci reported that life in the mines was insufferable. Lunch consisted of watery potato or lentil soup, and supper of one or two boiled eggs. No breakfast was served. Many of the "volunteers" had no right to obtain food at the mines because they were considered "kulaks" and food had to be provided by their families. The "volunteers" were paid 70 leks a day, with which they had to pay for their food and rent and donate various contributions. Officially the work day was eight hours, but in reality it lasted as long as 16 hours on such pretenses as two extra hours for Enver Hoxha's birthday, two more hours for Stalin's birthday, two additional hours for plan fulfillment, etc. No one dared quit without authorization even after he had completed his tour of duty. If anyone left his work, he was at once handed over to the local court, which imposed stiff sentences, usually accusing the offender of being a "traitor", "enemy of Socialism", "enemy of the state", "kulak", etc., and dramatizing the session to instill terror in the heart of the villagers.<sup>20/</sup> Another example of this type of labour was given in an account of the progress of building the wool factory at the Textile Plant in Tirana. The Communist daily Bashkimi (Tirana) of 8 October 1953, said that since 25 September over 500 women from the various wards of the capital had engaged in "voluntary" work at the factory, performing such arduous tasks as moving rocks and dirt, sorting out discarded materials, cleaning machinery and windows, etc.

(3) The last group of "volunteer" workers is composed of youths. A number of Albanians, mostly young people, who served in the youth "voluntary" labour brigades and later fled the country have given detailed accounts of the forced recruitment of the "volunteer" workers and the organization of the youth labour brigades.

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<sup>20/</sup> For further details, cf. Flamuri i Liris, October-November 1952.

Thus, Isuf Dikolli, 19 years of age, who escaped to Yugoslavia from a forced labour project near Maliq in October 1951, declared that in September 1951 the People's Council in his village (Floq) ordered him, his father, and five other villagers to report for "voluntary" work at the Maliq project; the reason these seven persons were chosen by the People's Council was that they were labeled "kulaks" and anti-Communist elements. The boy reported that about 300 paid volunteer workers were employed at this project, about 200 others, mostly youth, who were not paid, and about 100 more forced labourers like himself who were supposed to be paid but were not.<sup>21/</sup>

A 16-year old girl who fled to Greece in 1953 described the methods employed by the local Communist youth organizations in recruiting "voluntary" labour among boys and girls. According to her, each village is assigned a quota of boys and girls it must recruit annually for work at various projects. The local youth organization then makes a list of the village's boys and girls who must "volunteer" for work. These youths have no choice but proceed to the work project where they are ordered; otherwise, they are branded "reactionaries" and are placed under police surveillance.

Another concrete example of the forcing of young people to "volunteer" for work was given by Mustafa Arif Hoxha from Borje village who crossed into Yugoslavia in March 1953.<sup>22/</sup> Early in March 1953 six "agitators", headed by Enver Haxhi, vice president of the People's Council of Puke District, arrived at Borje and called the villagers, especially parents of grown-up girls, into six successive meetings requesting that the girls of the village be sent as "voluntary" workers to state construction projects. Finally, on March 16, 17 girls were called to the village reading room and were asked to sign up for work. They refused to sign and attempted to force their way out of the reading room. Thereupon, as a member of the district People's Council shut the door upon them, they beat him up and got out. The following day the security police

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<sup>21/</sup> For further details, cf. Flamuri i Liris, October-November 1952.

<sup>22/</sup> Hoxha's account is printed in Flamuri i Liris, March 1953.

arrested three mothers of the girls, Mrs. Harije Zylfi Tosuni, Mrs. Gjenate Zija Hoxha, and Mrs. Mehmet Rustemi. Pressure was then applied on the villagers to register their daughters for work, and Mustafa Hoxha himself registered his two teenage daughters. However, he fled to Yugoslavia with 14 members of his family at midnight on 18 March.

The recruitment of girls and adult women for "voluntary" work is confirmed by the Tirana Communist press. Thus the official Communist organ Zeri i Popullit of 25 September 1952, carried an account of the recruitment of a group of 560 "volunteer" workers, mostly women and girls, from Burrel District. The group was organized into the "Nezir Molla Brigade," and on 30 September was to proceed to Enver Hydroelectric Power Station on Mat River. The account said with approval that the women had left their children to shift for themselves while their mothers were helping to "build socialism". Four other "voluntary" work brigades were in the process of formation in the same district for employment on the power station, added the account. In a broadcast on 19 March 1953, Radio Tirana said that 1,600 boys and girls were then "voluntarily" working at the same power station. The Tropoje district led the list with 470, of whom 336 were girls. So far, added the broadcast, the total number of youths registered to work at the project had reached 4,000.

A 19-year old boy who was a member of a youth labour brigade on the Durres-Tirana railway project and deserted to Greece in November 1951 reported that his brigade consisted of 70 boys and girls and was under the command of the Labor Brigade Headquarters in Durres. The brigade consisted of two companies, each with 30 persons in three sections of 9-10 members. The brigade had a commander, company commanders, and section leaders. At its headquarters there was a political training instructor, who lectured daily on political (Communist) themes. Every Sunday morning military training was also given.

Some of the most intensive Communist propaganda in Albania is carried on in connexion with the recruitment of youth for "voluntary" labour. The authorities are particularly anxious to induce as many young girls as possible to work at state construction projects. If a girl refuses to volunteer, the propagandists center their fire upon her parents and accuse them of obstructionism. The girls are willing to work at helping socialism in the country, the propagandists claim,

and it is only the parents who do not wish to let them go. Thus, many frightened parents, fearing denunciation as "reactionaries" and subsequent deportation to some concentration camp, are forced to make public declarations that they have no objections to their daughters' volunteering for the work brigades. Many parents in present-day Albania do their best to marry off their daughters in their early teens in order to save them from what they regard as abduction to the "voluntary" work brigades.

2. Forced Labour in Armed Forces. The Albanian Government has created military discipline units composed of sons of former higher classes, "kulaks", and other elements considered by the regime insufficiently reliable to bear arms while performing military service. Currently these conscripts are formed into a Military Labour Brigade under the control of the Ministry of Interior. It has a strength of about 1,500 men, dispersed in various parts of the country and divided into three battalions of about 500 men each. The battalions are divided into three companies each and the companies into three platoons. The code number of the brigade is 7710. A former member of one of these platoons who was called for military service in April 1952 and was assigned to the Military Labour Brigade because he was considered politically unreliable fled to Greece on 21 May 1954. When he was assigned to the brigade, he reported, the men worked for 15 hours a day, and their daily bread ration was 800 grams. The situation improved somewhat later, he said, after the men had complained directly to Chief of Staff Lt. Gen. Beqir Balluku that the food was bad and insufficient and that the working hours were too long. At the end of 1952 the refugee's platoon was sent to work at a large jet airfield which was being constructed near Berat under the supervision of Soviet engineers. According to the refugee, while he worked there from May 1952 to September 1953 the working force included 2,000 political prisoners, 300 soldiers of the infantry, and 100 men of the Military Labour Brigade.

A number of other former members of the military labour units who have fled to Greece or Yugoslavia in the past few years have reported that only conscripts suspected of being hostile to the regime are attached to these units, and that the work assigned to them is exhausting. For instance, a 23-year old Albanian from Konispol in southern Albania who fled to Greece on 21 March 1953, to

avoid being enrolled for "voluntary" work reported that, as the son of a "kulak", he had served in the labour company of the Twelfth Battalion of the Burrel brigade from December 1950 to December 1952. On the morning of 21 March 1953, he received a summons to present himself that same afternoon at the local People's Council offices in Kcniapol. Seeing that three trucks had come to load "volunteer" workers in his town, he decided then and there to escape from the country that same day. He said that after two years of exhausting toil in a military labour company he did not have the courage to start all over again as a civilian "volunteer".

Another Albanian refugee named Eqrem Bardhi who had served in the Military Labour Brigade No. 7710 from October 1951 to June 1953 and later fled to Greece reported that the battalion in which he was assigned had its headquarters in Tirana and was composed of 800 men (sic), all boys from "reactionary" families. Among those serving with the source were two of Hasan Dosti's sons, Tomorr and Leke (Dosti is president of the National Committee for a Free Albania in New York). The battalion was commanded by Shaban Rexha from Peze village, and the politruk was Lt. Thoma Shuka from Lin village. All the officers were described as "blood-thirsty" and as behaving abominably toward the ranks.

The men of the battalion worked on various projects in Tirana, Kavaje, and wherever there was hard work to be done. They worked 13 hours a day under the lash of the officers. Bardhi himself worked 15 months at the barracks which were being built on Diber Street, in Tirana, and four months at Burrel, where some officers' quarters were being constructed. All conscripts had to work on the basis of daily norms, such as digging and transporting five cubic metres of dirt or building three cubic metres of wall. As the food ration was insufficient, many men did not have the energy to complete the norms. This in turn resulted in such punishment as depriving men of vegetables and meat, accusing them of sabotage, and keeping them at work all night until they completed the norm.<sup>23/</sup>

The list and map that follow form part of this report.

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<sup>23/</sup> See footnote 19.

POLITICAL PRISONS AND CONCENTRATION CAMPS IN ALBANIA, 1944-1954

<u>Place</u>	<u>Number of Inmates*</u>	<u>Remarks</u>
1. Kamze	500 - 1,100	Some 60 per cent are women and children; inmates work at the <u>Yll i Kuq</u> (Red Star) state farm and tile factory nearby.
2. Valias	1,500	Inmates are former officers and government officials, as well as families whose relatives have fled to the West.
3. Çerrik	500	Inmates of this camp work at the large oil refinery now under construction.
4. Maliq	800 - 2,300	Inmates have worked at the drainage of Lake Maliq; many have been buried alive at the project.
5. Burrel	3,600 - 4,000	This penal colony is composed of prewar highest officials in the country; many have committed suicide.
6. Vloçisht	1,200 - 1,400	This is known as the "Death Camp" because of the terrible working and living conditions.
7. Pojan	1,400 - 1,600	In this camp too the death rate is high because of the terrible working conditions at canalization project.
8. Tepelene	450 - 2,800	Nearly all the inmates of this camp are families from northern Albania. The death rate is very high.
9. Fier	140	Inmates in this camp work at irrigation and canalization project.
10. Roskovec	n.a.	Drainage project.
11. Beden i Kavajes	1,700 - 2,000	Inmates work on irrigation and reclamation projects and draining of marshes.
12. Bishqem	n.a.	Inmates work at state agricultural farms and on roads.
13. Ura Vajgurore)	500 - 1,500	Inmates work at building of large airfield and industrial and agricultural projects.
14. Berat )		
15. Porto Palermo	150	Inmates work at coastal fortifications.
16. Vlore	350 - 600	Inmates build roads and fortifications and work at Lakatund state farm.

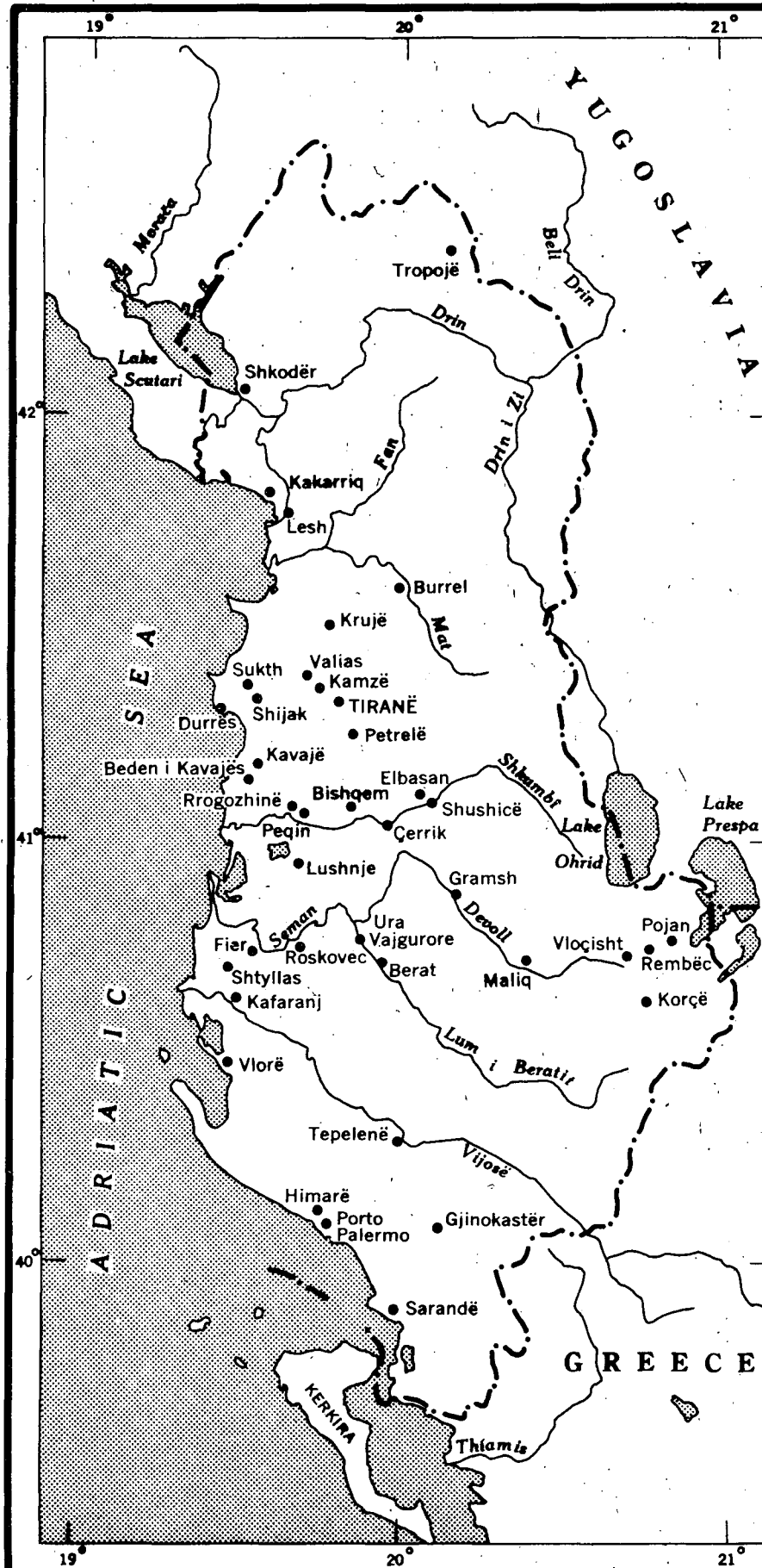
\* In some cases the lowest and the highest number of inmates in each institution is indicated. The number of inmates in several camps has never been revealed.

n.a. = not available.

POLITICAL PRISONS AND CONCENTRATION CAMPS IN ALBANIA, 1944-1954

(continued)

<u>Place</u>	<u>Number of Inmates</u>	<u>Remarks</u>
17. Kruje	500 - 650	Road building, cutting timber, and agricultural work.
18. Shijak	100	Chiefly agricultural work.
19. Lushnje	1,000	The inmates are all women, former school teachers, and professional people; they build roads and make military uniforms.
20. Rrogozhine	n.a.	Inmates work on the Peqin-Kavaje irrigation canal under appalling conditions.
21. Sukth	600	Work at the state farm "8 Nendori".
22. Shkoder	2,720	Agricultural and industrial projects and building of fortifications.
23. Himare	200	Chiefly agricultural work and coastal fortifications.
24. Korçe	450 - 1,500	Canalization and drainage projects.
25. Kavaje	3,600	Building of the 37-kilometre Peqin-Kavaje irrigation canal and agricultural work.
26. Elbasan	400 - 800	Agricultural and drainage projects.
27. Peqin	90	Road building and irrigation projects.
28. Tirane	600 - 3,500	Industrial projects, road building, and canalization.
29. Gramsh	800	Chiefly agricultural work.
30. Sarande	260	Coastal fortifications and irrigation projects.
31. Petrele	n.a.	
32. Shushice	n.a.	
33. Kafaranj	n.a.	Chiefly at state dairy farms.
34. Shtyllas	n.a.	Dairying and other agricultural projects.
35. Gjinokaster	260 - 1,200	Industrial and agricultural projects.
36. Durrës	600 - 800	Inmates work at port construction projects.
37. Lesh	80	Chiefly agricultural work.
38. Tropoje	180	Chiefly agricultural work.
39. Remhec	n.a.	Drainage project and agricultural work.
40. Kakarriq	n.a.	Canalization and irrigation projects.



**ALBANIA**  
**FORCED LABOR**  
**CAMPS**

November '44 - August '54

*This map shows 40 locations at which political prisons or concentration camps have been operating at some time between November 1944 and August 1954.*

**ALBANIE**  
**CAMPS DE**  
**TRAVAIL FORCE**

Novembre 44 - Août 54

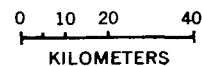
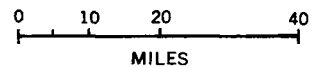
*Cette carte indique l'emplacement de 40 prisons politiques ou camps de concentration en service pendant diverses périodes comprises entre novembre 1944 et août 1954.*

**ALBANIA**  
**CAMPAMENTOS DE**  
**TRABAJO FORZOSO**

Noviembre '44 - Agosto '54

*Este mapa indica la ubicación de 40 prisiones políticas o campos de concentración que han estado en funcionamiento durante diversos periodos comprendidos entre noviembre de 1944 y agosto de 1954.*

SCALE: 1:1,700,000





B. SUMMARIES OF AFFIDAVITS

Summary of Affidavit No. 1:

The deponent, an Albanian national, states that he was arrested by the Security Police and subjected to torture because he had fought for the "National Front". After about four years' imprisonment he was released, but was arrested again later, accused of being in contact with the Anglo-Americans and working against the Government, and tried in camera by a court consisting of judges from the High Military Court of Tirana. In company with a group of others, he was sent to a prison at Gjinokastra, and later transferred to a labour camp, Camp No. 1 in Berat, where there were about 2,000 prisoners. Prisoners were assigned to brigades, and told that they would have to work eight hours a day. In practice, however, they were awakened at 3 a.m. and did not return from work until 4 p.m. Between 4 and 5 or 6 p.m. food was distributed, for which the prisoners were required to wait in a double line. Failure to attend at the right time entailed loss of the meal. The food ration consisted of: 750 grammes of bread for the sick, who were unable to work, 800 grammes for those engaged in lighter work and 900 grammes for those engaged in heavier work. If any of the prisoners, after working for 15 hours, ate all his bread ration at once, he had to wait for 24 hours until the next distribution.

Work quotas in the labour camp were large, and the work consisted of: Ditch-digging, preparation of concrete, stone-crushing, unloading or loading of gravel, crushed stone or dirt from trucks, levelling a landing field, filling in soil with a shovel, transporting rails or pipes. Quotas had to be met, or the prisoners were brutally punished. Many of them became ill and died.

About ninety per cent of the inmates of the labour camp were political prisoners, most of them lawyers, professors, physicians, students, etc. The remaining ten per cent were simple people who had failed to pay their taxes in kind, or had left their work in state enterprises on account of the low wages, or had committed sabotage.

The living quarters consisted of barracks, and the deponent mentions barbed wire and powerful searchlights around the camp. Some of the prisoners in the Berat camp were later transferred to Vlashuk, where they were employed in working

on a drainage system and a canal. The deponent states that after 31 August 1953, the First Work Division stationed at Berat also had the youth of Tirana in the new camp.

Summary of Affidavit No. 2:

The deponent, an Albanian national, describes his experiences in various labour camps, including those of Gjinokastra, Peqin and Kavaj. At Gjinokastra, the production target was 4 cubic metres per day for each convict. At Peqin and Kavaj, the prisoners worked 13 hours per day, on a daily food ration of 700 grammes of bread and a ladleful of watery soup. The production quota was 5 cubic metres per day, and if any prisoner failed to produce his full quota, he was deprived of his day's food ration. There were 1,500 persons in the two camps, 600 of whom were found after a medical examination to be suffering from tuberculosis. They were not, however, exempted from work on that account.

The deponent was later transferred to Berat, where the prisoners were employed on the construction of an airfield. The work there was even harder. He was then again transferred, to Tirana, where the prisoners were also employed on the construction of an airfield. At all the camps, the prisoners were subjected to torture and brutal treatment.

Summary of Affidavit No. 3

The deponent, an Albanian national, describes his experiences on a farm at Fier, used as a labour camp for political prisoners. Prisoners were paid small wages for the cultivation of the land and for digging work, but as the targets set were very high (3 cubic metres of dirt to be dug, wage 50 lek; approximately 2,000 square metres of corn or potatoes to be cultivated, 60 lek) they seldom earned the full wage. Food was inadequate, particularly for the women and children, many of whom died of malnutrition. Prisoners were employed on the digging of a drainage ditch.

The deponent states that preferential treatment was given to prisoners who were Party members, but that the rest were considered as displaced workers.

Summary of Affidavit No. 4:

The deponent, an Albanian national, states that he was imprisoned on account of his political views, gives a lengthy description of the tortures inflicted on political prisoners by the secret police, and then goes on to describe his experiences in various labour camps. He mentions Berat, Beden, near Kavaja, which he calls an extermination camp, Orman Pojan and Bishqetem, in the Elbasan district. Work at several of the camps consisted of the construction of drainage ditches and canals. At Beden, there were about 800 prisoners, and the working day began at 3 a.m., ending at 5 or 6 p.m. Torture was inflicted if prisoners failed to achieve the work targets set, but they were still expected to continue working. The camp most fully described is that of Berat, where prisoners were employed on airfield construction. Two labour divisions, consisting of 16 brigades, were accommodated at that camp. The food ration was 750 grammes of bread per day for sick persons, 800 grammes for those employed on light work and 900 grammes for those engaged on heavy work. Prisoners were awakened at 3 a.m. and had to continue working until 4 p.m.. At 9 p.m. they were forced to retire for the night. There was no free time at all, and prisoners were obliged to work on Sundays. The work included: digging dirt, mixing and preparing concrete, stone crushing, loading and unloading gravel and dirt on to lorries, levelling the landing-field, replacing earth with a shovel, transporting heavy pipes. Treatment and conditions were the same in all the other camps, which held as many as 1,200 prisoners. The camp at Berat was surrounded by a barbed wire fence, and the prisoners were housed in barracks.

In 1953, the Second Division from the Berat camp left for the camp of Vlashuk, where they were put to work on a drainage canal. The First Division remained at Berat until the work on the airfield was completed. Later in the same year, the First Division was transferred to a youth camp 15 kilometres beyond Tirana. Conditions at that camp were also bad. Prisoners were made to work in small parties, as the area was wooded, and the guards were afraid that they might escape. There were 300 guards to 800 prisoners. The working day was 14 hours, and the food ration consisted of 700 to 800 grammes of bread per day. Failure to fill the high work quotas entailed deprivation of food. Prisoners worked on clearing the woods, opening up roads and digging small canals, or preparing guard-posts.

Summary of Affidavit No. 5:

The deponent, an Albanian journalist, gives a graphic account of his experiences in a forced labour camp in the marshes of Lake Maliq. There were about 1,200 prisoners referred to as "enemies of the people" in the camp, engaged on the construction of canals. Part of the prisoners' living quarters was under water.

The working day was of ten hours, and the prisoners had to walk to their place of work, which took up another two hours. The daily food ration consisted of cold tea and 700 grammes of bread. Even the aged and sick were forced to work, marching to the place of work with the other prisoners, and subjected to senseless brutality from the guards.

Summary of Affidavit No. 6:

The deponent, an Albanian national, states that he was sentenced to five years' imprisonment with hard labour for being a member of an independent Nationalist group, taking part in the war against the Government and engaging in propaganda against the Government, and maintaining a hostile attitude while in prison. After two years in prison, he was released, but was arrested again and sent to the forced labour camp at Kavaja. He describes the camp as having been set up for all who were not communists or who were opposed to the communist system. He was sent to a place between Kavaja and Rogozhina, to work on the Durres-Elbasan railroad. The 5th brigade from Shkodra (the deponent had served his previous term of imprisonment at Shkodra) was stationed there. The deponent was assigned to a squad, company and brigade. The commanders of these units were all communists of proven loyalty, and there was also an armed military squad to see that workers did not escape or to avoid their full share of work. There were 36 women in the brigade, which numbered 450.

The time-table in the camp was as follows: At 4 a.m., prisoners were aroused and work began at 5 a.m.. At 11 a.m., a political lecture was delivered, and at 1 p.m. soup and the day's ration of bread, officially 800 grammes, but usually less than 500 grammes, were distributed. The official working day ended at 4 p.m., but the prisoners were then taken back to camp and forced to do extra work on the construction of a canal near the camp. This work continued for

2 hours, until 6 p.m., when another political lecture was given. At 9 p.m., there was a further distribution of soup, and at 9.30 p.m., the brigade commander addressed the prisoners on the importance of filling their work quotas, and lectured them on their failure to do so. At 11 p.m., prisoners were forced to sing communist songs, and at midnight they were allowed to retire. Discipline was maintained by the use of brutal measures. Prisoners injured by the beatings inflicted by the guards were left on their bunks and given bread, but not every day, and water only infrequently.

Between Durres and Peqin there were 16 labour camps like the one in which the deponent was confined and more than 20,000 workers were accommodated in them. The names of the camps mentioned include Tepelene, Beden district of Kavaja, Maliq, Kamza, district of Tirana, Shjake, Selit, Ocisht, district of Korça. There were also State farms scattered all over Albania, where anti-communists and persons not in sympathy with the Government were forced to work without pay. The deponent estimates the number of men and women permanently employed in the camps at 11,000, and the number in the temporary camp at Durres-Elbasan at about 20,800, engaged in railroad repair work.

After the deponent had been some time in the labour camp, the brigade commander gave orders that prisoners were to work for four hours on Sundays, and that there was to be a night-shift. Conditions in all the camps were bad, and grew steadily worse. The working day was of ten hours, with a four-hour shift on Sundays and at night. On his transfer to the Mixed Brigade between Rogozhin and Peqin, he found that there had been an outbreak of epidemic and contagious diseases. Doctors only visited the camps occasionally and prisoners had to obtain treatment outside as there were no facilities in the camps. Prisoners who had been ill were obliged to return to work immediately on their discharge from hospital. The death rate was high and the bodies of prisoners were frequently left lying in the barracks until the camp was visited by a doctor who could give permission for burial. Deaths and injuries at work were frequently concealed from the families of prisoners, and many hundreds of workers on the Durres-Elbasan railroad, who had been badly injured, were buried before it had been ascertained that they were quite dead.

The deponent was later released again, but after about three weeks he was again ordered to report to a forced labour camp near Scutari. That camp was a State farm employing about 1,800 workers, all unpaid, working ten hours a day on digging ditches. Conditions in that camp too were very hard, but the deponent mentions the fact that he obtained leave of absence for one month to go to Scutari and get married. Later he was transferred to the "Ura e Kirit" camp, where he worked on a railroad station. The camp was crowded, as there were only three barracks for 1,700 workers.

Later the deponent was sent to a State farm, known as camp "bardhaj" on the outskirts of Shkodra. At that camp, prisoners were allowed to return home for dinner and to spend the night there. The working day was ten hours and there was a good deal of overtime. Those who did not produce their full quota during the day were obliged to remain after hours and complete it then. Prisoners were escorted to and from their homes by the police.

The deponent was later transferred to the army, and posted to 3rd Korça Division at Pogradec. His company was composed entirely of anti-communists, who were soldiers in name only, being in practice compelled to continue forced labour.

Summary of Affidavit No. 7:

The deponent, an Albanian national, states that he was arrested for Monarchist sentiments, but makes no mention of any trial. After an account of his sufferings in many prisons in the country, he gives a short description of "concentration camps". According to that description, there were concentration camps at: Tepelene, Lushnje; Beden-Kavaja and Maliq. The camps were divided into two categories, one for internees who had been sentenced by a court to forced labour and the other for internees who had been sent there without trial. The camps consisted of barracks surrounded by fences and barbed wire, and the number of prisoners in them was approximately 3,000 to 3,500. Prisoners were usually employed in irrigation projects. The working day was from 12 to 14 hours for everyone, and any lack of zeal for work was punished by the guards, who were given a free hand and did not have to answer for any crime committed against the prisoners. These guards were all trusted persons and had been members of the

Albanian Communist Party since 1944. Work was discontinued when weather conditions became impossible.

Internees were released when they had served their sentence, but the deponent mentions one who was arrested again shortly after his release. A few were released under an amnesty. The deponent refers to the internment of families, and states that women with children over three years old were forced to supply the Tepelene camp, in which they were imprisoned, with two cubic metres of wood per week.

Summary of Affidavit No. 8:

The deponent, an Albanian national, states that he was arrested for being an anti-communist, and describes his experiences in prison, but makes no statement concerning forced labour.

Summary of Affidavit No. 9:

The deponent, an Albanian national, does not give any clear information as to the reasons for his arrest, nor does he state whether he was ever brought to trial, although he mentions the fact that he was originally confined in the political prison at Korçe. He says that he was assigned to forced labour at camp Maliq, Sukthi camp, where the 78 prisoners were engaged in land clearance and agriculture, and Camp Kambezin, Himare, and Porto Palermo, where they were apparently engaged on the construction of fortifications. The working day was 8 hours, in addition to voluntary work, punishments were severe, and there were no rewards or payment, except that prisoners who completed the quota were given an "S". The deponent was released on the completion of his sentence.

Summary of Affidavit No. 10:

The deponent, an Albanian national, states that he was originally arrested for membership in the "Balli Kombestar", released and some years later arrested again for collaborating with people coming from abroad, and sentenced to 20 years' hard labour. He was confined in two different forced labour camps, one at Berat and the other at Rihnas, north of Tirana. Prisoners at both those camps were employed on the construction of airfields. The camps were fenced in and the prisoners slept in two tiers in large wooden dormitories, accommodating

about 120-130 persons each, allowing 45-50 cm. room for each person. There were about 2,500 to 2,700 prisoners, divided into labour brigades, working 13-14 hours per day. Prisoners walked 1 or 2 kilometres to their place of work, heavily escorted by guards. Work quotas were very high, and failure to work with the required energy was brutally punished. Guards were uniformed members of the Security Police. Particularly efficient work was rewarded by permission to wear a badge bearing the letter "S" (for shockworker), promises that the prisoner would be released sooner and the privilege of meeting his family once a month.

The deponent eventually escaped from the camp where he was confined, and states that he does not think amnesties were granted after 1949.

Summary of Affidavit No. 11.

The deponent, an Albanian national, was arrested for being an anti-communist and imprisoned without trial for thirteen months. He was confined in forced labour camps at Yuba, Beden Kavaja, and Vlocisht. The administration and living conditions were the same in all those camps. Prisoners were expected in practice to work a 16-hour day in 1951-1952; although the working-day in theory was 8 hours, many hours "voluntary" work were also required. Prisoners were employed on the digging of canals and construction work, under civilian supervision. Penalties for refusal to work ranged from withdrawal of ration-cards to trial for sabotage. The reward for good work was the right to wear an embroidered "S" for "shock-worker", on the prisoner's coat. Work quotas were periodically increased, allegedly at the workers' request. The deponent eventually escaped from forced labour.

Summary of Affidavit No. 12:

The deponent, an Albanian national, states that he was imprisoned because his brother had deserted, but makes no mention of any trial. He was confined in the following camps: Tepelene, Bedene Kavaj, Gústenj, Maliq, Tirana. At Tepelene, the prisoners were employed on wood-cutting, at Tirana on agricultural work and in the other camps on digging ditches. The working-day was from 8 to 12 hours, refusal to work was punished by a beating and jail, but good work was



not rewarded. The guards consisted of Albanian police and security forces. Quotas were high, and failure to complete them entailed loss of mail privileges and no medical attention.

The deponent was released after two years.

Summary of Affidavit No. 13:

The deponent, an Albanian national, devotes most of his account to a description of his sufferings in prison. He does not state on what charges he was arrested, and makes no mention of any trial.

He states that he was transferred from the Argyrokastron prison to a labour camp in the Elbassan mountains, where the 1,200 prisoners were employed on the construction of the Peqin-Elbassan railway. The work was very hard and even the sick were not exempted. Prisoners were not permitted to see their families. Failure to work entailed deprivation of food. Some months later, the deponent was transferred to another camp in Kavaje. That was known as a death camp, as the conditions were extremely hard there. Work quotas were very high, and the prisoners were forced to fulfil them by all kinds of brutal treatment, including deprivation of food and exposure to the cold weather. The prisoners succeeded in completing the work assigned to them and then were taken back to prison.

The remainder of the account describes the prisoner's experiences after his release from prison, and contains no further reference to forced labour.

## II. BULGARIA<sup>1/</sup>

By notes dated 15 February and 1 July 1955 the Government of the United States of America submitted nine affidavits by private individuals relating to Bulgaria. Summaries of these affidavits are reproduced below:

### Summary of Affidavit No. 1:

The deponent, a middle-aged Bulgarian, alleges that he was convicted of anti-communist activities and spent three years in the forced labour camp in Wraca, Bulgaria. Its 360 inmates were housed in three rooms; living conditions, sanitation, clothing and food were all bad. He worked as a quarry-man in a neighbouring quarry to which prisoners were escorted by armed policemen. Prisoners received no pay and work quotas were extremely high, each working party of five persons having to quarry and carry off 15 cubic metres of stone. Prisoners who failed to fulfil the quota spent the night standing up in a detention cell containing half a metre of water. He was released and fled across the border.

### Summary of Affidavit No. 2:

The deponent, a Bulgarian in his early thirties, states that he worked for a year in a forced labour camp at Bogdanov-Dol, Bulgaria. Its 2,724 inmates lived in extremely crowded conditions. They worked alternatively one week at night and one week during the day. The eight-hour working day was supplemented by forced labour in the garden and the amount of bread they received depended on the type of work performed. Any prisoner who failed to mine the required quota of 1.2 cubic metres of coal received no food at all. Each group of 240 prisoners was escorted to work by 16 armed policemen. Their clothing consisted of cast-off military uniforms and their diet was vegetarian. Prisoners were sometimes beaten and their letters were censored. Upon his release, the deponent fled across the border.

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<sup>1/</sup> Certain references to Bulgaria were also made in the "Statement on Forced Labour" submitted by the International League for the Rights of Man. The formulation of this statement makes it impracticable to extract these references and reproduce them under the present heading, but see pages 336-354.

Summary of Affidavit No. 3:

The deponent, a Bulgarian in his late twenties, states that he had been a member of the Bulgarian National Agrarian Union, engaged in political activities and hated communism. On the pretext of being drafted for military service he was placed in forced labour camps, spending ten months in the Bogdanov-Dol camp in Pernishka Province and a longer time in the Belene camp in Svishchovka Province. Both camps were called "Labour Corrective Communities" to which all enemies of the State were sent without trial and without being informed of the length of their sentences.

Housing conditions at the Belene camp, which was guarded by uniformed militiamen, were bad, and although the number of inmates varied constantly, rooms were always overcrowded; there was very little light and no ventilation. The camp was surrounded with barbed wire and guarded by militiamen. Movement within the camp was restricted. Prisoners who attempted to escape or refused to work were shot.

In the Bogdanov-Dol camp prisoners worked in the brick factory, the quarry or on the neighbouring roads while in the Belene camp work consisted of ditch-digging, farming, clearing land etc. Separate norms, which were applicable to all inmates regardless of age and health, were established for each type of work and prisoners who failed to fulfil the quotas were punished by deprivation of their bread ration or beatings. "Disloyal, saboteur and enemy" elements were isolated in separate barracks and forced to live under even more miserable conditions.

Rations were extremely meagre and prisoners had to eat reptiles and rummage in garbage bins for scraps in order to stay alive. The water supply was bad and medical care almost non-existent. Prisoners received no pay and were not given extra rations if they exceeded the norms.

Release from the camps depended on the decision of the Secret Police which maintained an extensive informer- and spy-network in the camps. On being released each prisoner had to sign a statement declaring that he would never again engage in anti-State activities. The amnesties offered by the Government were never accepted because of the strings attached.

Summary of Affidavit No. 4:

The deponent, an elderly Bulgarian, asserts that he had always opposed the communists. On the basis of a trumped-up charge he was falsely accused of being an enemy of the people, arrested, tried and sentenced to two years' imprisonment. He was sent to the Vrachan County Gaol where he worked as a herdsman but received no pay either in cash or in extra rations. Refusal to work was punished by solitary confinement with its attendant discomforts and meagre rations.

Over half of the 2,600 prisoners in the Vrachan Gaol were political offenders. Some of the non-political prisoners were allowed to work and live outside the prison walls because their skills were in demand.

Prisoners were guarded by militiamen, given little exercise and found it advisable to attend the constant "rehabilitation" courses that were given. The deponent's conduct was good and he was released after serving only one year of his sentence.

Summary of Affidavit No. 5:

The deponent, a young Bulgarian, states that he had served as an officer in the Bulgarian army but was discharged for anti-communist activities. He was subsequently arrested several times and spent a total of about two years in the "Kutsian" forced-labour camp near Pernik, the "Nikolaevo" Camp in Kazanloshka Province, the "Nozharevo" prison-camp and the "Zagrad" camp in Tutrakanska Province, the "Bialo Voda" prison-camp in Nikopolska province and the Persin prison-camp on Belenska Island.

Such "Corrective Labour Communities" formed a department under the Ministry of the Interior which received 75 per cent of their earnings while the other 25 per cent were used to run the camps!

All the camps were overcrowded and infested with vermin; housing and sanitary conditions were extremely bad and clothing consisted of old uniforms. Water was rationed and the little food prisoners received was unbelievably bad. Primitive methods were used to control dysentery and even sick prisoners were forced to work.

Each camp was administered by a supervisor or commandant who had absolute powers and worked for the Secret Police. The majority of the administrative jobs were filled by privileged prisoners.

Camps were surrounded with barbed wire and guarded by sentries under a militia officer and movement at night was completely forbidden. Prisoners were escorted to work by militiamen and if a prisoner succeeded in escaping, his entire working party was held responsible.

Camp discipline was much more severe than military discipline. Prisoners invariably had to move in formation and roll-calls were frequent. Prisoners were forced under penalty to sing Soviet military marches on their way to work and at one time a "Labour Corrective Communities March" contest was held.

The camp administrations received a bonus, which prisoners did not share, from the enterprise or firm for which work was being done. Prisoners in the Nozharevo camp were able to purchase time off from work when they were sick. Rates of pay were based on special qualifications and the pay of Nikolaevo camp inmates varied between 340 and 550 leva. Work exceeding the norm was encouraged by the issue of extra bread rations or a reduction of sentence. Prisoners who failed to fulfil their norms were punished.

The eight-hour working day was observed only in the Kutsian, Nikolaevo and Bogdanov-Dol camps where stone was quarried. In camps where agricultural work was performed there were no fixed hours of work and prisoners worked ten to sixteen hours a day and received only two days off a year. Religious and nationalist manifestations were forbidden.

Each camp had a Cultural Enlightenment Committee, formed by the administration and composed of prisoners who had "repented their sins". The Committee organized meetings at which Marxian lectures and talks were given, published a small doctrinaire newspaper called "The Turning Point", organized and encouraged socialist competition by means of loudspeakers, and rewarded shock workers.

Although prisoners had the right of appeal against administrative orders this privilege was of very little value in practice. Each month inmates could send and receive one letter and receive one food parcel not exceeding five kilogrammes in weight. All incoming material was censored and inspected. Relatives were allowed to visit prisoners twice a year.

The Corrective Labour Communities were subsequently divided into three groups comprising fervent anti-communists, "reformed" anti-communists and ordinary criminals; the privileges of prisoners in the first two categories were reduced still further.

If a serious misdemeanour was committed all camp inmates were punished. Habitual individual offenders were punished by being placed in the "disciplinary (black) section" where living conditions were even worse and to which political personalities were invariably sent to die lingering deaths. Each camp was covered by an extensive informer network organized by the Secret Police. Deaths were infrequent as it was the Administration's policy to release prisoners just prior to death.

Three different categorized persons were sent to work in the Corrective Labour Communities. The first comprised officials of former political organizations which had been suppressed and were sent by the Central Directorate of the Secret Police in Sofia. The second group comprised officials of democratic parties which had been suppressed and who had been accused of conspiracy against the Government but against whom there had been insufficient evidence. Such persons were imprisoned by the Provincial Directorate of the Secret Police. A special commission of the Central Directorate of the Secret Police determined the length of each prisoner's sentence. The length of the sentence of those in the first category was fixed only after the prisoners had spent a few years in the camps. The third category comprised peasants and craftsmen who had been influential in their communities and had opposed the regime. They were sentenced by the People's Soviets of cities and villages to forced labour for a minimum period of six months. The length of imprisonment could be increased indefinitely during the "pre-trial" period, and on that basis many prisoners sentenced to six months' imprisonment remained in the camps for four or five years.

Prisoners were released from the Corrective Labour Communities on the following grounds:

- (a) Completion of sentence. The prisoner had to be passed by an "inspector" of the Secret Police as being "rehabilitated" and "safe" to be released. Any stubbornness displayed by the prisoner could result in his further imprisonment.

(b) When a prisoner was ill or on the verge of death. If he recovered he was returned to the camp to complete his sentence.

(c) To enable the Secret Police to collect more evidence against a prisoner.

Prisoners were released in groups. Prior to the liberation they were isolated from their fellows and allowed to exchange their prison scrip for Bulgarian currency.

Summary of Affidavit No. 6:

The deponent, a young Bulgarian, states that he was accused of being a member of a secret terrorist organization, arrested and sent to the "7 September" coal mine to do forced labour. The prisoners there were constantly guarded by militiamen and had to mine twelve tons of coal during each eight-hour shift. Those who were unable to fulfil the quota received only a half of their bread ration. The food and sanitary conditions were bad, the barracks overcrowded and prisoners were required to sing Soviet military marches.

The deponent was later transferred together with 500 other prisoners to the Nikolaevo-Kozanloshko camp where they worked in the stone quarry. Those who were unable to fulfil the work norm were required to work a second eight-hour shift.

He was then transferred to the Bogdanov-Dol camp which at one time had 1,800 inmates, half of whom were expelled university students, and where prisoners quarried stone and made bricks. Both operations were practically unmechanized. Overtime work was required of prisoners who failed to fulfil the quota.

The camp's Cultural Enlightenment Committee reported to the administration on prisoners and encouraged socialist competition. Outstanding workers were rewarded and given prizes of money or books.

Prisoners were forbidden to converse with the civilian technicians who supervised their work and any infringement of the rule was punished by ten days' solitary confinement. Each inmate received only five kilogrammes of food a month and frequently the whole camp was without meat. All prisoners were punished if a prisoner succeeded in escaping.

Prisoners were paid with special scrip with which they could purchase inferior quality food at the camp store.

Summary of Affidavit No. 7:

The deponent, a middle-aged Bulgarian, alleges that he was sentenced to one year's forced labour because he was anti-communist and transported anti-communists across the border.

He was first sent to the Bogdanov-Dol camp where he worked a nine-hour day plus overtime in the Pernik coal mines. The work quota was 3,000 kilogrammes of coal per man and prisoners were treated brutally by the police. The food was very poor and consisted of soup and vegetables.

All political prisoners were later transferred to the Belene camp where the 3,500 inmates worked on irrigation and water canals. The initial work quota of three cubic metres was increased to eight cubic metres.

1,107 prisoners were subsequently transferred to the Nozharovo Tutrakansko camp where they worked on the collective farm and did construction work. Prisoners who failed to fulfil the work quotas were beaten and deprived of the bread ration.

In general no prisoners were allowed to leave the camp and those who refused to work were shot. Only communists were paid and received special privileges.

The deponent was released after eighteen months' imprisonment.

Summary of Affidavit No. 8:

The deponent, a young Bulgarian, states that he was a labour service recruit and worked as an apprentice in a brickyard for three years in the State Industrial Cabinet-Making School in his native village.

Summary of Affidavit No. 9:

The deponent, a Bulgarian in his middle twenties, asserts that he was conscripted as a labour service recruit because he was not a communist. He worked for three years in the Bulgarian Labour Army constructing airfields at Bezmer and later at Balchik-Kavarna. Prisoners worked fifteen hours a day under constant supervision, were brutally treated, given no time off and received meat only twice a year. Those who refused to work were sent to a hard-labour camp. There were no norms but socialist competition was conducted. No privileges were received for extra hard work although prisoners proving that they would make good communists were treated well.

He deserted the Labour Army and fled across the border.



### III. CHINA (MAINLAND)<sup>1/</sup>

The material concerning the Mainland of China and governmental comments thereon is reproduced in four separate sections.

Section A contains reports and memoranda submitted by governments and non-governmental organizations.

Section B contains the texts of laws, regulations and other documents submitted with these reports and memoranda.

Section C contains summaries of affidavits also submitted with the reports and memoranda.

Section D contains the comments of the Government of the Republic of China on the material.

#### A. REPORTS AND MEMORANDA SUBMITTED BY GOVERNMENTS AND NON-GOVERNMENTAL ORGANIZATIONS

##### 1. Report of the Government of the Republic of China

By a letter dated 10 February 1955, the Government of the Republic of China transmitted a report containing "information compiled by the Chinese Government on forced labour being practiced on the mainland of China". The text of this report <sup>2/</sup> is as follows:

#### INFORMATION ON FORCED LABOUR IN COMMUNIST CHINA

##### I. The system of forced labour

Totalitarianism and greed for aggression are the characteristic features of a communist state. In other words, a reign of unparalleled terror combined with an insatiable appetite for aggression constitutes the chief expression of a totalitarian regime. In areas under a totalitarian rule, people are deprived

<sup>1/</sup> Certain references to the Mainland of China were also made in the "Statement on Forced Labour" submitted by the International League for the Rights of Man. The formulation of this statement makes it impracticable to extract these references and reproduce them under the present heading, but see pages 336-354, below.

<sup>2/</sup> The first part of this report contained the text of certain laws and regulations. These are reproduced in section B below as documents (i) to (v), and (ix) to (xviii).

of human rights and freedom. Humanity is destroyed. Furthermore, people are exploited for their labour and drained of their blood and sweat. Therefore it can be said that a communist regime is built on nothing but a vast pile of crushed bones. It cannot exist without using terroristic measures against its own people or engaging in aggression against other countries. This is the natural and destined relationship between the Chinese communist regime and forced labour. This is the unprecedented catastrophe of mankind.

Basically, there is very little difference between the compulsory labour practice in Soviet Russia's labour camps and that in Hitler's concentration camps. Both are typical institutions, representing the tyrannical rule of a totalitarian regime. The slave labour policy practiced in Soviet Russia comprises two phases. First, a system of production based on long-term exploitation of the labour class in general is formed through the control of secret police and by means of a wage and price policy. Secondly, by mass arrests of anti-communist elements, extensive institution of labour camps for prisoners and use of this unpaid labour, a vast "surplus value" is created. Ever since the Chinese communists overran the mainland of China in 1949, they have put into practice a policy of compulsory labour, which is modelled after the Soviet system, only more ruthless and cruel, thereby plunging Mainland China into an era of bloody rule.

On 1 July 1949, Mao Tse-tung said in his article on "The People's Democratic Dictatorship" that reactionary groups, such as landlords, bureaucrat capitalists and their accomplices, should be eliminated and punished either by mass slaughter or by compulsory labour. On 1 October of the same year, the Political Consultative Conference adopted a "Common Programme" on the eve of inauguration of the Chinese communist regime, article VII of which reads: "Counter-revolutionary elements, feudal landlords and bureaucrat-capitalists in general must be deprived of their political rights within a necessary period according to law after they have been disarmed and their special power has been eliminated; however, they shall at the same time be given a means of livelihood and compelled to reform themselves through labour". Therefore, compulsory labour has become one of the basic policies of the Chinese communists. In the past five years, the Chinese communists have started a series of campaigns in

Mainland China, such as "Suppression of Counter-revolutionaries Campaign", "Anti-America and Aid-Korea Campaign", "Thought Reform Campaign", and "Five-Anti Campaign". And they have embarked on a series of programmes, such as "Fundamental Reconstruction", "Movement to Strengthen Labour Discipline" and "First Five-Year Plan". All these were directly related to forced labour. In Mainland China, not only those who were branded as counter-revolutionaries were condemned to slavery, the great mass of law-abiding citizens, and even the workers, whom the Chinese communists called the leading class of the country, had also become slaves under this policy of forced labour.

In September 1954, while the Chinese communists made such fuss about the convocation of a "National Congress of People's Representatives", adoption of a "Constitution" and reorganization of guiding organs in an effort to put up a facade of democracy, they betrayed themselves with the promulgation of the "Regulations Governing Reform through Labour", which were adopted at the 222nd meeting (26 August 1954) of the State Administration Council on the eve of convocation of the "National Congress". These notorious "Regulations Governing Reform through Labour", which condemned people to slavery with a bloody hand, deprived people of all their freedom and rights, and operated in direct contravention of human rights, were approved by the "Congress of People's Representatives" (in a meeting on 26 September under the "Resolution Concerning Continued Validity of Laws and Order at Present in Force"). With this confirmation by the "sole legislative organ" of the Chinese communist regime, the "Regulations Governing Reform through Labour" were vested with all legality in order to exploit Chinese people, and openly instituted the system of forced labour.

#### An analysis of the Regulations Governing Reform through Labour

Even before the promulgation of the Regulations Governing Reform through Labour, the free world had deduced that there existed a vast number of labour camps or concentration camps in communist China for the purpose of controlling and punishing non-conformist elements, and exploiting them as unpaid labour. This fact was confirmed by an open admission of the Chinese communists. Lo Jui-ching, vice-chairman of the Political and Legal Commission of the State

Administration Council, confessed in his "Explanatory Statement on the Draft Regulations Governing Reform through Labour"<sup>3/</sup> that the drafting of the said Regulations had been started long ago with the help of Soviet legal experts, and had undergone several revisions. He said it was necessary to have the Regulations promulgated as soon as possible in order that the task of reforming criminals through labour could be better and more correctly performed, and that better results could be achieved.

The Regulations Governing Reform through Labour<sup>4/</sup> consists of seventy-seven articles, grouped into nine chapters, with detailed provisions on production, supervision, reward and discipline, expenditure and so on. The salient points are as follows:

(1) Reformatory labour institutions are recognized as one of the instruments for carrying out the "people's democratic dictatorship". They are the institutions for the punishment and reform of all counter-revolutionary criminals and other criminals. They shall be under the direction of the public security bureaus and under the supervision of the Procurator's Office. In legal matters, they receive guidance from courts at various levels.

(2) There are four kinds of reformatory labour institutions:

(a) Houses of Detention - These are primarily for the detention of prisoners who have not been tried, or who serve a sentence of imprisonment of less than two years, but cannot properly be sent to the Reformatory Labour Corps. They shall be established at various administrative levels, such as central administration, province, municipality, special administrative district and hsien, and shall be under the direction of public security bureaus at various levels. Each house shall have a director, from one to two deputies, and a number of assistants and guards.

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<sup>3/</sup> The full text is reproduced below as document (xvii), section B, page 190.

<sup>4/</sup> The full text is reproduced below as document (xvi), section B, page 177.

(b) Prisons - They are primarily for the imprisonment of "counter-revolutionary prisoners" and "criminal prisoners convicted of a grave offence", who have been sentenced to death (with sentence stayed) or life imprisonment, and who cannot be properly employed for labour outside the prison. Prisons shall be established as required at the levels of province and municipality, and shall be under the direction of the public security bureaus. Each prison shall have a director and from one to two deputies, under whom there shall be established sections on control and education, production, general administration, etc.

(c) Reformatory Labour Corps - They are for the disciplinary control of "counter-revolutionary prisoners" and "criminal prisoners" who have been convicted and who can be properly employed for labour outside the prison. Corps shall be established as required at the levels of province and municipality, and shall be under the direction of the Public Security Bureaus. The size of the reformatory labour corps can be that of a division, regiment, battalion, company or platoon. Each unit shall have a commanding officer and a number of deputies with subsidiary working organs.

(d) Houses of Correction for Young Prisoners - They are for young criminals between 13 and 18. The houses shall be established at the levels of province and municipality, and shall be under the direction of the public security bureaus. Each house shall have a director, from one to two deputies and a number of correctional personnel.

(3) Production and Control - The Regulations provide that "Production competition" may be initiated among the prisoners to exploit labour to the maximum; a file and index card system shall be maintained to record such features of the behaviour of prisoners as their observance of discipline and their performance and shall be periodically reviewed. Other provisions concerning production and control are:

(a) Production of reformatory labour shall be included in the "general plan on reconstruction through production".

(b) The productive activities of reformatory labour shall be under the co-ordinated direction of Financial and Economic Commissions at various levels, and shall receive specific guidance from departments concerned with agriculture and forestry, industry, finance, communications, water conservancy, commerce, etc.

(c) Committees on Reformatory Labour Production shall be formed at the levels of central administration, province and municipality and shall be composed of representatives of Financial and Economic Commissions, departments concerned with financial and economic affairs, public security bureaus and courts and shall direct and supervise the implementation of the slave-labour production plan.

(d) The Ministry of Public Security may formulate plans for the distribution of slave-labour, to be carried out after approval by the State Administration Council. Temporary allocation, involving only a small number of prisoners, may be authorized directly by the Ministry.

(4) Control

(a) The public security force undertakes the duty of keeping armed surveillance over the prisoners.

(b) Rigorous vigilance shall be kept around the prison and places where prisoners work or rest, and during the transfer of prisoners.

(c) Instruments of restraint may be used to prevent escape, violence and dangerous acts.

(d) Reformatory labour institutions and the public security force may use weapons under the following circumstances: mass rioting, escape after warning, resistance to arrest, possession of weapons or other dangerous instruments, violence or destructive acts against orders, abduction of prisoners or helping prisoners to escape against warning, seizure of guards' weapons, etc.

(5) Treatment of Prisoners

(a) The prisoners' clothing and diet shall conform to the uniform standard.

(b) Supply centres shall be established to supply prisoners with supplementary food and articles of daily use.

(c) A clinic or hospital shall be established in each institution.

(d) Attention shall be paid to hygiene and sanitation in the institution, such as bathing, hair-cutting, clothes-changing, disinfection and immunization.

(e) Actual working time in a day shall be from 9 to 10 hours; seasonal work shall not exceed 12 hours a day. A day of rest shall be granted twice a month. Young prisoners shall have a day of rest each week.

(6) Reward and Punishment - The Regulations provide as an enticement that prisoners who observe discipline consistently, or who expose counter-revolutionary activities, or who achieve over-fulfilment of production quota, shall be rewarded with commendation, material award, "merit-credit", commutation of sentence, or parole. Provision is also made that those who impede the reform of others, or who damage tools of production, or who engage in a slow-down strike, or who violate administrative rules, shall be subject to warning, record of demerit, and solitary confinement. And there is an article of intimidation to the effect that those who are considered to have committed any serious offence shall be referred to a court for sentence, or continue the process of reform through labour after completion of the original sentence.

At its 222nd meeting on 26 August 1954, the State Administration Council also adopted the so-called "Provisional Measures Governing the Release of Prisoners upon Completion of Terms of Reformatory Labour and concerning their Resettlement and Employment",<sup>5/</sup> in which an attempt is made to enable reformatory labour institutions to detain people for long-term slavery under the pretence that the prisoners "offer voluntarily to stay for employment", or that they are "homeless and jobless", or that they "want to settle down where they work in association with settlers". It is even provided that those who have served their sentences, and are sent to work in a sparsely populated region, may take their families with them so that the labour force will be further augmented. This well illustrates the sinister intentions of the Chinese communists.

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<sup>5/</sup> The full text is reproduced below as document (xviii), section B, page 195.

As regards the "achievements" of the Chinese communists in respect of exploitation of slave-labour, Lo Jui-ching reported that many slave-labour farms (a substantial number of which are farms with land of over ten thousand mou) and slave-labour industrial units had been formed in the past four years. Under the whip of the Chinese communists, labour battalions were used in logging, water conservancy projects, railroad construction and building of houses. They saved the Chinese communists a great amount of expenditure, and created for them a great quantity of wealth. In building materials alone, 2,000,000,000 pieces of bricks and 770,000,000 pieces of tiles were produced by slave-labour in 1943. According to Lo Jui-ching, the existing units in agriculture, industry, mining and pottery works have laid a sound foundation for slave-labour in the future. He said friends from capitalistic countries were all very much amazed after visiting slave-labour concentration camps in communist China, and had nothing but praise for the incredible "wonders" accomplished by the Chinese communists in this respect. Indeed, anybody will be amazed by this Soviet-type practice, since it cannot be found in any corner of the free world.

The People's Daily of 7 September 1954 carried an editorial entitled: "To carry out the policy concerning reformatory labour of criminals",<sup>6/</sup> in which it was noted that there was a difference between the participation of criminals in productive labour during imprisonment and the participation of "the general mass of the people" in reconstruction through production, because the former was compulsory and unpaid, while the latter was voluntary and paid. However, the Regulations Governing Reform through Labour provide punishments in the form of warning, reprimand, confinement and so on for the slave labourer who does not take good care of productive tools or engages in a slow-down strike, while the Essentials of Labour Rules Governing Labour in general also mete out warning, reprimand, "demerit-mark", dismissal, fine and imprisonment as punishments to common labour. They are both labour of a compulsory type. In no sense can the latter be called voluntary. Nominally, common labour does have remuneration in the form of wages. But, how much does the labourer actually receive after making the so-called "deduction of wages", "contributions", and "indemnity payments"? And what is the difference between his treatment and that of a slave labourer? It is enough to draw the conclusion from this comparison that both common labour and slave labour in communist China today share the same destiny.

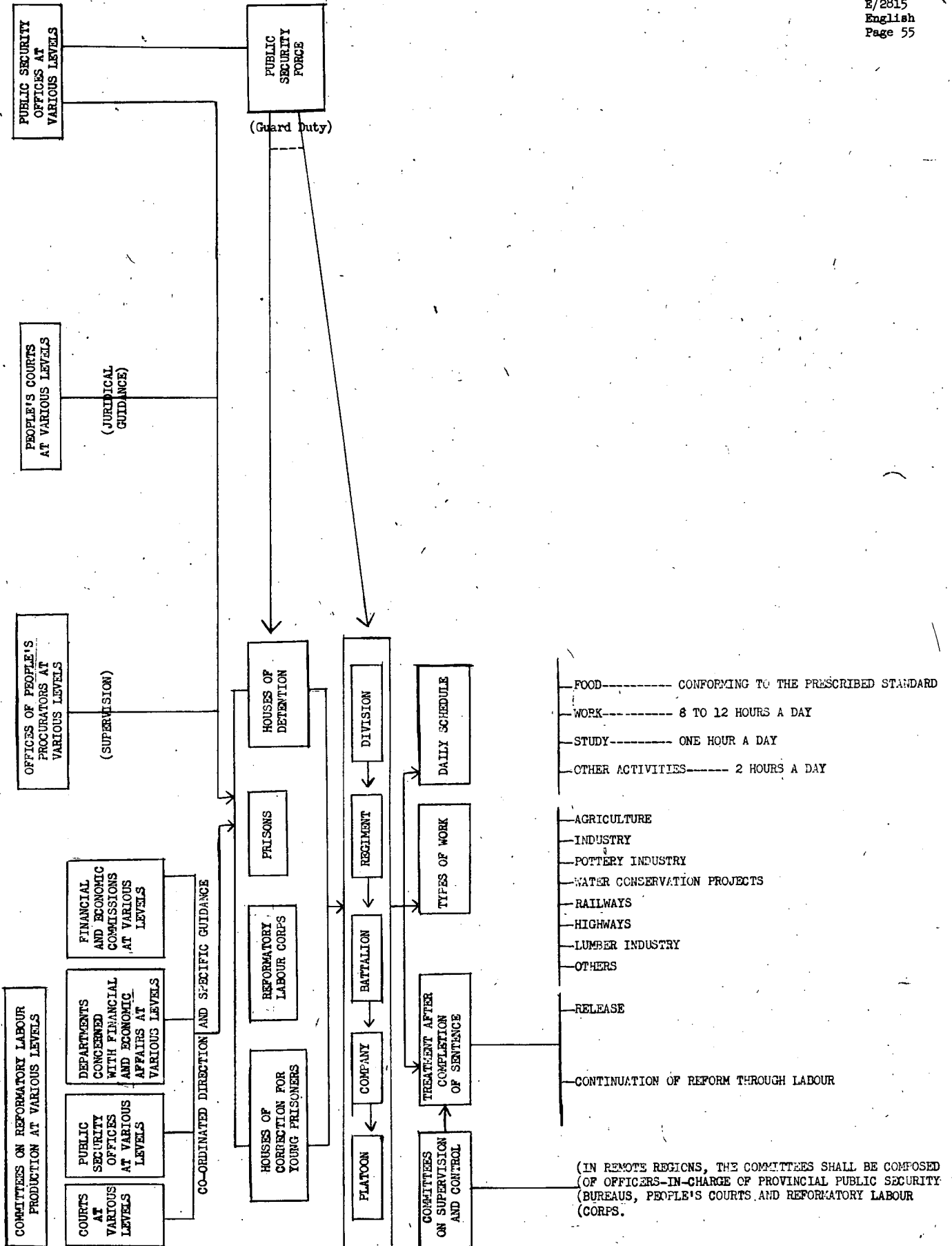
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<sup>6/</sup> The full text is reproduced below as document (xxvii), section B, page 236.



Furthermore, the promulgation of the Regulations Governing Reform through Labour can be taken as a warning to labour in general in communist China and a means to strengthen the effective exploitation and control of them. If they do not submit to exploitation in all meekness, there is the possibility that they will be sent off at any time to houses of detention, prisons, reformatory labour corps, or houses of correction to undergo mass reform. Therefore, it is evident that the Regulations Governing Reform through Labour are also related to the exploitation and control of labour in general in communist China.

ORGANIZATIONAL CHART OF THE REFORMATORY LABOUR CORPS IN COMMUNIST CHINA



(IN REMOTE REGIONS, THE COMMITTEES SHALL BE COMPOSED OF OFFICERS-IN-CHARGE OF PROVINCIAL PUBLIC SECURITY (BUREAUS, PEOPLES COURTS AND REFORMATORY LABOUR CORPS).

## II. Cases of Forced Labour

### 1. Treatment of slave labourers

It is difficult for outsiders to know how slave labourers are treated, for it is not easy for them to escape. Those who manage to escape are either inarticulate or reluctant to speak for fear of jeopardizing the safety of the members of their family who are left behind. However, we are able to get some idea of the situation by piecing together the fragments of information that come to us occasionally.

In his book "I Came from a Slave Labour Camp in the Northeast", Fei Yu-ming, a slave labourer who escaped to Hong Kong, wrote about his two years of imprisonment from February 1948 to February 1950 when he was released. From the description he gave of his detention in the Public Security Bureaus at Yingkow and Liaonan, and of the conditions in the slave labour camps at the following places: Cha-tze-yao in Fu Hsien, Anshan oil refinery, Ssu-fan-tai vegetable farm at Anshan, Kan-tse mines at Antung, and Hsing-lung-kou lumber yards, we are able to tell how the Chinese Communists treat the slave labourers.

Food: In general, the quality of food was poor and the quantity small, especially during the period when the slave labourers were in prison waiting to enter the slave-labour camps. In the prison at Yingkow, they were given two meals a day consisting of Kaoliang congee and two slices of turnip the size of a finger. They were always hungry. At the Public Security Bureau at Liaonan, they ate very coarse, low-grade corn flour which caused constipation among many slave labourers. During this period, they were given poor food and little of it because they had not yet started to work. At Cha-tse-yao in Fu Hsien, they ate steamed bread made of Kaoliang and corn flour with salted beans. In the oil refinery at Anshan, they had two meals a day, one in the morning and one in the evening, of Kaoliang congee with shredded turnip soup. They were later given an additional meal at noon. On the vegetable farm at Ssu-fan-tai, they ate fritters made of corn flour and leftover vegetables. Once a slave labourer was caught eating a piece of raw turnip he planted himself. He was forced to wear a banner on his back for six days with the characters: "I stole food". In the Tung-kan-tse prison at Antung, they had cakes made of coarse flour and a piece of salted turnip each. The ration was very small indeed. At the lumber

yard at Hsing-lung-kou, they were given corn flour bread and salted vegetables twice a day. The amount eaten was not rationed. But owing to the heavy work and the cold weather, they always felt hungry. Some slave labourers found mushrooms among the "Ula" grass and ate them raw. Many of them developed food poisoning. Since no food was given to slave labourers after they were released, they had to go begging. Sometimes the Farmers' Association would ask the "middle-farmers" to feed them. (By this time all landlords and rich farmers had been liquidated.)

Clothing: Slave labourers were allowed to bring their own clothes. A group of "cultural workers" once came to a slave labour camp to give a performance. A member of the group brought some clothes for his uncle who happened to be a slave labourer in that camp. Accused of delivering the clothes to the inmate without reporting first, he was criticized at a public meeting and made to confess. For fear of being punished, he tried to escape, but was caught and tortured. In two days, the man died. At the oil refinery at Anshan, the wife of a slave labourer brought some clothes to the camp for her husband. She was accompanied by a communist worker of the Public Security Bureau who appeared to be on very intimate terms with her. Enraged, the husband scolded her and chased her out. This slave labourer was condemned at a mutual criticism meeting and put in chains. He disappeared in two days. Just before they were sent to Hsing-lung-kou lumber yard in the Changpai Mountains in the winter of 1949, the slave labourers were allowed to write home for winter clothes. A slave labourer was ordinarily given a prison garment which had to be returned when he was released. By that time, the garment was already in shreds.

Shelter: In the prison at Yingkow, 41 slave labourers were put in two cells. The rooms were illuminated by one electric lamp hung from an opening on top of a wall that separated the chambers. The jail was damp, dirty, gloomy and ill-ventilated. They were allowed to go to their toilet only twice each day. Owing to the soft congee diet, the prisoners urinated frequently; very often they had to do it on their cotton garments. In the day time, they had to sit up straight. They were not allowed to sleep or to converse with each other. At the Public Security Bureau at Liaonan, they were also allowed to go to the toilet only twice each day. They had to urinate in the cells. When they slept, the prisoners were made to lie closely to each other facing the same

direction. When one person turned around, all the rest had to turn around also. Moreover, they had to ask the guard's permission to do so. Each cell was supplied with only one basin of water and one towel to be shared by all the prisoners. There was no toothbrush. The rooms were infested with fleas and bedbugs. At Cha-tse-yao in Fuhsien, the cells were dark and damp. The slave labourers slept on the ground using corn stalks as mattresses. At the oil refinery at Anshan, they slept on cement floors with hay as pillows. They were not allowed to use any grease remover to clean their bodies which were covered with dirt and grease after working in the refinery. When they slept, the grease melted and stuck to the floor. When they got up, the grease on their bodies solidified again and became icy cold. On the vegetable farm at Ssu-fan-tai, they lived in the landlord's home which was surrounded by a stone wall with barbed wire netting on top. They slept on clay beds. At the Tung-kan-tse Prison, more than forty prisoners were accommodated in one room where three small bowls were placed, one for the stools, one for urine and one for water. At the lumber yard at Hsing-lun-kou, they lived in two barracks (three hundred persons in each) built of crudely split logs from the local lumber yard. For warmth the barracks were built three feet underground. Not much of them was above the ground. They were like a grave. There were doors at both ends and there were no windows. The barracks were heated by a large stove in the centre of the room. The workers slept on the floor covered with "Ula" grass. They slept in groups of one platoon each with the platoon leader and deputy leader at each end. They were required to report before going to the toilet.

Physical labour: In general, they worked from 8 to 14 hours a day. Competitive methods were often used to spur them to further exertion. They got up at 4 in the morning, ate breakfast, started at 5 to walk to the mines three li away. Each slave labourer spent half of a day digging coal and the other half carrying it out of the pit. They exchanged shifts. They had to climb down steps for one li before getting to the coal vein. The lights in the pit were very dim and the jagged pieces of coal often tore their skin. They dug in three or four inches of water and had to carry at least 40 kilogrammes of coal. Dragging the coal bag with one hand, they would crawl out of the pit, practically on all fours, and struggle to the top of the pile where they

deposited the coal. They worked for 8 hours a day and there were meetings to attend. During the so-called "May Production Competition", they attended meetings for 3 hours, planted vegetables for 3 hours and dug coal for 8 hours. The number of times they carried coal out of the pit was increased from 14 to 16, 18 or even 20. The labourers were required to run. Some vomited blood and some dropped dead. When they stumbled and fell, the Communist agents would accuse them of pretending. There were originally three shifts of eight hours each. Later, the leaders of the three shifts (Communist convicts) suddenly made a voluntary request, on behalf of the shifts, to lengthen the working time by two hours. In addition to the original shifts, they were given the job of opening new shafts in the pits. As the labourers had to work hard and live in bad conditions, many of them suffered from swollen feet, night blindness, fever and stomach disease. Little attention was paid to their safety. During the competition for the Red Flag, a mine collapsed killing 31 people and injuring 7. No one was allowed to mention the incident. By nightfall, their places were taken by new workers as if nothing had happened.

At the oil refinery at Anshan, the labourers left for work at sunrise returning by nightfall. At first their job was to dismantle the military iron and steel works left by the Nationalist Army and use the metal for making boilers. Later, they were engaged in refining oil. A team of 60 people would produce 20 barrels of oil, from which 4 big drums of yellow oil were extracted each day. The work was done entirely by hand. One day, a slave labourer was scraping an oil drum when the metal scraper slipped from his hands and broke the back of his foot. The Communist director, who was watching, scolded him and said: "Stupid, you are mistaking your own foot for the oil drum." Another slave labourer, feeling nervous when he saw the Communist director behind him, fell into the oil boiler and was fried to a crisp.

On the vegetable farm at Ssu-fan-tai, there were no cattle. All the work - raking, digging ditches, building roads and carrying night soil - was done by manpower. The labourers got up at 5 in the morning, started to work at 6 and returned to the camp at 7 in the evening. They worked for 13 hours a day. In addition, they had to review their work and their life. They were unable to get to bed until 11 or 12 at night.

Fei Yu-ming was captured after escaping from the vegetable farm at Ssu-fan-tai and confined in the Tung Kan Tse Prison at Antung. In this prison he had to attend meetings. Besides being beaten and chained, he had to make soles for 10 hours and a minimum of two pairs a day. Later, he was transferred to the Kung Chang Ling Prison where he worked barefooted wearing ankle cuffs. He dug in the mines. He dug for scrap iron two or three li away and for articles in the mud, and carried heavy objects. Besides working for 12 hours each day, he had to attend mutual-criticism meetings lasting three hours.

At the lumber yard at Hsing-lung-kou, the labourers did the following: (1) moving and sawing timber; (2) opening trails for the removal of timber by cutting down trees and leveling the ground and opening branch trails 5 feet wide; (3) moving timber on snow sleds, each labourer manning a sled drawn by a cow; (4) sorting out timber and arranging it in piles. The above work went on in a cycle without interruption. On Mount Chang-pai, the weather was unusually cold between October and February. Many slave labourers suffered from frostbite and many froze to death.

Mental cruelty: The labourers had to confess, admit guilt, learn and bear the humiliation inflicted on them by the Communist workers and ordinary convicts. At the so-called "regeneration, mobilization and confession meeting" in Yingkow Prison, they had to make confessions covering their lives back to the age of 7. They had to confess such crimes as "joining reactionary parties" and "secret service systems", and "smearing their hands with the blood of the people". Merit was assessed on the basis of their confessions. The Communist workers ordinarily made up a list of crimes that the prisoner was supposed to have committed and insisted that the prisoner confess to the crimes. Secret Communist agents were planted in the prison among the prisoners to spy on them and to make up their list of crimes. At a confession meeting, one person was killed by his fellow prisoners. Fei Yu-ming was interrogated by his girl cousin to whom he had once proposed but who was now a communist agent. In Liaonan prison, the slave labourers were subjected to very strict restrictions. As punishment for the slightest infraction of the rules a prisoner was made to stand facing a wall for three to eight hours, beaten or put in ankle-cuffs or in paper handcuffs which he could break only at his own peril. Fights resulting

in deaths often broke out among the prisoners. So-called "mass struggles" were promoted among the prisoners to "aid progress". Almost every prisoner had "aided progress" and had been "aided by others". Prisoners often disappeared. A very short time was allowed for going to the toilet. As no toilet paper was given, prisoners were filthy. In the prison they had to study the Liaonan Daily. As there were not many copies of the paper, one prisoner would read it aloud while the rest listened and were questioned on its contents. When a person was sentenced to slave labour, the term of sentence was never announced, and there was no chance to argue. At Cha-tse-yao in Fuhsien, Communist workers often accused the labourers of such crimes as "laziness", "talking nonsense" and "sabotaging production", reprimanded them, beat them or had them confined.

Referring to the death of 31 persons when the coal pit collapsed, Fei Yu-ming was overheard saying in a private conversation that death would be happier. Communist workers reprimanded him and called him "the little broadcaster". Henceforth, at meetings, he would be called unprogressive when he did not talk, and a broadcaster when he did. He was ordered to dig coal all day and forbidden to associate with others. He was to see no daylight. After a mutual-criticism meeting, his punishment was increased but his sentence was not announced.

When the slave labourers requested "voluntarily" an increase in the working hours, some were sent out to take part in a mass movement by helping the people and teaching them to read. The people would avoid them and for this, the labourers were again reprimanded. A young labourer said that he knew the background of the director and also about his corruption. The labourer disappeared. The slave labourers who were forced to roll cigarettes on their vacation were not allowed to smoke. At the oil refinery at Anshan, a Korean slave labourer was knocked down by a Government car. He was scolded by the driver and the communist workers in the camp. The Communist director believed that "human beings know only law and no gratitude, for they are a worthless bunch" and that "the little intellectuals have to be forced before they will perform". When two persons conversed, the Communists called it a small meeting, and when a person was deep in thought, they said that his ideas were wrapped up in old packages. A slave labourer was once asked to sing at an evening party. He sang, of all songs, "This is the Revolutionary Whangpoo". Before he was half through, he was shouted down. Later he was condemned at a mutual-criticism meeting and tortured to death.



During the May Production Competition Campaign in 1949, Nanking fell and the Communist workers hurled insults and derisive remarks at the labourers. In a fit of anger, Fei Yu-ming said to three of his co-labourers: "Mao Tse-tung should now call Stalin 'Papa'". One of the labourers who was competing for the title "model worker" reported him. However, after a trial, the labourer was convicted of making a false accusation and beaten. Fei won the title of "model worker". Seeing no sign of release, he escaped with two other labourers but was caught and brought back. He was questioned, beaten, tied up, chained and given an additional term. In the Tung-kan-tse prison, he was confined with thieves, bandits and murderers, and they called each other "fellow students". The convicts were vulgar, rough and brutal and often exposed themselves indecently. One of them was made group leader and acted as the prison agent who forced the political prisoners to confess, picking on their faults to make them do so.

At the slave labour camp at Hsing-lung-kou, a Communist platoon leader by the name of Chao was sympathetic to the labourers. He himself was given a sentence and often wept secretly. However, he considered this to be the fault of the local unit and continued to be grateful to Mao-tse-tung and the Communist Party. He originally came from a very poor family. According to a report, after the Communists came, his lot had changed. Chao was illiterate. His letters from home often told him that his family was living very well. He thus firmly believed what he was told.

## 2. Administration and organization of slave labour

### Administration of slave labour

After the promulgation by the Chinese Communists of the "Regulations governing reform through labour", the administration of slave labour became chiefly the responsibility of the public security authorities, though the latter had already been responsible for its administration long before. When the mainland first came under Communist control, other authorities had also shared responsibility. For instance, when Pastor Peter Jen was arrested at Shanghai by the Communists, in February 1951, and condemned to slave labour, it was the "Military Administration Commission" that was responsible. The labour camp to which Fei Yu-ming belonged was under the jurisdiction of the Court of Liatung Province. It seemed that in the initial period several Government authorities

had their own slave labourers. It was not until the promulgation of the "Regulations governing reform through labour" that the public security authorities took charge of slave labour and the hierarchy of the "Reformatory Labour Production Committee" gave it unified leadership.

### Organization

According to the "Regulations governing reform through labour", slave labour is organized into divisions, regiments, battalions, companies and platoons. Though the military pattern of the organization was already in existence before the promulgation of the Regulations, there was no unified system. According to Fei Yu-ming, the labour organization to which he belonged had the following structure: division, battalion, company, platoon and small unit (for instance, the Anshan division and the Cha-tse-yao battalion). The organization controlled almost 10,000 men. In general, each battalion has three companies; each company, three platoons; each platoon, 9 to 12 men; and each small group, 3 men. However, the number of men varies greatly and depends upon the needs of the particular production unit. The hierarchy also varies. For instance, in the Anshan division, each company at the Anshan coal mines consisted of 60 men divided into 5 platoons. The battalion at the Hsing-lung-kou lumber yard had 480 men divided into 3 companies of 160 men each. The company at the Ssu-fan-tai vegetable farm had 30 men and came directly under the Anshan division.

A large force is used to guard the slave labourers. For instance, though there were only about thirty labourers on the Ssu-fan-tai vegetable farm, there was a platoon of guards, and there were directors, company leaders and platoon leaders. We can see that slave labour is not economical although there is no remuneration.

Taking the company as a unit, the director has the greatest authority. Some of the directors have assistants and under them are the company, platoon, and group leaders. All these "leaders" are Communist soldiers who have been convicted. The directors, assistants, company leaders and other administrators live well. Even the guards are given "mess rations". Officers from platoon leaders down eat prison rations.

Psychologically, those convicted of regular crimes are treated best, for the Communists believe that the old society should be responsible for their crimes and that the convicts themselves are not responsible. The Communists even encourage them to insult the political prisoners. Communist soldiers and workers are also subject to disciplinary measures. Political prisoners are treated worst psychologically and physically.

In order to increase production, the Communist workers give rewards and mete out punishment to the slave labourers. Punishment may consist of criticism at a public meeting, beating, reprimand, confinement, hard labour, wearing handcuffs and ankle cuffs, binding, heavier sentence, disappearance and death. The penalty may be imposed by the director and some Communist workers. It is seldom necessary to submit the matter to higher authorities for approval. The Communist may also impose the death sentence on outsiders who violate the camp regulations (for instance, the member of the cultural group who was sentenced to death for bringing clothes to his uncle who was a slave labourer).

To encourage the slave labourers, "model worker" elections are held. Fei Yu-ming was elected a "model worker" at the vegetable farm at Ssu-fan-tai. He was sent to the division headquarters at Anshan to take part in the Model Workers' Meeting and was presented with a notebook, two pencils and a red paper flower. The "Red Flag Rush" is a device for encouraging collective productivity. During the "May Production Competition" at the Cha-tse-yao mines, Company 2 won the red flag. A bamboo stick, with a square piece of red cloth tied to it, was planted on top of the pile of coal that the Company had dug. Then there is the commutation of sentence which actually involves no change in the sentence. For instance, Fei Yu-ming's sentence was not reduced when he was elected a "model worker". Disappointed, he tried to escape but was captured and had his sentence increased. As the policy of the Communists is to exploit labour without giving any compensation, there can be no commutation of sentence for that would not be in accordance with their policy.

### 3. Slave labour camps in various localities

#### (1) The "New People's Village" in Northern Kiangsu

This camp was established in the spring of 1950. The Hsing Tao Daily of Hong Kong reported: "The New People's Village in the settlement of Northern

Kiangsu was established by the People's Government of the City of Shanghai ..... Thousands of 'lost souls' left over from the old social order are being gradually transformed into human beings by reformatory labour. The settlement is on an alluvial tract on the shores of the Hsi Fen River. Small factories of various kinds (ironworks, wood, bamboo, stockings, sewing, etc.) are to be found there. Most attempts of slave labourers to escape have failed." The report added: "Their attempt to escape in the dark of night was frustrated before it was completed. The Administrative Bureau of the settlement is now engaged in separating the vagrants and the convicts, most of whom have been seriously poisoned by the old social order, from the rest of the residents of the settlement and in intensifying their education." (Hsing Tao Daily, Hong Kong, 18 and 19 January 1951)

(2) Reformatory labour corps in Shansi Province

According to the statistics of August 1951, 90 per cent of the prisoners in the prisons in Shansi Province have been incorporated in the Reformatory Labour Corps, and are engaged in shoemaking, sewing, iron smelting, building and coal mining. (New China Agency, 21 January 1951)

(3) Production by prison labour under the Public Security Bureau in Canton City

This is co-ordinated with municipal Government. "The prisoners are organized in teams according to the length of their sentence, age, health and skill, and given short-term technical training. When they are engaged in production, the prisoners are required to produce a prescribed amount of goods of a prescribed quality within a limited time. Labour competitions are held. In the last five months, the productivity of the prisoners has increased noticeably." (Southern Daily of Canton, 27 November 1951)

(4) Labour service of the Nationalist prisoners in Sinkiang Province

According to a report by Tao Shih-yueh, "the soldiers of the People's Liberation Army in Sinkiang, with weapons on their shoulders and tools in their hands, are working hard at production and are a wonderful army of producers." (Sian Mass Daily, 2 December 1951)

According to a report by Wang Cheng, Regional Commander of the Communist Army, to the Political Consultative Conference at Peking, the People's Liberation Army in Sinkiang cultivated 960,000 mou of land in 1950, and 980,000 mou in 1951. In five years, they plan to construct irrigation facilities for 5 million mou. These military slave labourers "have inadequate tools, live in holes in the ground or in tents, eat unground wheat and corn and drink salt water." (Sian Mass Daily, 6 November 1951)

In 1952, the Liberation Army in Sinkiang cultivated 1,670,000 mou of land, and in 3 years they raised 37,000 pigs, 12,600 horses, 30,000 head of cattle, 5 million fowls, and constructed schools, hospitals and barracks in Sinkiang totalling 15,630 buildings. Since 1950, they have constructed a total of 94 small factories, including textiles, sewing, soap and railway factories, and 216 coalyards and workshops. In 1951, they developed open coal mines with a reserve of 2,000 million metric tons. In 1952, they constructed textile factories, power plants and steel factories. These are already in operation. They are engaged in the construction of flour mills and hydraulic power plants. (Ta Kung Pao, Hong Kong, 24 October 1952) By this time, all captured Nationalist soldiers in Sinkiang had become complete slave labourers.

(5) "Inhuman life in the concentration camp in East China"

In the 11th Model Prison at Ssu-tse-kou, Soochow, the Third Battalion of the Liberated Officers in the East China Sector held about 1,900 captured Nationalist officers of the rank of lieutenant-colonel and above. To facilitate the job of guarding, the prisoners even had to queue to go to the toilet in the daytime. They were given no freedom at all. In the night, they would crowd into small rooms and sleep on the damp ground. Each person was given an average of two catties of straw to sleep on. Some were taken out in the night and never returned. Every two or three days, they would go in groups outside the city to collect firewood. Each person had to carry 60 catties for a distance of over 20 li. They were not allowed to stop en route. Flanked on both sides by armed Communist guards, they were marched to their destination, and on the way, all they heard were these remarks: "Hurry up, you bastard!", "If you dare speak again, I'll shoot you!" (Know Your Enemy, Vol. II, published at Taipeh, December, 1952).

(6) "Hard Labour Prison in Peiping" by Yang Shao-lin

"I was with the so-called 'Production Battalion No. 1 of the Public Security Bureau' and detained at San-yuan-kung outside Yung-ting Gate. No fewer than 300 prisoners, condemned to hard labour, were crowded into this dilapidated temple of four buildings.

"I was detained for over half a year. Every day, we were given mouldy millet to eat. The millet was yellowish and seemed to be mixed with dark sand. It had a horrible taste even when cooked. It was wormy and tasted like bean cake dregs.

"Once we went to a hard labour camp twenty li away to carry stone. To make good time, we ate breakfast and started off before dawn. Spurred on by such devices as 'mutual challenges' and 'labour model competition', we finished two days' work in one day. We all expected a good meal after having worked so hard all day. All we got on the spot was a piece of corn-flour bread at noon. No more food was given until we returned at night.

"This was the second day of my detention in the hard labour camp. The place was the Temple of Agriculture ..... It was summer, we were awakened at 4.30 in the morning, assembled at 5.30 and started off. Over 200 camp prisoners marched, four abreast and hand in hand, in a long line. No one was allowed to fall behind or look around. Under a system of group responsibility, if a prisoner escaped, all those around bore the responsibility." (America Today, published by the United States Information Office in Hong Kong, 22 November 1951)

(7) "I Accuse" by Chung Chi

"The Military Administration Commission at Kiukiang sent me to the first prison. In the spring of 1950, I and thirty-two other fellow sufferers, carrying farm tools and cooking utensils, and guarded by a dozen or two Communist soldiers, marched to a hilly region a few dozen li from the city to reclaim land. .... From 5 in the morning to 6 in the evening, we worked for 13 solid hours a day. Good farm tools and draught animals are necessary in reclaiming land, but all we had were those broken-down tools and what was left of my thirty-odd fellow sufferers, who took the place of draught oxen. The Communist soldiers would hold

the plough, and with ropes attached to the front part of the plough and slung over our shoulders, four of us would pull with all our might. At every slightest slackening, the Communist agents would whip us as if we were animals." (The Mainland Today, Taipei, 16 January 1952)

(8) "The concentration camp at Chukiang"

The inmates got out of bed at 6 every day ..... Each section consisted of over a hundred people and they were given only one towel and one toothbrush. The men were allowed to go to the toilet twice each day ..... Sentries were posted on the way to the toilet ..... The prisoners dared not look around for fear of being suspected of attempting to escape. No toilet paper was provided as the prisoners were not allowed to carry any paper or cloth on their persons. They might be accused of violating "secrecy regulations" should any paper or cloth be found on them. At night, they slept without blankets or mattresses ..... The prisoners had to face the outside when they were sleeping ..... Should they be awakened at night by cramp or by the cold weather, they wouldn't dare get up for fear of being suspected of escaping and thus shot." (Overseas Chinese Daily, Hong Kong, 5 February 1952)

(9) "State farm at Sungkiang"

According to a visitor's account, before the Communists started their reclamation project, progressive elements were asked to set the cultivation quota. At first, the quota per person was set at 9 mou. After a series of challenges and counter-challenges, the quota for each person was raised to 15 mou. After each programme was drawn up, the labourers had to give written guarantees. With 12 persons in each production unit, 8 persons were used to man a plough. One person would take the place of the ox. He would be flanked on each side by three persons who, with ropes flung over their shoulders, pulled the plough. The man behind would hold the handle and be the driver. Wearing thin clothes, they worked in a temperature of 45 degrees below zero. Of the first batch of 360 slave labourers, 7 died of exposure and 27 were frost-bitten and crippled. (The Voice of China, No. 9, Vol. 4, Hong Kong)

(10) Eye-witness accounts of a secret Communist concentration camp

"In May 1951, a secret concentration camp was established at Shun-teh-msien which was not known to the outside world. Three rings of barbed wire were strung around the camp ..... On each side of the entrance, a three-story watchtower was built ..... There were over 3,000 prisoners in the camp ..... The prisoners were given 20 ounces of low-grade red rice per day and \$100 (People's currency) worth of vegetables. Prisoners were not allowed to walk together or to converse with each other, especially during working hours. Violators would be put at the mercy of so-called 'struggle meetings' ..... Prisoners were attacked freely. They were always accused of attempting to escape or of planning an uprising. In serious cases, those accused would be shot; in less serious cases, they would be given brutal punishment." (America Today, United States Information Office, Hong Kong, 15 June 1952)

4. The enslavement of civilian workers

All the economic development projects about which the Chinese Communists on the mainland boast, particularly those relating to water conservation, are being carried out by so-called "voluntary labour" furnished by the population. Article 6 of the "Decisions on the Control and Dredging of the Huai River", announced by the State Administration Council on 14 October 1950, provided that the project should be carried out "in co-ordination with relief projects" with forced labour exacted from the civilian labour force according to the principle of "reform through labour". Discussing the question of wages, an article in the People's Daily of 16 October 1950 suggested that "the labour needed should be semi-voluntary in nature" and that "broad publicity will be needed in order to develop among the people the idea of, and the willingness to provide, semi-voluntary labour. For the past 3 years, more than 2 million civilians were mobilized in the provinces of Kiangsu, Anhwei and Honan". Article 6 of the "Decision on the Ching River Bifurcation Project", announced by the Commission on Military and Political Affairs in Central China, provided that "the construction project in the mountainous area west of Hutu River will be carried out by civilian labour provided by the Provincial Government of Hupeh, and the regulating dam in the south will be constructed by a labour force consisting of



2 million civilians provided by the Provincial Government of Hunan and another million by that of Hupeh". With regard to highway projects, the "Decisions on Highway Projects to be undertaken in 1950", announced by the State Administration Council on 12 March 1950, provided that, with the approval of the Provincial People's Government, "an adequate labour force may be mobilized for highway repair projects", and that "it is deemed necessary to educate and encourage the population along all highways to be responsible for their maintenance". Article 3 of the "Provisional Arrangements for Highway Maintenance", published by the Ministry of Communications on 8 August of that year, set forth that "highway routes where the traffic is comparatively light may be maintained by the surplus labour provided by persons living along the routes at part-time rates, or by forced labour organized in co-ordination with the local governments and provided by the population during the non-farming season". Thus, tens of thousands of labourers, among them many political prisoners, have been forcibly recruited by the Chinese Communists for slave labour under the pretexts of "patriotism", "increased production" and "flood prevention" with no remuneration. Some of the serious cases are as follows:

(1) Huai River conservation project

This project was started in the winter of 1950. "In the 3 riparian provinces, more than 10,000 members of the Communist Party went to the villages to mobilize and organize the labour force" (as reported in the Hong Kong Ta Kung Po, 2 April 1951). In a reply given at a press conference in 1951, Mr. Fu Tso-yi said that the labour force, at its peak, numbered 2,200,000 (Shanghai Liberation Daily, 4 July 1951). There were 2,400,000 labourers in the force in 1952 (Tientsin Progress Daily, 3 August 1952). In the first half of 1953, the civilians and workers participating in this project numbered 1,500,000 (People's Daily News, 6 September 1953). A more stable civilian labour force was formed in the winter of 1953 by organizing the surplus and off-season farm labour as a civilian labour cadre for the Huai River Conservation Project (People's Daily News, 28 October 1953). Except for the 80 pumps and the 20,000 shovels ordered by the Huai River Conservation Commission in Shanghai in the winter of 1950, all implements needed, such as baskets for carrying mud and hoes, were provided by

the labourers themselves. As a result, many of them had to pawn their belongings in order to buy the implements they needed before they could start work. (Shanghai Ta Kung Po, 29 November 1950) The 45,000 civilian labourers from Szechsien who participated in the Shui River Dredging Project in the Suhsien area in Anhwei spent their New Year on the river dredging mud and draining water in the bitter cold (Hong Kong Ta Kung Po, 14 March 1951) In the evenings, "when they went back to their living quarters, those tiny sheds on the river bank were more often than not shaken by freezing wind and beaten by rain or snow. They spent those long and chilly winter nights with their teeth tightly clenched." ("The Taming of the Huai River - a Great Project in New China", by Ku Tsin-wei, published in Hong Kong Ta Kung Po, 14 April 1951) "26 February. The snow had stopped. The water in the river was about knee-deep and over it were sheets of floating ice. In spite of the chilly weather, the eighty or so civilian labourers in the third company of the To River Dredging Group jumped into the water and started dredging" (Shanghai Liberation Daily, 26 May 1951) "When construction first started, many labourers had no implements or tents; some of them could not even afford to bring anything to eat ..... Many of the farmers had to go into the water in the bitter cold to gather weeds and carry them tens of li in order to exchange them for mud-carrying baskets." (A dispatch from Pangpu published in Hong Kong Ta Kung Po, 30 June 1951) In order to finish installing the lead-in pipe for the pump as soon as possible, Chang Ta-you, a civilian labourer, went into the water by breaking through an ice layer three inches thick and worked there for two hours. (Chung-king Hsin Hua Daily News, 25 March 1952)

Pledges of "not going home till the task is done" and resolutions and slogans such as "for better efficiency, quality, operation and co-ordination" and "work in the drizzle; stop only in case of a flood" were introduced. (Shanghai Liberation Daily News, 1 April 1952)

Those engaged on the project in the winter of 1952 worked arduously round-the-clock on top of the arched dam several decametres high, even in those early mornings when the strong wind was howling at its fiercest and in the nights when the ground was covered with frost. (People's Daily News, 24 January 1954)

(2) Ching River bifurcation project

"The Regulations concerning the Ching River Bifurcation Project" were published by the State Administration Council of Communist China on 31 March 1952, mobilizing 235,000 civilian labourers (Hankow Yangtze Daily News, 30 April 1952). The project began on 5 April and was completed on 20 June.

Owing to the participation of an army division, a military command was set up in addition to the Commission on the Ching River Bifurcation project, thus the civilian labourers were also working under strict military supervision. The following reports were published in Communist China:

The civilian labourers were induced to enter into contracts to build dikes and to make some kind of arrangements about such matters as group discussion, leave, rewards and punishment ("Experiences in the Guidance and Organization of Civilian Labour" by Têng Wan-chin published in Hankow Yangtze Daily News, 12 April 1952).

"Meetings were held every evening to report on the progress of the work and to discuss its efficiency" ("A Tour of the Bifurcation Site" by Chih Chün published in Hong Kong Ta Kung Po, 10 June 1952). Workers, "toiling in the mud and chilled to the bones, scooped up the mud by hand" (Tientsin Progress Daily, 22 June 1952).

The workers who installed the 54 curved dam-gates worked for 3 consecutive days and nights without any sleep (Hong Kong Ta Kung Po, 3 June 1952).

A woman worker from Yitu named T'an Yün-ts'ui whose job it was to push carts along the narrow-gauge tracks from Ngo Ch'ih K'ou to the bifurcation point, worked day and night in spite of fatigue. One evening she fainted from tiredness and broke her left wrist under the cart ("A Report on the Great Ching River Bifurcation Project" by Pang Hai-po and Feng Chien published in Peiping Kuang Ming Daily News, 20 June 1952).

"The construction of the dam separating the two rivers has entered the most difficult stage of closing the gap. The rapid current coming down from the Yangtze ran through the narrow gap of the dam like a rapier. At the most vital stage, workers had only one meal a day and kept on working uninterruptedly for eight days". "The construction of the dam across the Hutu River was so urgent that no piles could be laid. Accordingly, workers from the seventh division

of the civilian labour force anchored themselves in the mud as human piles to facilitate the completion of the dam" (Hankow Yangtze Daily News, 26 May 1952).

"The Partitioning of Huang Ta Lake": "Members of four companies of the armed forces participated by pushing away the mud with their bare backs. Many of them formed themselves into groups of three, one of them lying in a horizontal position and pushed by the other two to carry away the mud... Each time they went into the river, they worked the whole day without any recess except for meal-time breaks. Everyone was entirely covered with mud except for his eyes". (Hankow Yangtze Daily News, 21 June 1952).

### (3) Chengtzu-Chungking railway project

This project was started on 15 June 1950 and completed on 1 July 1952. "Some 84,000 civilian labourers were mobilized at various times. They, together with members of the military labour force and local unemployed, formed a labour force of 100,000". (Chungking Daily News, 7 December 1951).

According to reports published in Communist China: "Magistrates of the districts along the railway served also as the regimental officers of the labour force". "Many difficulties were experienced at the beginning, especially during the New Year season of 1951, when many workers wanted to go home to spend the New Year". "Measures for removing the obstructionists, 'bandits' and 'gangsters' from the labour force were systematically carried out by the administration... By the airing of grievances, the labour force became a unified front.... and 99 per cent of the workers gave up their desire to spend New Year at home 'voluntarily'". (Chungking Hsin Hua Daily News, 8 December 1951).

9,400 women maintenance workers were employed on the 280 kilometre stretch from Chungking to Neichiang (Chungking Hsin Hua Daily News, 10 March 1952).

"A red-banner movement was initiated by the civilian labourers who worked days and nights in shifts, paying no attention to the pungent odour of the explosives and the sulphur compound and the harmful effect of underground water on human tissue." (Hong Kong Ta Kung Po, 2 July 1952).

"In the construction of the Tangwang Dam in Yungchwan in June 1951, work had to be carried out on a 24-hour basis in order to meet the date scheduled for completion. Those who were injured or sick had to remain at work. During

rainstorms, the mud made the field so slippery that it became almost impossible for the workers, with heavy loads weighing some 150 catties on their shoulders, to move. Many workers in the 18th Engineering Group had only 30 hours sleep in 18 days in order to complete their task as scheduled". (Chungking Hsin Hua Daily News, 22 June 1952).

"Anxious lest they might fail to accomplish their assignments on time, some of the units adopted the relay system, working round the clock in shifts. Workers who were sick or injured continued to work". (Chungking Hsin Hua Daily News, 26 June 1952).

"The construction project for a tunnel more than 800 metres long at Pehshuyao, 30 kilometres from Chengtu, was started in June 1952. Due to the lack of ventilation and lighting at the first stage of the project, the smoke given out by the explosives lingered in the tunnel, making the air so thick that it was impossible for the workers to breathe. When the excavation reached a point 200 metres from the end, the temperature rose to higher than 90 degrees, and many were overcome by the heat. But as the successful implementation of the order to complete the railway by the first of July depended heavily on this particular project, more and more workers were mobilized, and they went about their work groping in the tunnel dimly lit by cressets. Because of their over-anxiety, injuries and deaths occasioned by falling rocks were not infrequent". (Hsin Hua news dispatch from Chengtu, dated 26 July 1952).

#### (4) Tienschui-Lanchow railway project

This project, the preparatory work for which started in May 1950, was formally initiated in May 1951, and completed on 23 August 1952. 20,000 civilian labourers were mobilized. It was first begun on a contractual basis, but was later taken over by the Government which introduced a system of competition to create so-called "model labourers" (Sian Peoples Daily, 1 December 1951). According to information issued in Communist China:

"Ventilation became a serious problem when the excavation reached the inner part of the tunnel, and many workers were overcome by the dense smoke. On one occasion, a civilian labourer, Liu Tsün-chao, was overcome three times in the same day.... In the winter, the temperature dropped to 18 degrees below zero on the colder-days; the frost on the tents formed a thick layer of ice, and frost-bite was common". (Hong Kong Ta Kung Po, 10 September 1952).

800 civilians from nine villages in the Tingsi area volunteered as railway guards. The women also participated actively (Hong Kong Ta Kung Po, 3 October 1952).

"The water from local springs in some of the construction areas in the Lungsi and Tingsi regions had a very bitter taste.... whenever the normal water supply was cut off by snowstorms, the bitter or salty water became workers' only beverage. According to what I heard, 'The bitter water tasted like magnesia salt, and the only way to get it down was to hold your breath and gulp, but even then you would feel your throat burning. The after taste lingered on for hours and hours and sometimes made you feel really sick'. A common practice was to put a little table salt or some kind of dark sauce in the water to take away the bitter taste. Probably because of the high alkaline content of the water, many workers had upset stomachs, symptoms of indigestion and diarrhœa. In these days the snow on the ground became most precious; it tasted so much better. But it took time to melt the snow, and time was one of the things you could not spare with the heavy schedule of work. To quench their thirst, workers gathered some snow and put it in their mouths while they worked. (Sian People's Daily, 17 June 1952).

In a certain construction project in the Tingsi Section, workers "had to lie on their sides and dig sideways in the 30 degrees below weather. The severe cold made them shiver, and purplish cracks broke out all over their bodies. More than 50 workers died at the foot of the hill after only three days of work". "During the six days when the bridge was being erected, over one hundred workers lost their foothold and fell into the vallèy". (Sian People's Daily News, 26 June 1952).

#### (5) Lanchow-Sinkiang railway project

This difficult project was started on 1 October 1952. According to information published in Communist China:

The tens of thousands of railway workers and the civilian labourers from the various tribes, who participated in the construction of this railway, tried to overcome the difficulties produced by tornadoes and snowfalls in June. They marched towards Wuhsiao Peak which is 3,000 metres above sea level, the

Dark River crossing which is 6 kilometres wide and the Tsao and Gobi deserts where no human being was to be found for hundreds of miles. (People's Daily News, 18 July 1953).

Last October (1952), though the weather was 10 to 20 degrees below zero, workers in the 3rd Construction Group of the Northwestern Railway still worked in the Yellow River, struggling with the floating ice in the rapid current. (People's Daily News, 25 July 1953).

When the surveying team of the Lanchow-Sinkiang Railway was working on Wuhsiao Peak, the 200 or so Tibetans of Chilo village organized themselves into a group to help. They came from 20 to 31 li away each morning before daybreak on horseback or in waggons, bringing with them food and implements (a dispatch issued on 7 December 1953).

"In the last quarter of last year, there were over 20,000 construction workers on Wuhsiao Peak. Those who worked on the roadbed profited from experiences in Russia, such as 'hay-covering' and the 'prevention of freezing by loosening the soil'." (Hong Kong Wen Hai Pao, 17 March 1954).

#### (6) Sikang-Tibet highway project

Highways in Communist China were also built by forced labour. The Sikang-Tibet highway serves as a good example. This road runs for its entire length over mountainous regions which are covered with snow and in the grip of the severest cold weather most of the year. Since December 1951, 50,000 labourers, recruited in Kangting, Yaan, Tienchuan and Chengtu, have been sent to the top of Chueherh Mountain, 5,300 metres above sea level, to carry out the very difficult construction projects by primitive methods. According to information published in Communist China:

"The only beds for civilian labourers were layers of twigs laid over the snow, but when the snow melted by the heat of their bodies and the blankets became wet, it was impossible to have any rest". (Hsin Hua News Dispatch from Sikang, dated 25 May 1952).

"The snow on the ground was at least 3 feet high. The only place you could gather firewood was in the valley and it took several hours to get there. The weather was so cold, that it took a very long time to boil a kettle of water,

and at least 5 hours to prepare a meal. The only way to get drinking water was to melt the snow. In order to get a kettle of water 13 baskets of snow were required. Under these circumstances, the civilian labourers could only have one meal a day" ("The Great Highway" by Yu Fen, a correspondent of the Hsin Hua News Agency). This passage (p.98) was quoted in a book entitled "Slave Labour in Communist China" by Cheng Chu-yuan, published by the Free Publishing Co., Hong Kong, in 1952.

The military and civilian labourers "worked uninterruptedly in the 20-30 degree below zero weather, often in the rain, snow or hail, excavating and setting off explosives, even when their hands were chapped with the blood dripping from cuts and when their tools were frozen to their hands". (Hong Kong Ta Kung Pao, 26 September 1954).

All construction work between Lhasa and Taichao had begun by the middle of March. There were about ten thousand Tibetans working at different places along the route, trying to overcome the difficulties of the steep mountains and the swift currents. (Hong Kong Wen Hui Pao, 27 March 1954).

##### 5. Exploitation of workers in general

Though the Chinese Communist Party claims to be the political party of the workers, nothing has been done to promote their interest and welfare since it came to power. Workers on the mainland have been exploited directly or indirectly to strengthen its control. By initiating labour discipline movements and production competitions, the Communist regime in China has forced them to work like beasts. In an open letter of 15 December 1949 addressed to all workers in China, the Chinese Confederation of Trade Unions announced its support of the "Regulations concerning annual bonuses for employees of public enterprises", issued on 11 December 1949 by the Commission on Finance and Economic Affairs, which stipulated that bonuses or double wages, if paid at the end of the year for a period longer than half a month, should be paid at half the rate for the part exceeding half a month, and should in no case be paid for a period of more than two months, and that payments might be made in instalments. The letter also asked the workers to "show their high political intelligence and to support those regulations by their actions" (Hong Kong Ta Kung Pao, 17 December 1949). This



was the first "positive accomplishment" achieved by Communist China for its working class. In February 1950, the Chinese Confederation of Trade Unions further announced that "after the working class took over, competition in production became the regular method of work and production". When Communist China went to war in Korea, a declaration was made by the Chinese Confederation of Trade Unions on 6 October 1950, calling on the working class to join the "Resist America, Aid Korea, Protect our Home and Safeguard our Country" Movement. By January 1951, more than 1,200 factories and mines in the northeast, north, east and southern part of Central China had joined this movement, involving 1,200,000 workers (People's Daily News, 7 February 1951).

Competition in production thus became an institution in China. Speaking at the second meeting of the Executive Committee, held sometime in February 1953, Lai Jo-yü, the Secretary-General of the Chinese Confederation of Trade Unions, said "At present, 80 per cent of the staff and workers employed in the important production enterprises participate in these competitions. In the past 4 years, 223,230 model labourers were nominated" (People's Daily News, 22 January 1953).

In May 1953, the "Statute of the Trade Unions of the People's Republic of China" was adopted by the Seventh National Workers' Convention, convened by the Communist regime. It was specified in the preamble that "the most important tasks of the trade unions in China in this period of reconstruction are to consolidate the unity of the working class; to strengthen the union of workers and farmers; and to educate the workers to comply willingly with laws and orders and labour discipline, to participate actively in production and to increase productivity steadily in order to carry out the production plans formulated by the State ahead of schedule, thus accelerating the industrialization of the country and eventually forming a socialist community". (People's Daily News, 14 May 1953).

Speaking at the Convention, Liu Shao-chi said, "Action to deal with violations of labour discipline have helped immensely to maintain it at a high level". (Chungking Hsin Hua Daily News, 2 May 1953).

Immediately after the Convention, a national movement for stricter labour discipline was initiated. An article in the People's Daily News stated: "The labour discipline movement is one endorsed by the working class itself. It

requires each and every worker to fulfil his quota loyally and individually and to try to do more; to ensure that his production will reach a certain standard; to protect the equipment and establishments; to follow all technical specifications, operation methods and safety and health regulations; to observe working hours strictly; to accept assignments and transfers; to comply with labour discipline and to increase productivity. All these are great tasks to be accomplished by our working class". (People's Daily News, 8 July 1953).

On 10 July of the same year, a "Resolution on stricter labour discipline" was adopted by the Chinese Confederation of Trade Unions, and "an urgent announcement on further steps to increase production, to economize and to participate in labour competition in order to ensure the fulfilment of the production plans formulated by the State" was circulated on 15 September. There were also established the so-called "Tribunals of Workers in Productive Enterprises". According to reports issued by the Communist regime, these were "voluntary organizations formed by workers for self-education". Their purpose was to "eliminate the remnants of undesirable habits which violate labour discipline and which jeopardize national production, by self-correction and self-education, in order to educate the workers, to accelerate their awakening, to maintain labour discipline and to increase production". Actually these were tribunals set up by the Communist regime through the courts for the purpose of tightening their hold on the workers and forcing them to work harder and harder. Typical cases of violations of labour discipline or of production requirements, which had a certain educational value, were selected from among the staffs and the workers in industry and tried at mass meetings as a general warning. These tribunals were first set up at the Anshan Steel Company in March 1953. Working groups were then sent by the provincial and municipal courts to the well-organized factories and mines operated by the Communist regime to set up experimental tribunals. According to reports issued by Communist China in May 1954, 70 Tribunals of Workers in Productive Enterprises were set up in various industrial and mining establishments in Anshan, Fushun, Penki, Shenyang, Port Arthur, Dairen, Tangshan, Tientsin, Sian, Sienyang, Lanchow, Wuchang, Hankow, Pingsiang and Hanchow. In other words, these organs set up for the trial and punishment of the workers were now scattered throughout northeast, north and central China.

The plight of the workers in the so-called "production race" campaign  
promoted by the Chinese communist regime on the mainland

1. The life of the worker

Privy as living quarters

"Workers are generally housed in wretched mud huts in the sprawling slum areas off Hsiao-pei-meng in the city of Taiyuan. There is a saying: 'When it pours outdoors it drizzles indoors; when rain has stopped outside, it continues inside'. In general, 70 to 80 per cent of the factory workers and miners sleep in the open. Chang Cheng-yuan and six others employed by the local steel and iron works are forced to use a small privy as living quarters." (People's Daily, 28 December 1951)

"Mess" and "dormitory"

"Some 1,200 workers in the Second Detachment of the Fourth Labour Battalion, Central China Area, under the jurisdiction of the Central-Southern Bureau of Engineering and Construction, mess in two separate groups. The workers have to squat alongside the highway to eat their meals, only to find their food instantly covered with dust whenever a car rumbles past. When it rains, they have to dash for shelter. There is always a shortage of space in the crude structures used as dormitories. In each of these 'dormitories' at least 123 workers are housed. Because of poor sanitary conditions, most of the workers suffer from trachoma and diseases of the digestive organs." (Hankow Changkians Daily, 13 October 1952)

Life in the balance

On 26 February 1951, the Chinese communist regime promulgated the so-called "Regulations concerning Labour Insurance". In 1951, the Chinese communist authorities admitted that "during the past year, inspections were made on working conditions in respect of safety and health at 1,675 state and privately owned mines in 12 provinces and 29 municipalities. Many of the sub-standard conditions were corrected in due time, thereby greatly reducing the rate of accidents and sickness of the workers". (Dispatch from Hsin' Hua News Agency, 1 May 1951)

"The rate of accidents on the mainland is still rising from year to year. During eight months in 1951, there were more than 3,000 cases of injury and death reported as compared with 1,691 in 1950." (Shanghai Liberation Daily, 9 September 1951)

"According to the figures given by the 'Safety and Health Inspection Team for the Central-Southern Region', accidents involving injury or death in various Government factories and mines in the first six months of 1952 have increased by 22.7 per cent as compared with the figures for the second half of 1951."  
(Hankow Changkiang Daily, 24 November 1952)

"The safety record of the various Government coal mines in the South West Region was very poor in the first quarter of 1953. The number of accidents involving minor and major injuries had increased not only by 22 per cent as compared with the figures for the first quarter of 1952 but continued to increase each month."  
(Chungking Hsin Hua Daily, 21 April 1953)

"The number of accidents involving injury or death in coal mines in the first six months of 1953 had doubled, or more than doubled, the figures reported for the same period of the previous year, according to a nation-wide survey."  
(Editorial of the People's Daily, 1 September 1953)

"Take the case of the transport workers as an example. During the period 15 July 1950 to 15 August 1951, it was reported that on eighteen occasions transport workers loading and unloading tar products in Tsingtao, Cheefoo, Tsinan, Shanghai and two other ports were poisoned, 673 became chronically ill and 2 died."  
(Shanghai Liberation Daily, 26 October 1951)

"In October of the same year, a series of 'Regulations governing the transport of dangerous substances' was issued by the Central Ministry of Labour for the protection of transport workers. However, during the period from January to July in 1952, the poisoning of 548 transport workers was reported on seventeen occasions in such cities as Peking, Shanghai, Nanking, Wuhsi, Chengchow, Chungking, Chichihar, Harbin, Antung, Tientsin and Tunghua. On fourteen occasions poisoning occurred in the course of transporting tar products. 524 workers were victims."  
(People's Daily, 27 August 1952) The Chinese communist authorities tried to explain away the recurrence of these accidents by saying "To engage in production is like fighting a war, hence casualties are inevitable."  
(The Chinese Worker; Fifth Issue)

#### Facilities and equipment.

"The summer temperature regularly exceeds 94 degrees Fahrenheit at the First Textile Work of the Northwestern Textile Manufacturing Administration. Nothing is being done to control the heavy smoke and dust which are polluting the air in the steel plant of the Anshan Steel and Iron Works, causing illness among more than half of its workers who are forced to go on working nevertheless."  
(People's Daily, 11 May 1952)

"To increase the production of lime, the limestone factory of the Bureau of Mining Affairs decided to start calcining limestone while the kilns were still under construction. As soon as the incomplete kilns were lit, the whole place would be covered instantly with a heavy blanket of smoke suffocating the workers engaged in the construction of the kilns. On 9 September 1952, five workers developed severe headache and nausea on account of the smoke and on 10 September, another seven developed severe headaches. Three other workers were in the same predicament in the late afternoon on 11 September, one of whom, Chang Yun-Hung, fainted on his way to the kilns." (People's Daily, 13 November 1952)

The following is an excerpt from a letter sent by the group of workers in charge of the lumber stock, Si-Lung Purchasing Unit, Lungshen Station, Kwei-chow Branch of the Bureau of Forestry: "We have long tolerated inadequate facilities in our quarters. We have requested that a tea barrel be installed for the drinking needs of the workers. This request has been repeatedly ignored so that we are forced to drink unclean water from the river with the result that we are frequently ill." (Kwanghsi Daily, 9 September 1952)

## 2. Wages

In the second chapter ("Forms of wages and the wage system in the Soviet Union") of his book "The Wage System in the Soviet Union", Semenov writes: "Under the system of planned economy in the Soviet Union, wages are deliberately used by the State as the main instrument to raise the rate of production and to cultivate a new attitude towards labour in the communist society". Mindful of this doctrine, the communist authorities, in striving to establish a forced labour system, do not fix the wages of workers according to the cost of living or any objective standards of working hours or the value of the work. To them, wages are but a means to further production, to spur on the ordinary worker to give more for what he receives and generally serve as a whip to drive the workers into slave labour. An editorial in the People's Daily says: "The wages and welfare of the workers should be subordinated to the interests of national reconstruction". (People's Daily, 30 October 1953) Under this pretext the Chinese communist regime attempts to make the exploitation of workers through sub-normal wages more palatable.

### The wage scale of eight grades

Since 1950, the Chinese communist authorities have been using the so-called "Wage scale of eight grades" throughout the northeastern provinces. On 19 June 1950, the People's Government of the Northeast formally promulgated the "Directives for wage adjustment in respect of workers and technical personnel employed in public enterprises and guiding principles for the administration of the wage scale of eight grades". In September, the Chinese communist regime held a nation-wide preparatory conference on wages, which formulated a set of regulations based on the practice in the Northeast Region. Since 1951, these regulations have been applied gradually in the various administrative regions. The Chinese communist authorities claim this system to be the "result of long research by the Soviet Union". According to this system, wages in the highest grade can be as much as three and a half times the wages of the lowest grade. Because of the great difference in wages from one grade to another, the purpose is to force the worker to increase his production, to prevent him from changing his occupation, to delay his promotion and generally to drain him of his last ounce of energy to make him a part of the productive machine.

### Wages a mere pittance

"The workers at the Government-operated Tungkwanshan Construction Company have to work at least thirteen to fourteen hours per day, but each person only receives 130,000 to 140,000 yuan per month, barely enough for the subsistence of one person. With this pittance, the worker has nothing left for clothing and cannot even afford raw tobacco or straw sandals." (People's Daily, 12 September 1951)

In a certain Government-operated factory in the Central Southern Region, a worker "has to work thirteen to fourteen hours per day, receiving 130 catties of rice each month, from which is deducted five catties for messing and 85 to 90 catties for his own consumption, leaving the equivalent of only 20,000 to 30,000 yuan to take home". (Hankow Changkiang Daily, 18 August 1951) How can one expect to support a family with 20,000 to 30,000 yuan which is only enough to buy twenty to thirty catties of rice?

The following is an excerpt from the Tung-pei Jih-pao which appeared in the People's Daily: "In certain factories and mines in the Northeast, the worker has to make all sorts of contributions. Take the case of Pengshai First Power Plant for example. Last November (1951) the entire body of workers there had to make as many as seventeen kinds of contributions, for instance for the relief of Liao Hsi Province, the bank savings fund, the co-operative service, newspapers and periodicals, comforts for the front line troops, 'drum' fees and contributions in Kaoliang grains etc. According to the statistics of fifty-three factories in the Northeast, using 1949 as the base year, the index for total industrial output in 1952 is 694, for labour output 447 and for wages only 117." (People's Daily, 28 December 1952)

### 3. Working hours

Article 32 of the programme adopted by the Chinese communist People's Political Consultative Conference stipulates that "At present an eight-to-ten-hour day shall in general be enforced in public and private enterprises". However, in recent years, the Chinese communist authorities under various pretences have recklessly prolonged working hours without giving compensation. The following is a report taken from a communist source: "At the Shi-chin-shan Iron and Steel Works, the entire body of workers donated their overtime pay to the Government for the purchase of aircraft and guns. For this, every worker has to work two extra hours in his spare time and eight more hours on Sundays. In addition, each worker has to contribute one-half of the bonus he received for exceeding his quota in the summer." (People's Daily, 11 June 1951)

"In Factory No. 1 and Factory No. 2 of the Shanghai Textile Machinery Manufacturing Co., monthly 'voluntary service' is being urged and an alternative plan is being drafted for long-term contributions from bonuses received by the workers for exceeding their quotas." (People's Daily, 13 June 1951)

"The administrative staff and workers of a certain machine works in the Northeast have started what they call a 'weekly contribution in service', beginning 17 June." (Shanghai Liberation Daily, 12 July 1951)

"In the Ta Hua Tobacco Factory of Shanghai, on the fifth day of each month every worker has to contribute a day's pay to the 'Aid Korea, Resist America' campaign." (Shanghai Liberation Daily, 25 July 1951)

"The personnel of the Smelting Department, Factory No. 3, Shanghai Iron and Steel Works, work overtime and contribute half of their overtime pay to the fund set up to buy an aircraft which will be named 'The Shanghai Iron and Steel Workers'. In addition, all the workers on every overtime shift have pledged 'voluntary service' to increase production." (Shanghai Liberation Daily, 3 October 1951)

In the Hsin-chi Coal Mines, Ping-yuan Province, "the working hours for a miner average twelve hours a day; a driller or a repair man works as many as eighteen hours a day". (People's Daily, 18 February 1951)

"In the Chungking area, the monthly production target of Factory No. 101 is based on thirty or thirty-three working days. There were 2,742 workers on overtime shifts in Factory No. 102 in the month of April. In Factory No. 207, overtime had accumulated to a total of 2,512 working hours during the period January to March." (Chungking Hsin Hua Daily, 4 June 1952)

"According to a survey on working hours in the chemical industry in Shanghai, of the sixty-odd factories producing acids, alkalies and dyestuffs, only eleven adopt the eight-hour system, while one factory has a nine-hour working day, thirty-eight have a twelve-hour working day and eight have a working day of more than twelve hours ..." (Shanghai Worker's Daily, 12 March 1952)

"The Chiang-chia-kou Power Plant ruled that 'workers refusing to work overtime will be regarded as delinquents'. Construction workers in Tai Yan City are called upon to do unlimited overtime. Workers engaged in constructing the foundation of a large building in Kai Hua City often worked as many as twenty-one hours a day. Of the 142 workers on the job, twenty-four became ill as a result of fatigue." ("Labour Bulletin", April 1951)

"Last August, the entire body of workers at the Second Municipal Machine Works, Tse-Kung City in Szechuan worked on overtime shifts. Overtime credits of 40 to 100 hours were earned by forty-five workers, averaging more than eighty hours of overtime per worker per month. Fan Teh-Hua, a caster, broke down and fainted because of overwork. Hu Yuan-Ching, an electrician, bled profusely from the nose from working long hours at a high temperature." (People's Daily, 22 November 1951)

"The Tai-yuan Machine Works prolonged the working time of all its workers, resulting in an average of ten hours work per day for each person." (People's Daily, 17 September 1952)

"In the 'rush project' to complete 500 miles of railway, Hunag Yun, Chairman of the Railway Workers' Union and Tuan Jui, assistant chief of the new operation section at Hsi-fu, Northeast, ruled that 'if they failed to fulfil the established target, workers would have to work overtime and do extra hours of labour'.



Accordingly on 5 June, three to four extra hours of labour were imposed on six workers, eight extra hours on three workers and twelve extra hours on eleven workers." (People's Daily, 18 July 1952)

"The field team charged with surveying the iron deposits of the Chaling Iron Works in Hunan worked relentlessly day and night out in the open, defying the natural elements ... In early September, the workers in charge of No. 3 Drill exceeded the established target by finishing a month's job in only eight working days." (People's Daily, 26 November 1953)

"Wang Chung-lun, a worker in the toolshop of the Main Machine Factory, Anshan Iron Works, fulfilled his 'production quota' for the first month eight days ahead of time. He also did sixteen months of work in one year." (From an article in Wen-hui Pao, Hong Kong, 12 March 1954)

#### 4. The drive for higher production

In 1950, the Chinese communist authorities first launched what they called the "production race" campaign. By describing the workers as the "ruling class" of the nation and taking advantage of their psychology they attempted to introduce a "new concept of labour", dubbing the outstanding workers "labour heroes", "model workers" or "meritorious workers". By constantly appealing to the workers to meet certain "challenges", the communist authorities sought to introduce this "production race" on a permanent basis. The following excerpt is an illustration: "In a certain factory under the Ministry of Industry of the People's Government of the Northeast, the production race has continued relentlessly for one year and five months, thus becoming a model of efficiency in the constant struggle for higher production under the leadership of the labour unions." (Shanghai Liberation Daily, 11 April 1951) Thus, the last ounce of energy is being sapped from the worker by his communist masters.

#### The fruits of the "production race" - disability, sickness and death

"On account of the heavy work at the Kuan-leh-ming Fountain-Pen Factory at Shanghai, the workers developed numbness in their hands and feet, losing their sense of touch." (Shanghai Liberation Daily, 8 October 1951)

"As a result of participating in the 'production race' 669 workers in Shanghai lost their lives in a period of ten months; 6 per cent of the workers ... died because of overwork" (Hein

"In the so-called 'rush project' launched by the Workshop of the Taiyuan Railways in Shansi, half of the workers became ill from fatigue." (People's Daily, 7 September 1950)

"Wang Lien-Sen, an engine-driver of the Operation Section, Shanghai Railway Administration, dropped dead after working continuously for thirty-two hours." (Shanghai Liberation Daily, 9 September 1951)

"Yang Chi-Chun, an electrician of Factory No. 4, Ta Chang Paper Mill in Shanghai emerged deadly pale after working continuously for forty-eight hours." (Shanghai Liberation Daily, 21 September 1951)

On 15 November 1951, the Chungnan Worker's Daily admitted that "in the recent drive for higher production and greater savings, there has been an increasing number of accidents involving injuries to workers in certain docks, wharves and aboard ship".

"At the beginning of the 'Red Flag Campaign' at Factory No. 2 of the China Textile Company in Tientsin, because of their relentless efforts to increase production, to achieve a higher target and to prolong machine operation time, nine workers spat blood from overtaxing themselves in a single working day." (The Chinese Worker, No. 12)

Under the so-called "technical quota" system and "production responsibility" system, the Chinese communist authorities constantly call upon the worker to "learn the knack of his job" and to "put his potential ability to full use". Thus, the worker is constantly driven to establish new production records to replace the old quotas.

On 15 July 1950, the Ministry of Industry of the Chinese Communist Government in the Northeast fixed rigid quotas in respect of quantity and quality, and set limits on the time required for production, the number of workers, the cost of materials and the amount of working funds for every project. Among these measures, those relating to time-limits and the number of workers are the worst. According to the bulletin, published on 5 May 1950 by the Ministry of Industry in the Northeast, on how to put the "production responsibility" system into effect, arbitrary quotas are set on the daily and weekly production of each worker so that a project may be accomplished in time or ahead of time. A report in the Northeast Daily says: "Various new production records based on man-hours have at least doubled or tripled all

previous production rates. For the completion of a six-foot lathe a new record has been set requiring 153 instead of the former 292 man-hours. Production efficiency is thus raised 46 per cent." (The Northeast Daily)

"There has been some misunderstanding on the part of the administrative staff in the various branches of the Ta Tung Mining Company, especially among the leading personnel. As it was announced at the end of last March and in early April during the discussion of the various projects by the workers themselves that the quotas fixed would not change for some time to come, they seem to think that it would be contradictory to revise the quotas now. They also liken quota changes to 'screw-driving', implying a constant increase of pressure on the workers." (People's Daily, 20 July 1952)

"In 1953, the staff and workers of the Anshan Iron Mines discussed the question of improving the organization of productive labour and of drafting an 'amendment to the 1953 programme of productive labour'. Under the new programme, the number of workers is reduced by 5,889 but the production rate is increased 5.35 per cent." (Editorial, People's Daily, 24 March 1953)

#### "Higher production and greater savings" campaign

The Chinese communist authorities launched a campaign for "higher production and greater savings" in 1951, setting the target at 30,000,000 million yuan in "people's currency" for all Government-operated factories. This task has been assumed by every factory throughout the country and the burden falls on every worker. For example, in a certain factory in the Northeast the administration "without any consideration, ordered a skilled worker to fulfil a combined production-and-savings target of the equivalent of 3.2 tons of grain and an apprentice to fulfil the target of the equivalent of one ton and 400 kilos of grain". (People's Daily, 2 December 1951)

In the Northeast, "the efforts made by the public and private enterprises in the campaign for higher production and greater savings have amounted to the equivalent of 14,580,360 tons of grain". (People's Daily, 25 January 1952)

"In the Northeast area, the equivalent of 11,570,220 tons of grain has been accumulated by the Government and local industries in the drive for higher production and greater savings in 1952." (People's Daily, 4 January 1953)

"In the North China area, the target of 7,497,500 million yuan has been fulfilled." (The figures for Ping Yuan Province are based on original estimates as no official information has been received.) (People's Daily, 11 January 1953)

"The figures for the Northwest area total more than 605,000 million yuan."  
(People's Daily, 14 January 1953)

According to a report in the People's Daily of 9 May 1952, Hsi Chung-hsun, appearing at the fifth meeting of the Military and Political Conference made the following statement: "The glorious task of fulfilling the target of 1,500,000 million yuan for this year has been more than fully accomplished thanks to the tremendous efforts of the various public enterprises to achieve higher production and greater savings." (Note: The discrepancy between the latter figure and other figures given earlier is due to the fact that figures reported by the Chinese communist authorities are often contradictory.)

"The figures for the East China area are more than 6,980,000 million yuan."  
(People's Daily, 22 January 1953)

"A sum of about 4,500,000 million to 5,000,000 million yuan has been achieved by the staff and workers of public enterprises throughout the northeast region under the campaign." (Tientsin Ta Kung Pao, 5 October 1953)

"During the current year, an extra margin amounting to some 140,000 million yuan has been added to the target of more than 700,000 million yuan as the result of efforts made by the various Government-operated factories and mines and by enterprises jointly operated by the Government and private individuals to achieve higher production and greater savings in Chungking, Kweichow, Szechuan and Yunnan." (Kwan-ming Jih-pao, Peiping, 13 October 1953)

"The target for higher production and greater savings has been reached and exceeded in the North China area ... It is estimated that the figure of 4,000,000 million yuan could be reached by December, of which more than 200 million yuan are contributed by the industrial, communications, and transport enterprises." (People's Daily, 30 December 1953)

All these figures have been achieved by forced labour in the form of a "production race" of overtime shifts and extra working hours. An editorial in the People's Daily says: "In the State enterprises, if the rate of productive labour increases 10 per cent yearly, 60 per cent of the total value of production within a five-year period will be contributed through an increased rate of productivity." (People's Daily, 6 October 1953) This admission provides the best proof of forced labour.

## 5. The model worker

The vigorous efforts of the communist authorities to promote "production races" in the factories have led to the creation of so-called "model workers". In recent years, 80 per cent of the total number of employees and workers in the factories throughout the country have taken part in these "production races", of whom 203,000 persons have earned the title of "model worker" in the last three years. (Editorial, People's Daily, 1 May 1953)

Although the Chinese communist press often glorifies these "model workers", lauding them as "heroes", it tends to make wretched fools of them when describing their lives.

"Liu Ching-hsiang, a model worker from Tsinan, in describing his own experience after becoming a model worker, said he held more than thirty different offices at one time and had to spend seventeen days a month attending various meetings, toiling from dawn to late at night, with scarcely any time for rest. Chao Po-lin, a model worker at the Natsung Silk Mills, North Szechuan, said he had to attend three to four meetings every day and sometimes as many as seven meetings a night. Holding ten different offices simultaneously Kewi Wen-Cheng, a model worker at the Hua Hsin Textile Mills, Ping Yuan Province, estimated that seven months of the year had been spent in attending meetings." (People's Daily, 5 May 1952)

"Yuen Kai-Li, a model worker at the Shanghai Iron and Steel Works, spent an average of two to three hours and sometimes as many as five hours daily attending meetings. From December 1950 to May 1951, he had only three hours sleep most nights, five hours being the most on rare occasions. On one occasion, after working twelve hours on a night shift without a wink of sleep, he had to rush to attend a succession of meetings, namely, a meeting of the propaganda workers, the People's Political Consultative Conference of the new city district, an executive meeting of the union and the workshop discussion group. This went on until his next night-shift." (Shanghai Liberation Daily, 15 July 1951)

"Liu Kuang-hsun, a worker in the Smelting Department of Tangshan Steel Works, held six offices at the same time. His day began at five in the morning; he went to work at the factory at 5.30 a.m. where he worked from 6 a.m. to 2 p.m. After work he attended three meetings and then spent some more time exchanging views with his fellow workers on the question of production. Arriving home at 8.30 p.m., he immediately went to work again, this time preparing propaganda material. Not until 12.40 a.m. could he go to bed." (People's Daily, 20 December 1952)

### III. Number of Slave Labourers

It is a well-known fact that Communist China enslaves labourers. The People's Daily reported, on 7 September 1954, that "according to statistics, over 80 per cent of the prisoners in the country have joined labour brigades to work on agricultural and industrial projects, to fell trees, to build houses, to engage in water conservation projects and to construct railways".

The following detailed analysis shows the number of persons who have been persecuted as a result of the various campaigns conducted by the communists and the number of those who were finally sent to slave labour camps and forced to do unpaid labour:

#### 1. The "Suppression of counter-revolutionaries" campaign

Ku-Ta-tsun, a communist official, reported, on 18 September 1952, that 89,701 persons were arrested in Kwangtung Province within a period of ten months and that 28,332 of them had been executed, while the remaining sixty thousand odd persons had been sentenced to forced labour. Since the population of Kwangtung is about one-thirteenth of the total population of Communist China, it may be estimated that, in the entire area under communist control, about 780,000 persons have been forced to do slave labour within this ten-month period. On a five-year basis, this figure would be at least twice as large: 1,560,000 persons.

#### 2. Captured Chinese Government troops

Even according to published information from communist sources, approximately 100,000 captives were sent to Sinkiang to develop uncultivated areas. (Wang Cheng's report, as published in the Chun Chung Jih Pao of Sian, on 16 November 1951, stated that "in 1950, 962,000 mou [ $\sqrt{1 \text{ mou} = 1/6 \text{ acre}}$ ] of land had been cultivated by military personnel.") When Communist China started to build the Chengtu-Chungking railway in 1950, the number of captives engaged on this project amounted to 100,000 persons. Taking the entire communist-controlled area into account, the total number of captives used as slave-labourers should be no less than one million.

### 3. The "Three Anti" campaign

According to a report by Poh Yi-po dated 9 January 1952, 1,670 officials serving in seventeen different agencies of the communist regime were exposed as being corrupt in a one-month period. Another set of incomplete statistics indicated that 322 corrupt officials were found in twenty different agencies of the communist regime. These figures, though incomplete, suffice to reveal the tremendous number of people victimized by the "Three Anti" campaign. Since this campaign has been going on intermittently since 1939, the total number of persons thus victimized could be placed at one million.

### 4. The "Five Anti" campaign

This country-wide campaign is aimed at the extensive persecution of industrialists and merchants. Peng Chen, the Mayor of Peking, reported that there were 1,700 business concerns in that city which had violated the "five anti" regulations, while Chen Yi, the Mayor of Shanghai, indicated that there were 57,000 such concerns in his city. On the assumption that there were at least two persons in each concern, the minimum number of victims in these two cities would be approximately 120,000 persons. Thus, the total number of victims in the entire region under communist control would be in the vicinity of one million.

### 5. Other campaigns

Approximately 7,940,000 persons were victimized under other campaigns such as the Land Reform Programme, the Land Reform Review Programme, the "Resist-America and Aid-Korea", the "Brain-washing", the "Democratic Reform of the Working Class", the Religious Reform, the New Marriage Law, the Farmers' Mutual-assistance Groups and Co-operative Farms and the Workers' Discipline Campaign.

### 6. Victims of disasters

Following the devastating flood of the Yangtze River in 1954, 2,500,000 flood victims from the provinces of Hunan, Hupeh, Kiangsu, Anhwei, Kiangsi, Kwangtung and Kwangsi were sent by the State Administrative Council of the communist regime to North China and the Northwest to construct two railways, one leading from Chi-ning to Outer Mongolia and the other leading from Lanchow

to Sinkiang. Judging from this single case, it may be further estimated that in addition to conscript labour of a temporary nature, no less than 3 million victims of disasters on the mainland of China were used as slave-labourers.

#### 7. Slave-labourers sent abroad

According to a United Press dispatch from Calgary, Canada, dated 18 January 1952, there were 500,000 Chinese slave-labourers in the labour camps of Eastern Europe. On 6 August 1952, a columnist, Mr. Riesel, reported in the Daily Mirror, a New York newspaper, that the Russians were using a large number of Chinese labourers to complete the reconstruction of the Trans-Siberian Railway as a double-track railway. On 2 December of the same year, he reported that Communist China had concluded a secret agreement with the Russians for supplying Chinese labourers to the Soviet Union, Poland and Czechoslovakia in exchange for military supplies and textiles. On 7 April 1953, Kung Shang Yat Po, a Hong Kong newspaper, published an open letter by Liu Yu-kuei, an overseas Chinese residing in Thailand, who said that, while in a concentration camp, he has learned from a communist party member that "the Russians had asked Communist China to send 1,500,000 labourers to Eastern Europe so that the wages due to them could be used as payment for weapons and ammunitions shipped to Red China". Liu added that the same party member had also told him that "according to the secret agreement concluded for that purpose, these labourers had to be in the age-group of 35 to 40", and that "70 per cent of the total number of labourers agreed upon were already working in Poland".

(It is noteworthy that during the so-called "nation-wide general elections" in Communist China, there were 10,081,069 persons over eighteen years of age who had either been deprived of political rights or who had lost the franchise because of mental incapacity. If we deduct the number of mentally incapacitated persons from the aforesaid figure and add to it the number of "juvenile delinquents", the final figure would be about 10 million. Undoubtedly, these 10 million persons were all committed to slave labour. The actual number of slave labourers must be still higher than this, because there are a certain number of secret labour camps completely under military control which are entirely cut off from the outside world. It is clear that their inmates were not included in the census taken before the general elections.)



8. In addition, there is another form of forced labour in Communist China which is even greater in magnitude: conscript labour. According to the People's Daily of 5 November 1951, Fu Tso-yi declared, at the third meeting of the Political Consultative Conference, that "during the last two years, a total of 10,370,000 persons were mobilized to work on water conservation projects". What a startling figure! It is also quite common to find that hundreds of thousands of inhabitants were mobilized for a provincial project. Thus, a labour force consisting of 100,000 inhabitants was mobilized to repair the northern section of the Tientsin-Pukow Railway and the eastern section of the Kiaochow-Tsinan Railway (Ta Kung Pao, Hong Kong, 5 November 1951).

There are other examples. In 1952, 338,000 inhabitants were mobilized to check the flood in the Northeast (New China News Agency dispatch dated 20 October 1952). The project of dredging the rivers Shu and Yi took three and a half years and required a total of 2 million labourers and technicians to accomplish (Ta Kung Pao, Hong Kong, July 1952). Two hundred thousand inhabitants were ordered to participate in the Tungting Lake conservations project in Hunan (Ta Kung Pao, Tientsin, 14 January 1953). A conscripted labour force of 1 million civilians and People's Liberation Army personnel have been working on the Hung Yen Reservoir project in Sinkiang since 1950 (People's Daily, 10 June 1953). Over 800,000 farmers were mobilized in Anhwei to repair waterways, irrigation canals, dams and dikes in the winter (People's Daily, 7 February 1954). Assuming, conservatively, that the number of civilians forced to work on public projects in each province averages between 200,000 and 300,000, the figure of 7 million to 8 million would be arrived at as the total number of civilians conscripted for such service each year.

The various figures given above may be arranged in tabular form as follows:

Number of slave-labourers in Communist China

	Number of persons
People who became slave-labourers as a result of the "Suppression of counter-revolutionaries" Campaign	1,560,000
Captured Chinese Government troops used as slave-labourers	1,000,000
People who became slave-labourers as a result of the "Three Anti" Campaign	1,000,000
People who became slave-labourers as a result of the "Five Anti" Campaign	1,000,000
People who became slave-labourers as a result of other campaigns	7,940,000
Victims of disasters used as slave-labourers	3,000,000
Slave-labourers sent abroad	1,500,000
Civilians committed to forced labour	8,000,000
Total	25,000,000

Number of slave-labourers in labour camps: typical examples

	Number of slave-labourers		Source
1. Reform Centre for Prisoners, Kukong, Kwangtung.	3,500	There were at first 1,190 out of a total of 5,270 prisoners held in the northern ten districts of Kwangtung, who were required to undergo long-term reform. The number has since been increased to 3,500.	<u>Nan Fang Jih Pao</u> , Canton, 26 February 1951.
2. Reformatory labour brigade, Chi-kiang Sze-chwan: railway repairs and coal mining.	1,000	Over 120 persons; increased to 1,000	<u>Nan Fang Jih Pao</u> , Canton, 26 February 1951. <u>Hsin Hua Jih Pao</u> , Chungking, 8 November 1951.
3. Reformatory labour brigade, Kweisui, Suiyuan	2,536	Started from November, 1950	<u>Sing Tao Yat Po</u> , Hong Kong, 1 May 1951.
4. Counter-revolutionaries undergoing reform through labour in prisons in the Central Southern Region of Communist China	812,500	As reported by Teng Tze-hui to the 4th Military and Political Conference of the Central Southern Region.	<u>Chang Kiang Jih Pao</u> , Hankow, 13 December 1951.
5. Other prisoners sentenced to reform through labour.	328,600		<u>Chang Kiang Jih Pao</u> , Hankow, 13 December 1951
6. Ching Ho Farm, operated by the Public Security Bureau, of the City of Peking.	5,000	Figure deduced from information found in Communist newspapers.	<u>New China News Agency</u> , dispatch from Peking, dated 19 October 1951. <u>Kuang Ming Jih Pao</u> , 18 October 1951.

	Number of slave-labourers		Source
7. "New Man" Village, Northern Kiangsu			<u>Sing Tao Yat Po</u> , 18 October 1951.
8. Anshan Labour Corps, under the direction of the People's Court of Liaotung Province.	10,000		
9. Reformatory labour battalions of Eastern Szechwan.	20,000		Report by Yen Hung-yen on the suppression of counter-revolutionary elements (as published in the <u>Hsin Hua Jih Pao</u> October 1951).
10. Reformatory labour battalions of Shansi.		Statistics for the month of August show that over 90 per cent of the prisoners in Shansi prisons were assigned to reformatory labour battalions.	<u>New China News Agency</u> dispatch September, 1952.
11. Slave-labourers in Kwangtung.	60,000	This figure represents the number of prisoners who were assigned to forced labour on one single occasion.	Report by Ku Ta-Tsun, Vice-Chairman of the Kwangtung Provincial Government.
12. Over eighty groups of prisoners assigned to forced labour in Kwangtung.	Over 30,000		Communist newspaper <u>Nan Fang Jih Pao</u> , 1952.

	Number of slave-labourers		Source
13. Slave-labourers in the Northwest Region.	730,000	Sick and wounded military personnel who were captured by the Communists and subsequently sent to Sinkiang and Ianchow to cultivate land for collective farms, to build roads and to work in mines.	<u>Nan Fang Jih Pao</u> , Canton, 27 November 1951.
14. Captured Chinese Government troops assigned to forced labour in Sinkiang	100,000	Tao Chih-yueh reported: "The soldiers of the People's Liberation Army, with guns on their shoulders and tools in their hands, are vigorously engaged in production. They form an excellent 'Production Army'."	<u>Chun Chung Jih Pao</u> , Sian, 2 December 1951.
15. Shanghai concentration camp, model prison, Shih-tze-kou, Soochow.	1,900	Captured Chinese Government army officers with the rank of lieutenant-colonel or above as reported by Pastor Peter Jen who fled from the mainland of China to Formosa: "Everyone here is forced to work like an animal under the euphemistic slogan of 'reform through labour' and suffers immensely."	<u>Sin Sang Pao</u> , Taipei, 7 November 1951.
16. First Production Corps of the Public Security Bureau, Peking.	300	Yang Shao-lin stated: "I was detained in the so-called First Production Corps of the Public Security Bureau which was stationed in San Yuan Hall outside Yung Ting Gate".	<u>America Today</u> , United States Information Service, Hong Kong, 22 November 1951.
17. No. 1 Prison, Kiukiang.		Mentioned in an article entitled "I accuse" by Chung Chi.	<u>Mainland Today</u> , Taipei, 16 January 1952
18. National Farm at Sungkiang.			<u>Voice of China</u> Vol. IV, No.9, Hong Kong.

	Number of slave-labourers		Source
19. Secret concentra- tion camp in Shunteh District, Kwangtung.	Over 3,000		<u>The World Today</u> , United States Information Service, Hong Kong, 15 June 1952.

Number of inhabitants conscripted for slave-labour by the  
 Chinese Communists: typical examples

	Distance (Kilometres)	Number of slave-labourers	Source
1. Railways: Restoration of the northern section of the Tientsin-Pukow Railway and the eastern section of the Kiaochow-Tsinan Railway.		100,000 (civilian labourers)	<u>Ta Kung Pao</u> , Hong Kong, 5 November 1951.
Paoki-Chengtu Railway.		17,000 (young farm workers and starving people from Shensi, Shantung and Honan, and slave labourers conscripted for the speedy construction of the railway)	<u>Central News Agency</u> dispatched from Hong Kong dated 21 December 1954.
Section between Suining and the border of Mongolia	600 miles	(completed on 11 December 1954)	<u>Associated Press</u> dispatch from London, dated 12 December 1954.
2. Highways: Sikang-Tibet Highway		50,000	<u>New China News Agency</u> , dispatch from Sikang, dated 25 May 1952.
3. Water conserva- tion: mobilization of inhabitants in the entire Communist-controlled area to participate in water conservation projects (for a period of two years).		10,370,000 (As reported by Fu Tso-yi at the third meeting of the Political Consultation Conference)	<u>People's Daily</u> , 5 November 1951.

	Distance (Kilometres)	Number of slave-labourers	Source
3. Water conservation: (contd.) Checking of the flood which occurred in the Northeast.		338,000	<u>New China News Agency</u> dispatch dated 20 October 1952.
Dredging of the rivers Shu and Yi in Shantung		2,000,000 (Civilian labourers and skilled workers mobilized to work on the project for three and a half years)	<u>Ta Kung Pao,</u> Hong Kong, 4 July 1952.
Tungting Lake conservation project, Hunan.		200,000	<u>Ta Kung Pao,</u> Tientsin, 14 January 1953
Hung Yen reservoir project, Sinkiang.		1,000,000 (Work started in 1950)	<u>People's Daily</u> 10 June 1953.
Winter repairs of the water conservation system in Anhwei.		800,000	<u>People's Daily</u> 7 February 1954.



## V. Conclusions

From what has been said in the previous chapters, it may be concluded that those who do not accede to the demands of the Chinese Communists, those who do not want to live under the Communist regime as slaves and those considered by the Chinese Communists as potential insurrectionists in the event of a war launched according to the Soviet time-table of aggression, have all been earmarked for elimination.

The system of forced labour, as practised by the Chinese Communists, is even more vicious than the system prevailing in Soviet Russia. It deprives individuals of their human rights and freedoms, destroys the human dignity and extracts the last drop of their blood and sweat. Such a system of forced labour not only violates the United Nations Charter, but also constitutes the type of forced labour described by the United Nations Economic and Social Council as "a means of political coercion or punishment ... on such a scale as to constitute an important element in the economy of a given country". In addition, such a system aims at encroaching upon the territory of neighbouring States and destroying human beings, which is totally incompatible with humanitarian principles.

In these circumstances, the Government of the Republic of China requests that the United Nations give serious consideration to this matter and adopt effective sanctions with a view to eliminating this great evil so that world peace may be preserved and the noble aims of the United Nations fulfilled. Furthermore, the Chinese Government urges the United Nations and the International Labour Organisation to take the following action without delay:

1. To establish under their joint auspices a permanent organ to study the question of forced labour and consider appropriate measures to eliminate the system of forced labour which is incompatible with humanitarian principles, violates the Charter and threatens world peace;
2. To include in the Convention on Slavery the aforementioned forms of forced labour together with provisions for their strict prohibition by the United Nations.

2. Report by the Government of the United States of America

By a note dated 15 February 1955, the Government of the United States of America submitted a report on "Evidence of the existence of forced labour in Communist China". The text of this report is 7/ as follows:

EVIDENCE OF THE EXISTENCE OF FORCED LABOUR IN COMMUNIST CHINA

I. Documentary evidence of policy

Proof that forced labour constitutes an important element of Chinese Communist domestic control measures can be found in the speeches of top Chinese Communist leaders, including Chairman Mao Tse-tung, Party Secretary Liu Shao-ch'i, Premier Chou En-lai, Internal Security Minister Lo Jui-ching, and others, and in various laws and regulations enacted by the Peking regime since its establishment in 1949.

A. Statements of Leaders

Mao Tse-tung, in a speech, "On the People's Democratic Dictatorship", given on 1 July 1949 stated:

After the overthrow of their political power, any reactionary class and other reactionaries who do not engage themselves in any rebellions, subversive or disorderly activities shall likewise be granted land and given work in order to enable them to continue to live and to reform themselves through labour so as to become new men. If they do not wish to engage themselves in labour, the people's State shall force them to do so.

In the following year, on 14 June 1950, Liu Shao-ch'i, in a "Report on Agrarian Reform Problem" for the second meeting of the National Committee of the Chinese People's Political Consultative Conference, asserted: "... After undergoing long-term reform through labour, it is possible for the landlords to become new men".

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7/ An appendix to this report contained the texts of certain regulations. These texts are reproduced in section B below as documents (xvi) and (xviii).

Still later, on 23 October 1951, Chou En-lai at the third session of the National Political Consultative Conference announced penalties for "those who have 'blood debts' or those counter-revolutionary elements who have inflicted serious damage to national interests" and stated:

To those who deserve the death sentence but who have no "blood debt" or inflicted less serious damages to national interests, we would still hand down the death sentence but would have their execution deferred for a period of two years, during which they would do forced labour on probation.

Lo Jui-ching, who was Minister of Internal Security has been chiefly responsible for the enforcement of "reform through labour" regulations, has commented on the subject several times in the period of 1951 and 1954. In the Peking People's Daily of 26 June 1951, Lo was reported to have explained "reform through labour" as "both a kind of punishment and a kind of education for the culprits, and forcing these culprits to work and to produce will keep them from counter-revolutionary activities".

In the 1 October 1951 issue of the same newspaper, he was reported to have said: "... in addition to the counter-revolutionaries, who had been executed in order to appease the rightful indignation of the people, a large number had been sentenced to prison terms and subjected to compulsory reform through labour".

## B. Regulations

The primary law pertaining to "reform through labour" is the "Regulations Enacted in the People's Republic of China Governing Reform through Labour"<sup>8/</sup> adopted on 26 August 1954. Prior to the enactment of this law, provisions for forced labour had been introduced into several fundamental organic documents and regulations, the most important of which are the following:

1. The preconstitutional "Common Program" adopted by the Chinese People's Political Consultative Conference on 24 September 1949 provides for forced labour (article 7)<sup>9/</sup> by stipulating that counter-revolutionary elements shall be

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<sup>8/</sup> The text of these regulations is reproduced below as document (xvi), section B, page 177.

<sup>9/</sup> The text of this article is reproduced below as document (ii), section B, page 152.

compelled to reform themselves through labour so as to become new men. If they continue their counter-revolutionary activities, they will be severely punished.

2. The Land Reform Law, adopted at the eighth meeting of the Central People's Government on 28 June 1950, in article 10 states: "An equal share shall also be allocated to the landlord so that the landlord may make a living by his own labour, and reform himself through labour".

3. "Provisional Regulations Governing the Punishment of Law-Breaking Landlords in East China", passed at the 28th meeting of the East China Military and Political Commission, 19 September 1950, includes regulations concerning forced labour in articles 3, 6 and 8.<sup>10/</sup>

4. Similar "Provisional Regulations Governing the Punishment of Law-Breaking Landlords in the Central and South China Area" promulgated by the Central-South Military and Political Commission on 16 November 1950, provide in articles 3 and 5 for punishment of "law-breaking landlords" by "repentance in public, hard labour, or imprisonment" for periods ranging from under one year to not more than five years.<sup>11/</sup> Article 8 of the same regulations provides that these terms may be terminated or shortened "when such elements have positively increased production through labour and have actually reformed in compliance with the people's supervision".

5. "Decisions by the State Administration Council concerning the Establishment of People's Tribunals during the Five-Anti Campaign", passed at the 129th meeting of the State Administration Council on 21 March 1952 provided that:

The municipal People's Tribunal for the municipal or hsien People's Court shall have the power to make arrest, to pass such sentences as recovery of illegal income, imposition of indemnity or fine, confiscation of property, deprivation of political rights, controlled reform through labour, imprisonment for a definite period, life imprisonment and death, and to suspend sentence or order acquittal.

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<sup>10/</sup> The text of these articles is reproduced below as document (iv), section B, page 153.

<sup>11/</sup> The full text is reproduced below as document (v), section B, page 153.

6. "Decisions by the State Administration Council concerning the Establishment of People's Tribunals during the Three-Anti Campaign",<sup>12/</sup> passed at the 130th meeting of the State Administration Council on 28 March 1952, provided that: "The people's Tribunal of each unit shall have the power to subpoena, arrest, detain, release, and sentence to institutional custody, reform through labour..."

7. "Provisional Measures for the Control of Counter-Revolutionary Elements", promulgated by the State Administration Council on 27 June 1952, mentions forced labour in article 5: "Persons under control shall: (1) obey Government control provisions; (2) actively participate in labour production; and (3) immediately make a report when discovering other people engaging in counter-revolutionary activities".

8. The "Constitution of the People's Republic of China" adopted by the Chinese Communist Nationalist People's Congress, the highest deliberative body in Communist China contains in article 19 the following provision:<sup>13/</sup>

... The State deprives feudal landlords and bureaucrat-capitalists of political rights for a specified period of time according to law; at the same time it provides them with a way to earn a living, in order to enable them to reform through work and become citizens who earn their livelihood by their own labour.

9. According to the "Regulations of the People's Republic of China for the Punishment of Counter-revolutionaries",<sup>14/</sup> promulgated on 21 February 1951, punishment for "counter-revolutionary activities" included both death and life imprisonment, and one or the other of these sentences was the fate of almost all accused under this law. In the cases of persons who received the death sentence and who were not summarily executed, many death sentences were suspended for varying periods of years in order that they might "reform themselves through labour". At the end of this period of "reform" the death sentences were to be reviewed to determine whether they had shown sufficient signs of "reform" or were to be executed. Most of those sentenced to life imprisonment had their sentences commuted to "reform through labour".

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<sup>12/</sup> The full text is reproduced below as document (x), section B, page 169.

<sup>13/</sup> The full text is reproduced below as document (i), section B, page 152.

<sup>14/</sup> The text of these regulations is reproduced below as document (vi), section B page 153.

## II. Implementation of policy

Great emphasis is placed on the role of the forced labour groups in the State's production plans and article 30 of the Reform through Labour Regulations states: "The productive activities of reformatory labour shall serve the needs of national economic reconstruction and shall be integrated with the general programme of national reconstruction through production". Article 35 provides that in consideration of production needs, criminal manpower may be transferred from area to area after approval has been obtained from the Government Administration Council.

In his speech before the Government Administration Council explaining the regulations, Lo Jui-ching said that the criminals had carried out production on a "considerably large scale", and that

during the past four years, many reformatory labour farms have been set up, some of the larger farms having an area of over 10,000 mow. A number of industrial plants have also been established under this programme. In addition, numerous labour corps have been organized for public works such as water conservation, railway construction, lumber collection and house building. These productive enterprises, besides directly contributing to the development of national reconstruction, have resulted in substantial savings for the State, thus creating a large amount of national wealth. 15/

### A. "Reform through Labour"

The number of persons involved in "reform through labour" in Communist China is difficult to estimate. From various sources it would appear, however, that there is at least one forced labour camp in each of China's more than 2,000 hsien.

The Government of the Republic of China states that according to incomplete Communist statistics of June 1952, there were the following number of forced labourers in the six major districts of China:

Northeast	1,100,000
North	1,700,000
Northwest	2,430,000
Southwest	310,000
East China	1,850,000
Central-South	<u>630,000</u>
Total	8,020,000

15/ The full text of the speech is reproduced below as document (xvii), section B, page 190.

Another indication of the extent of forced labour may be seen in the report of Ku Ta-ts'un, Vice-Governor of Kwangtung Province, cited in the Canton Nan Fang Jih Pao on 18 September 1951. He stated that 1,571 cases of "counter-revolutionary" attempts were exposed, involving the arrest of 89,701 "reactionary elements", of whom 28,332 were shot, and the rest (61,369) sentenced to "reform through labour".

The camps are patterned after the Soviet model and were set up with the assistance of Soviet advisors. The prisoners in these camps quite often work side by side with ordinary labourers on the same projects. On 18 March 1951, the New China News Agency (NCNA) gives the following report of a forced labour camp of which it is apparently quite proud:

As a result of the work of educating counter-revolutionary criminals through labour during the past year, the Ch'ingho Farm /116 18' E, 40 02'7 under the Public Security Bureau of the Peking Municipal People's Government... began functioning in March 1950. At that time, the site of the farm was an expanse of desolate field with a sparse population.

Through no more than one year's construction, eight new villages have been built, over 2,500 chien (units) of rooms have been constructed, ditches measuring 1,500,000 cubic metres with main ones over 20 li (10 kilometres) long have been dug, and two power-driven pumping stations have been erected, capable of irrigating 50,000 mow (3333.33 hectares) of land. Electric light and telephones have been installed on the farm, and clinics, engineering corps, transport corps, and laboratories have been established.

In addition to this, in keeping with the farm's requirements and characteristics, there have been established brick kilns, rice mills and a straw bag factory. Last year 7,000 mow (466.66 hectares) of barren land was reclaimed, rice has been planted on 5,000 mow (333.33 hectares), and 2,600,000 catties (1,300 metric tons) of unhusked rice have been reaped.

This year (1951) 33,000 mow (2,200 hectares) have been reclaimed, the anticipated yield is 15,000,000 catties (7,500 metric tons) of unhusked rice. Sideline occupations - raising of chickens, ducks, cattle, hogs, rabbits - deliver part of the produce to the Government.

In describing the work methods for "reform through labour" groups, NCNA pointed out that there should also be adopted the method of mobilization... to keep the criminals constantly active and maintain labour morale. For instance, when ditches were dug last spring, water in the ditches froze, but some criminals stood barefooted on the ice, digging earth, and some criminals dug as much as 34 cubic metres per day.

A less enthusiastic account of a forced labour camp was given by an escapee from the camp at Yingtak in Kwangtung. According to this informant, this camp was the second largest in Kwangtung, was about 15 miles across, and contained some 70,000 prisoners. The camp, although not surrounded by barbed wire, was under heavy guard and the prisoners were forced to wear coats and trousers marked with large black characters indicating they were forced labourers. During the 19 months the informant was a prisoner, 15 men were shot for various crimes committed while in camp, including 3 who were found guilty of trying to escape.

The prisoners were wakened at 5 a.m. and marched off to work after roll call. They had a 20-minute rest for food at 10 a.m. and then worked without a break until five in the evening returning to barracks at six. The prisoners then took turns in washing and cooking their supper. Beginning at seven they received two hours of indoctrination followed by an hour of exercise. All lights were out at 10 p.m.

The provisions in the 1954 regulations relating to the release of prisoners on the completion of their prison terms<sup>16/</sup> are significant. Normally, they are to be released and paid travelling expenses to their homes on the expiration of their sentences or on release upon parole. In the case of those who voluntarily elect to remain with the Labour Service Corps, or who have no home to return to, steps are to be taken to find employment for them.

The following categories will remain in corrective labour camps or place themselves at the disposal of the authorities:

1. Those who are willing to remain and whose services are required;
2. Those who have no homes to return to or who have no other prospects of employment;
3. Those in sparsely populated places who should be placed locally in co-ordination with the resettlement policy.

The only prisoners qualified to be freed unconditionally are those who have good prospects and have acquired productive skill.

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<sup>16/</sup> The text of the regulations is reproduced below as document (xviii), section B, page 195.



Communist press reports indicate that people condemned to "reform through labour" are employed in a wide variety of activities, ranging from major construction projects and land reclamation to bean curd and brick manufacturing. The magnitude of these projects can be deduced from statistics on brick production for 1953. Lo Jui-ching stated on 26 August 1954 that more than 2,000,000,000 bricks and 770,000,000 tiles had been manufactured by "reform through labour" units during the previous year.<sup>17/</sup>

According to the People's Daily of 7 September 1954 more than 83 per cent of the "criminals in confinement throughout the country have participated in agricultural and industrial production, or have been organized into various engineering corps for the felling of timber, construction of buildings, restoration and construction of conservancy works, and the building of railways and highways".<sup>18/</sup>

Prisoners with bad records while in custody, which indicate they had not been successfully "reformed" during their confinement and were likely to continue their "criminal" activities after serving their terms, may, on the recommendation of the authorities of the Labour Service Corps, be brought before a court and sentenced to a continued term of labour service for reform or execution.

A report on 10 April 1952 in describing the programme in the Peking area commented on an unsuccessful instance of "reform through labour":

Against those who practice lazy strikes and behave badly, a struggle by criticism is waged to eliminate their reactionary thoughts; those stubborn counter-revolutionaries who openly resist reform through labour and secretly carry out sabotage or even organize escape are suppressed and organized into special labour groups to be subjected to strict control or given heavier sentences. For instance, Kuomintang Army BIS agent Tu Hsi-chin, former chief of the first sub-office of the bogus Tangku-Taku police bureau, resisted control measures during the period of reform through labour and organized the escape of six criminals including

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<sup>17/</sup> In the United States in 1949 the total production of unglazed brick was 5,842,479,000. United States Statistical Abstract, 1949.

<sup>18/</sup> The full text of the editorial is reproduced below as document (xxvii), section B, page 236.

Yang Tsung-hsien. Criminal Tu was apprehended by our Public Security Bureau at Peking, was sentenced to death after trial, and was escorted to the Farm to face the firing squad.

The NCNA' Chungking, in reporting on "reform through labour" in southwest China on 15 December 1951, described the case of another "counter-revolutionary" who refused to be reformed as follows:

... counter-revolutionary Wu Chung-ying of Tzechung county in South Szechwan was originally sentenced to five years imprisonment. In the course of reform through labour, convict Wu not only failed to engage in production honestly, but disseminated rumours, organized convicts and seized the arms of the guards. The People's Court thereupon sentenced the convict to death, executed him on the spot, and launched a discussion of his crimes among all counter-revolutionaries in order to make the case a warning to others.

#### B. Involuntary Labour

The involuntary labour force, composed of military personnel, corvée workers, unemployed, famine victims, and other refugees, constitutes by far the largest number of forced labourers. It is concentrated in a series of "labour-intensive" projects in the fields of afforestation, and urban improvements such as sewage disposal, drainage, and housing projects.

It is estimated that individuals in these categories contribute about 5,000,000 man-years of labour per year. It should not be inferred from this, however, that only 5,000,000 individuals are involved. In all probability considerably more than this number participate for shorter periods of time since both army and corvée labourers have duties other than working for the State. There is no way to estimate accurately the total number of individuals involved.

Chinese armies traditionally have been engaged in productive non-military enterprises. In Communist China, army units have been employed on almost all types of projects, especially farming in the northwest (specifically in Sinkiang). Some of these units were made up of former Kuomintang soldiers who were put through a short "reform" course of work on railroads or highways, before being incorporated into the Communist army.

Non-military corvée labour varies from an annual call on all adults to work on local dykes and roads to the recruiting of labour battalions and emergency conscription on a semi-permanent basis. This work is generally seasonal

in character and is usually concentrated in the early spring, before peak agricultural labour requirements and before the high water season. There seems to be no uniform or nationwide regulations governing conditions of work for this type of labour. Labourers may receive some pay, but this is usually in the form of a tax relief.

Famine refugees and urban unemployment have been critical problems for Communist China since 1949. Since both these groups represent potential sources of discontent, the Communist Government has found it necessary to deal with them. The Communist solution appears to be to remove them from their native areas and isolate them in labour camps. Labour exchanges and compulsory registration of unemployed in urban areas has facilitated this use of the unemployed.

According to the People's Handbook, 1953, published by the Ta Kung Pao Tientsin, the following construction projects using corvée labour have been underway in China since 1949.

- A. Conservancy projects: Altogether 20,000,000 people participated in these projects through 1953.
1. Huai River projects
    - a. Building of reservoirs
      - (1) Poshan Reservoir project (1952-53) in Chuehshan, Honan
      - (2) Nanwan Reservoir project (Dec. 1952-Dec. 1953) in Hsinyang, Honan
      - (3) Futseling Reservoir project (Feb. 1952- ) in Hoshan, Anhwei
      - (4) Meishan Reservoir project (in Chintsai, Anhwei)
      - (5) Paisha Reservoir project (Mar. 1951-May 1952) in Yuhsien, Honan
    - b. Dredging of the Huai River channel  
This includes diversion project for 30 tributaries, dredging of the Hungtze Lake in Northern Kiangsu Province and construction of water lock and sluice gates (principal ones completed in or before 1953 are: Junhoch'ih Water Lock, Sanho Sluice Gate and Kaoliangchen Water Lock).
    - c. Irrigation projects  
Construction of a 170-km canal with many off-shoots and sluice gates from Hungtze Lake to the Yellow Sea begun in winter of 1952.

2. Yellow River projects  
Building of dykes along the lower reaches of the river (1,300 kilometres of dykes have been built in Shantung and Honan Provinces since 1950).
3. Yellow River projects  
Chinkiang River Diversion Project (1952)
4. Dredging of the Shu and I Rivers in Shantung Province (1949-1952)  
Over 2,000,000 workers mobilized in this project.
5. Southern Tungting Lake project in Hunan Province (Dec. 1952 - May 1953)  
Over 250,000 civilian workers participated in this project during December 1952 - March 1953 (People's Handbook, 1953) and over 13,000 model workers emerged throughout the project (Map of People's China by Province, 1952 edition).
6. Kuanting Reservoir project in Hopei Province (Nov. 1951 - Dec. 1953)
7. Hungyench'ih Reservoir project in Tihwa, Sinkiang Province (Sept. 1950 - 1953)  
Over 10,000 minority peoples and soldiers participated in this project (People's Handbook, 1953).
8. Red Star Canal. ( 1951 - Aug. 1952)  
This is a 20-mile canal, built by the People's Liberation Army stationed in Hami. Sinkiang.
9. No. 2 Red Star Canal. (Summer 1952 - Spring 1953)  
This is a 25-mile canal built by the People's Liberation Army in Hami, Sinkiang.
10. Canals in Yenchi Basin, Central Sinkiang:  
No. 1 Liberation Canal (110 kms. in length, completed 1951).  
No. 2 Liberation Canal (127 kms. in length, completed Sept. 1952).  
18th Army Corps Canal (50 kms. in length, completed April 1951).  
All built by People's Liberation Army in Sinkiang.
11. Akesu Victory Canal (West Sinkiang)  
According to the Map of People's China by Provinces, 1953 edition, this is a great project built by the People's Liberation Army since 1951. The project includes the building of a 48-km. canal, 26 sluice gates and a dam of 450 metres in span.
12. Shih't'an Dyke project in Pearl River Delta (Kwangtung)  
This project includes the building of dykes, diversion of the Tseng Kiang, building of five sluice gates at Chiangkou and Talichou and a dam near Lienhohsu and is expected to be completed this year (1954).

B. Railway projects:

1. Chengtu-Chungking Railway (15 June 1950 - 1 July 1953)
2. Tienshui-Lanchow Railway (347 kms., May 1950 - August 1952)
3. Chinchow-Chengte Railway (340 kms., March - September 1952)  
About 3,000 railway workers and 4,000 civilian workers were employed in this project.
4. Chincheng-Chentzetung Railway (October - November 1952) a 102 km. spur line of the Chinese Changchun Railway
5. Rerailing of the Yangchuan-Taiyuan section along the Shihchiachuang-Taiyuan Railway (1949-1952)
6. Tienshui-Dhengtu Railway, 750 kms. (July 1952 - )
7. Lanchow-Sinkiang Railway (October 1952 - )
8. Fengtai-Shacheng (Huailai) Railway, 100 kms. (1953- )
9. Spur lines leading into the forest of Tahsinganling in Manchuria (1952- )

C. Road projects:

1. Sikang-Tibet Road (1950- )
2. Chinghai-Tibet Road - 1,130 kms. (1953)
3. Chengtu-Chungyapa Road - 526 kms. (March 1951 - March 1953)
4. Linhsia-Hsiacho Road in Kansu Province - 103 kms. (August - November 1952)
5. Tihva-Kuerhla in Sinkiang Province - 321 kms. (January - August 1952)

D. Other projects:

1. Tangku Harbour Project (1951- )
2. Han River Bridge between Hankow and Hanyang (July 1953 - ).
3. Yangtze Bridge between Wuchang and Hankow (under survey)

III. Forced labour aspects of free labour

Forced and involuntary labourers all work under conditions that differ only in degree from much of the "free" labour in Communist China. "Free" labour is becoming increasingly circumscribed through restrictions on the freedom of movement and choice of work, and through "Stakhanovite" trade unionism, a harsh system of accountability for defective products and tools or failure to meet production goals, and a continuing programme of political indoctrination during the workers' "spare time".

The Labour Union Law passed in 1950 shows clearly that all labour organizations were designed as instruments of control rather than for the protection of labour as is the case in the free world. Article 9 of the Labour Union Law states the activities of the labour union:

With a view to protecting the fundamental interests of the working class, the labour union should carry out, in accordance with its constitution and resolutions, the following activities:

(1) To educate and to organize the workers and the employees so as to support the laws and ordinances of the People's Government as well as to implement the policy of the People's Government, in order to consolidate the people's authority under the leadership of the working class.

(2) To educate and organize the workers and employees for the establishment of a new attitude of labour, for the strict observance of labour discipline, and for the organization of production emulations together with other production movements, in order to guarantee the fulfilment of production programmes.

In July 1954 the "Outline of Internal Labour Rules for State-Owned Enterprises"<sup>19/</sup> was promulgated. These regulations make it clear that no one may apply for work in a State enterprise without: (1) papers from his previous place of employment; (2) a certificate from the labour office of the local people's government; (3) a certificate issued by a government organ of the Chu where he resides; or (4) identity papers issued by his school.

It is planned that these State enterprises will eventually include all industry in China. The regulations further describe the basic duties of the management, workers, and staff members, the working conditions, and the penalties for breaches of labour discipline.

To implement these regulations "people's courts" and "people's tribunals" have been established to conduct labour hearings in connexion with cases of labour discipline and work regulations. According to Communist statements these courts and tribunals have disposed of over 90,000 cases of "sabotage" since April 1952 (FBIS, 15 September 1954).

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<sup>19/</sup> The text of the regulations is reproduced below as document (xv), section B, page 172.

The most publicized of these cases is that of Chung Yin, a technician in the Kailan mine, who was executed for sabotage a week before the Atlee mission arrived for a visit at the mines. The charge against him was the destruction of the shaft bearings in two pieces of mining machinery which had been imported from the Soviet Union, a crime aggravated by the fact that instead of "confessing" Chung Yin charged that the machinery had been defective when it left the Soviet Union.

A second case, announced in September 1954, is that of Chu Hsiu, a worker in the Tientsin Steel Plant, who was sentenced to death for "sabotaging the production of the Tientsin Steel Plant". According to the charge he drew inaccurate blueprints which caused a loss of 224,000,000 yuan to the Tientsin Steel Plant. The Military Tribunal of the Tientsin Military Control Committee sentenced Chu Hsiu to death with the execution of the sentence to be suspended for a period of two years. This time is to be spent in "reform through labour". If Chu Hsiu reforms sufficiently during these two years his sentence may be changed to life imprisonment or less.

These are only two examples of many that cover a wide range of offenses including minor graft and pilferage, submitting false reports on production achievements, absence, tardiness, negligence, and dereliction of duties.

3. Summary of documents submitted by the United States Government

By a note dated 7 April 1955, the Government of the United States of America submitted various documents, including the texts of laws and regulations and newspaper articles "containing information on the existence of a system of forced labour in Communist China." These texts are reproduced in section B below as documents (xv) to (xvii), (xix) to (xxii), (xxvi) to (xxix), and (xxxi). The United States also submitted a summary of this documentation, the text of which is as follows:

SUMMARY OF MATERIALS ON FORCED LABOUR IN COMMUNIST CHINA

1. Editorial from Jen Min Jih Pao of 21 May 1954, entitled "The Strengthening of the Procurators' Work to Safeguard National Reconstruction."<sup>20/</sup>

The editorial discusses procurators' work in general, and defines the duties of the procurators to include guaranteeing "through operation of the people's democratic legal system and by means of procurators' work the socialist industrialization of the country and the socialist transformation of agriculture, handicraft industry, and capitalist industry and commerce." Therefore the procurators are expected to act as an arm of the State in the implementation of State economic programmes, and not merely as arbiters of justice.

2. "Outline of Internal Labour Rules for State-Owned Enterprises,"<sup>21/</sup> as promulgated on 14 July 1954 and printed in the Jen Min Jih Pao.

These regulations impose strict discipline on workers and severe penalties for any breach in the regulations. In effect, the mobility of labour is restricted, and discipline, rather than incentives, is used to stimulate increased production. There is nothing in the regulations concerning any rights which the labourers themselves enjoy under the new system.

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<sup>20/</sup> The full text is reproduced below as document (xxvi) section B, page 232.

<sup>21/</sup> The full text is reproduced below as document (xv) section B, page 172.



3. Documents on the "Regulations Enacted in the People's Republic of China Governing Reform through Labour,"<sup>22/</sup> consisting of the actual regulations, subsidiary regulations dealing with the release of criminals from labour camps after serving terms, the explanation of the regulations made by Minister of Public Security Lo Jui-Ching<sup>23/</sup> and an editorial setting forth the official policy on labour reform,<sup>24/</sup> all as printed in the Jen Min Jih Pao on 6-7 September 1954.

These regulations constitute the basic proof of the existence of forced labour in Communist China. The explanation by Lo Jui-Ching points out that the institution of forced labour is conceived of as being a permanent fixture on a broad scale that is intended to play an important part in State construction. Forced labour is expected to save "large sums of money for the State."

4. Organic Laws of the People's Courts and People's Procurators' Offices of the People's Republic of China,<sup>25/</sup> as published in the Jen Min Jih Pao of 29 September 1954.

From the stated tasks of the people's courts and procurators, it is self-evident that safeguarding the "rights and legitimate interests of citizens" is equated with ensuring the "smooth progress of the Socialist construction and Socialist transformation of the country." A function of the people's courts to "educate the people to be loyal to the Fatherland" is also noticeable.

5. Editorial in the Jen Min Jih Pao of 16 October 1954, entitled "Reform Criminals Into New Men."<sup>26/</sup>

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22/ The full text is reproduced below as document (xvi) section B, page 177.

23/ The full text is reproduced below as document (xvii), section B, page 190.

24/ The full text is reproduced below as document (xxvii) section B, page 236.

25/ The full text is reproduced below as document (xix) section B, page 197.

26/ The full text is reproduced below as document (xxviii) section B, page 240.

Categories of work performed by forced labour are revealed in this editorial. In addition to agricultural work, forced labour is employed in factories, mines, engineering projects, etc. Two "corrective labour engineer corps" are mentioned - the Huai River Engineering Corps and the Tienshui-Lanchow Railway Corps. The Huai River Flood Control Project and the construction of the Tienshui-Lanchow railway are both large-scale projects which in the past have been reported as being undertaken with large numbers of forced labourers.

6. Editorial from the Jen Min Jih Pao of 22 October 1954, entitled "Oppose Breaches of Labour Discipline."<sup>27/</sup>

A further exposition of the "importance of labour discipline as a guarantee to production." The editorial makes it clear that labour discipline "becomes a powerful weapon to maintain production, to direct the production of the workers correctly, and to arouse the labour ardour of the workers." "It would be an act of sabotage," the editorial states, "if one should consistently be absent from work, go slow or disobey directions and assignments, or take any such attitude toward the working classes' own enterprises."

7. Directive on Study and Implementation of Organic Law of People's Courts,<sup>28/</sup> as printed in the 11 December 1954 issue of the Jen Min Jih Pao.

The directive requires "judicial cadres of all levels to lay emphasis on /unanimously acquiring a correct understanding" of six problems concerning the Organic Law of the People's Courts. One problem is understanding the mission of the people's Courts, which is stated to be "the enforcement of dictatorship and the protection of democracy." "Judicial work must be made to serve the political mission of the State," it is further explained, and the people's Courts are "required not only to deal out punishment but also to educate the people."

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<sup>27/</sup> The full text is reproduced below as document (xxix) section B, page 243.

<sup>28/</sup> The full text is reproduced below as document (xx) section B, page 211.

8. Regulations of the People's Republic of China Governing the Arrest and Detention of Persons,<sup>29/</sup> as published in the Jen Min Jih Pao of 21 December 1955.

Arrest and detention in Communist China, according to these regulations, is in keeping with the legal interpretations listed above. Although personal safeguards are said to exist, all safeguards may be suspended in case of "emergency."

9. Regulations of Urban Organizations,<sup>30/</sup> as promulgated in the Jen Min Jih Pao of 1 January 1955, together with explanatory Jen Min Jih Pao editorial of 2 January 1955.<sup>31/</sup>

It is made plain by the explanatory editorial that the purpose of the new regulations is to take the burden of public security work - i.e. political control of urban inhabitants - out of the hands of the official public security organs and place it in the hands of "inhabitants committees" which fall under the jurisdiction of "street offices" - the lowest level of State power. Thus the extension of "basic-level State power" into the life of the average Chinese city-dweller is made much more complete.

10. Editorial from the Jen Min Jih Pao of 8 January 1955, entitled "For more effective Suppression of the Enemy and Protection of the People."<sup>32/</sup>

An explanation in Chinese Communist terms of the regulations governing arrest and detention. The editorial notes that the regulations "will be very advantageous both to the consolidation of the people's democratic dictatorship and to the safeguarding of national construction." The "safeguarding of the democratic rights of citizens" as one of the aims of the regulations is listed by the editorial after "protection of State interests" and "maintenance of public order" in order of precedence. The subordination of the rights of the individual is apparent from these words.

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<sup>29/</sup> The full text is reproduced below as document (xxi) section B, page 213.

<sup>30/</sup> The full text is reproduced below as document (xxii) section B, page 216.

<sup>31/</sup> The full text is reproduced below as document (xxx) section B, page 248.

<sup>32/</sup> The full text is reproduced below as document (xxxii) section B, page 252.

4. Memorandum by the International Confederation  
of Free Trade Unions

By a note dated 5 October 1954, the International Confederation of Free Trade Unions submitted a memorandum entitled "New Data on China Forced Labour," together with the text of certain regulations and of an official statement. The text of the report is as follows:

NEW DATA ON CHINA FORCED LABOUR

The Report of the Ad Hoc Committee on Forced Labour mentions that it was not possible to complete its study of the allegations relating to China because documentary material pertaining thereto (particularly the laws and regulations) had not been cited nor submitted and could not be obtained by the Committee. Nevertheless, the International Confederation of Free Trade Unions continued its investigation and is in a position to submit to the Economic and Social Council such official documentation on forced labour in the China Mainland which the Ad Hoc Committee was not able to obtain. It consists of:

1. Regulations Enacted in the People's Republic of China Governing Reform through Labour ( New China News Agency (NCNA) Peking 7 September 1954)<sup>33/</sup>
2. Explanatory Statement of the Draft of Regulations Governing Reform through Labour of the People's Republic of China (by Lo Jui-Ching and NCNA, Peking 7 September 1954)<sup>34/</sup>
3. Provisional Measures Governing the Release of Prisoners upon Completion of Terms of Reformatory Labour and Concerning their Resettlement and Employment.<sup>35/</sup>

Now we have before us the Government Administration Council of the Peking Central People's Government decision of 26 August 1954, and representing the Regulations Enacted in the People's Republic of China Governing Reform through Labour. These Regulations, together with the subsidiary Provisional Measures

<sup>33/</sup> The text is reproduced below as document (xvi) section B, page 177.

<sup>34/</sup> The text is reproduced below as document (xvii) section B, page 190.

<sup>35/</sup> The text is reproduced below as document (xviii) section B, page 195.

provide for the employment of former criminals who have completed their prison terms. What was up to now only rumours from scattered sources is at this moment officially admitted. It is based on a directive of Chairman Mao Tse-tung, "On People's Democratic Dictatorship," as well as the provisions of article 7 of the Common Programme.

Mao explained that reactionaries, on the overthrow of their government, "will be allowed to continue to live and to reform themselves through labour. If they do not want to work, the people's state will force them to do so."

Article 7 of the Common Programme clearly declares that feudal landlords, bureaucrat-capitalists and reactionary elements in general ... shall be given some means of livelihood through labour so as to become new men.<sup>36/</sup>

Only general provisions are given regarding living conditions of convicts undergoing reform through labour. They are to work for from 9 to 10 hours daily, and not over 12 hours at most during seasonal busy periods.

Most significant are the provisions relating to the release of prisoners on completion of their prison terms. Normally, they are to be released on expiry of their sentences or on parole. In the case of people who voluntarily elect to remain with the Labour Service Corps, or who have no home to return to, steps are to be taken to get them employment.

Prisoners with a bad record while in custody, consequently not successfully "reformed" during their confinement hence likely to continue their criminal activities upon release after serving their terms, may, on the recommendation of the authorities of the Labour Service Corps, be brought before a court and there sentenced to a continued term of labour service for reform.

The first chapter of the Regulations, in its second article stipulates the political character of the forced labour system when it says:

The reformatory labour institutions of the People's Republic of China shall be an instrument of the people's democratic dictatorship and of the agencies responsible for the punishment and reformation of all counter-revolutionary and other criminal prisoners.

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<sup>36/</sup> The text is reproduced below as document (ii) section B, page 152.

The purpose of this detainment is explained in article 4 where it is said: In the reform through labour of all counter-revolutionary and other criminal prisoners, the reformatory labour institutions shall carry out fully the policies of combining primitive control with thought reform and of co-ordinating productive labour with political education.

The emphasis in the entire document on Regulations is on those "criminals" who have to be "reformed," which makes it clear that the purpose is not only the need for workers on certain government enterprises, but the suppression of every kind of opposition to the communist regime. Article 26 clearly spells it out. It states:

By the continuous and systematic use of such methods as collective instruction, private conversations, study of documents and organized discussion, the prisoners shall be trained to confess their guilt and to comply with law and give instruction in political and topical events, productive labour and culture in order that they may recognize their criminality, eliminate their criminal thoughts and form new moral concepts...

How does the People's Government think to enforce the security measures? Article 47 informs us of the ideas of the Chinese Mainland rulers in this direction. It says, in so many words, that where preventive measures have been exhausted, an organ enforcing labour service reform and its security forces may resort to the use of arms.

The 10 or 12 hour work day does not seem strenuous enough for the internee. Therefore the Regulations decree that the criminals shall have one rest day each half month and juvenile delinquents shall have one rest day a week.

Lo Jui-Ching, the Vice-Chairman of the Committee of Political and Legal Affairs GAC, and Minister of Public Security, commenting on the Draft of Regulations Governing Reform through Labour, also tells us who was emulated in these regulations. On 7 September 1954, speaking of the preparation of the document for the Regulations, he says that assistance was received from Soviet legal experts.

In the same document, explaining the treatment of prisoners, Lo Jui-Ching said of the detention houses, that in the establishment of these Houses the Chinese Government was fully in keeping with the spirit of the people's

democratic judicial system. "The reformatory labour laws of the Soviet Union have similar provisions."

These admissions show that the Soviet Union has been taken as an example for dealing with political opponents, all of whom are classified under the same title, "counter-revolutionaries."

The documents show many more statements indicating that the Chinese communists are copying exactly the system of forced labour in the Soviet Union. Mr. Lo Jui-Ching relates his experience which carried the ideological reform to the point that "the overwhelming majority of prisoners have soon genuinely acknowledged their guilt and have been able, to a greater or lesser extent during the prison term to reform their own thinking."

We also learn important data on the economic results of forced labour in China. The "Explanation" mentions the following figures:

Production under the reformatory labour programme has contributed significantly to the supply of commodities to meet the requirements of the basic national development as well as the people's need for consumer's goods. For example, in regard to building materials, over 2,000,000,000 bricks and over 770,000,000 tiles were produced last year, directly contributing to the basic construction work of the nation. The Reformatory Labour Hosiery Works at Peking produced 714,000 dozen socks and stockings last year, thus adding to the supply of consumer's goods for the people. The Tientsin Steel Works produced over 1,700,000 units of connecting parts for heating equipment last year.

These figures show the increasing economic importance which forced labour plays in the national economy.

Countries ... suddenly are found crowded by "criminal elements." Since the main crime committed in these ... nations is the opposition to the communist totalitarian regime, the chapter entitled "Implement Thoroughly the Policy of the Reform of Criminals Through Labour Service" as explained by Jen Min Jih Pao on 7 September 1954, states:

During the past few years, our State has with great fanfare and on a nationwide scope conducted a campaign for the suppression of counter-revolutionaries, and arrested according to law large numbers of

counter-revolutionary elements including bandits, despots, special service agents, key elements of reactionary parties and corps, and leaders of reactionary societies and Taoist organizations. At the same time various criminals who undermined social security and endangered the safety of the State and the people have been placed under restraint in accordance with the law. Of the large number of these counter-revolutionary and other criminals, the minority guilty of heinous crimes and persistent in their refusal to repent had to be sentenced to death in accordance with the law of the State and to appease the hatred of the people.

Nowhere can you find an explanation of who is a reactionary - which shows that the authorities have to use the broadest interpretation so as to include all those elements having a deep conviction which cannot be shattered even by the camp regime's efforts at brain washing.

The following are some conclusions to be drawn from the study of Chinese forced labour:

Forced labour in China does exist in various parts of the Chinese Mainland; The conditions relating to the treatment of prisoners in China bear out the fact that they are closely related to the Soviet system of forced labour; Treatment of inmates of the camps seems to be similar, and copied from the USSR regulations; The majority of the prisoners appear to be "criminals" who could not be forced to accept communist thinking and communist practice.

The documents mentioned above are attached. Their content speaks for itself. Nobody can any longer deny that Chinese "Communism" is not different from Soviet "Communism."

The material attached is not the only information which the International Confederation of Free Trade Unions possess on the topic of forced labour. We have concentrated on the above-mentioned Chinese Mainland documents whose content cannot be disputed.

This is a justification for the further need of an impartial body of experts to continue the study undertaken by the Ad Hoc Committee. In order to have this job done in a very objective way, it is recommended that a committee be appointed jointly with the ILO in order to continue the investigation and report back on its findings. The whole civilized world will welcome such conscientious work and is prepared to face facts - however cruel they may be.



5. Memorandum by the International Commission against  
Concentration Camp Practices

By a letter dated 31 December 1954, the International Commission Against Concentration Camp Practices submitted a memorandum entitled "Information on the system of forced labour believed to be in force in the territory of the People's Republic of China" 37/. The text of this memorandum is as follows:

INFORMATION ON THE SYSTEM OF FORCED LABOUR BELIEVED TO BE IN FORCE  
IN THE TERRITORY OF THE PEOPLE'S REPUBLIC OF CHINA

Any information concerning the alleged existence of a system of forced labour on the Mainland of China must be regarded as "new" in the sense of Economic and Social Council resolution 524 (XVII), since conditions in that country were not studied by the Ad Hoc Committee on Forced Labour.

The Ad Hoc Committee's report (E/2431, p. 16) points out, indeed that although it had received allegations concerning the People's Republic of China, it had not been possible to investigate them "because documentary material relating thereto (particularly the laws and regulations) had not been cited or submitted and could not be obtained by the Committee".

As only a short time has elapsed since the seventeenth session of the Council, the International Commission against Concentration Camp Practices does not claim that this report presents the conclusions of a comprehensive investigation such as the Ad Hoc Committee, with its higher status and the official means at its disposal, could have carried out. The purpose of this memorandum is to communicate the texts of laws and regulations and other documentary evidence from the authorities of the People's Republic of China to which the Ad Hoc Committee did not have access.

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37/ The appendix of the memorandum contained the texts of certain regulations, statements and newspaper articles which are reproduced in section B below as documents (viii) to (x) and (xxvii).

In addition there are sent herewith translations of the Chinese texts (into French or English), and wherever possible, the documents themselves (originals or photostat copies); other documents will be forwarded later.

As soon as possible the Commission will also forward to the United Nations and the ILO a number of original depositions (see below).

These are not the findings of an inquiry, but background materials for an inquiry.

The International Commission against Concentration Camp Practices would be most reluctant to draw conclusions before such an inquiry is completed. Nevertheless, the fact that the documents and other evidence at its disposal constitute a serious presumption of the existence of forced labour of the kind condemned by the Council, is sufficient cause for concern and justifies its anxiety to do everything in its power to ensure that a thorough investigation is conducted.

In its desire to submit only documents which are legally unchallengeable, the Commission has excluded from its files all material, however plausible, and even authentic, emanating from political opponents of the regime in power in the People's Republic of China or capable of being construed as propaganda against the regime. It has admitted only the texts of laws and regulations applicable in the People's Republic of China, as published by the official Government information agencies, and preliminary studies, commentaries and instructions published by these agencies or by the Government-controlled Chinese newspapers.

The Ad Hoc Committee's difficulty, namely the lack of authentic texts to work on, was due to the fact that the period during which it carried out its work was a period of revolution for Mainland China, even though the period of warfare and insurrection had ended. It is of course a law of history that revolutions and the consequent establishment of new systems and legal relationships are not the product of laws and regulations. A de facto situation is imposed by force which merely conforms to general principles proclaimed earlier; not until later does this situation receive the sanction of formal legislation in which these principles are enshrined. It was not until 7 September 1954 that detailed regulations were enacted by the Government of the People's Republic of China concerning the institution of reform through labour. Hence two periods must be considered: first, the period preceding the enactment of the regulations of 7 September 1954, and second, the period during which these regulations have been in force.

(a) The period preceding the enactment of the regulations of 7 September 1954

It would be wrong to infer from the foregoing that the penal system in the People's Republic of China and, more specifically, the reform of offenders through labour, were left entirely to the arbitrary action of local de facto authorities, with no instructions from the Government. According to information received by the International Commission against Concentration Camp Practices, it seems that the enforcement of certain general principles, in a manner varying according to regions and circumstances, has been combined with the application of more and more specific regulations.

The use of forced labour as an instrument for the punishment of persons who do not accept the political ideology of the Government in power is based on article 7 of the Common Programme adopted in September 1949 by the Chinese People's Political Consultative Conference. This article reads as follows: "The People's Republic of China must suppress all counter-revolutionary activities, severely punish all Kuomintang counter-revolutionary war criminals and other leading incorrigible counter-revolutionary elements who collaborate with

imperialism, commit treason against the fatherland and oppose the cause of people's democracy. Counter-revolutionary elements, feudal landlords and bureaucrat-capitalists in general, must be deprived of their political rights within a certain period according to law after they have been disarmed and their special power has been eliminated. However, they shall at the same time be given a means of livelihood and shall be compelled to reform themselves through labour to become new men. If they continue their counter-revolutionary activities, they will be severely punished".

Instances of the application of this principle are found as early as 1950, prior to any known general Government instructions. The earliest instructions appear to be the "Directives for the Suppression of Counter-Revolutionary Activities" issued jointly on 23 July 1950 by the State Administration Council (a Government body performing the functions of a Council of Ministers) and the Supreme People's Court. But a dispatch from the New China News Agency dated Peking, 18 October 1951, and published in the South Canton Daily on 23 October 1951, describing the success of the Public Security Bureau at Peking in its work of reforming counter-revolutionary criminals through labour on the Ching-ho farm near Peking, notes that "the Ching-ho farm broke ground in March 1950".<sup>38/</sup>

The period during which there was no penal law whatever dealing with counter-revolutionaries came to an end with the publication, on 21 February 1951, of a Decree promulgated by the Central People's Government to enact regulations concerning the punishment of counter-revolutionaries.<sup>39/</sup> The report submitted

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<sup>38/</sup> The full text is reproduced below as document (xxiv), section B, page 226.

<sup>39/</sup> The text is reproduced below as document (vi), section B, page 153.

on the previous day to the People's Government Council by Mr. Peng Chen, Vice-Chairman of the Political and Legal Commission, endeavours to answer the criticisms levelled by the people at the Government on the grounds of boundless leniency and "clemency above the law". "Now", he says, "in order to furnish the cadres and the masses with legal weapons for the suppression of counter-revolutionary activities, in order to provide the judges with proper standards for the imposition of heavy penalties on counter-revolutionary criminals, in order to overcome rightist or leftist deviations in the process of resolutely suppressing counter-revolutionary activities, it is necessary to establish regulations for the punishment of counter-revolutionaries. The Central People's Government has been requested by various local authorities to promulgate such regulations as soon as possible".<sup>40/</sup>

The regulations themselves constitute a penal enactment which is not specially concerned with forced labour. The penalties laid down in the regulations for counter-revolutionary activities are death, imprisonment for life or for a specific term, and in addition, loss of political rights and total or partial confiscation of property. It is specified that offences not covered by the regulations may be subject to the same penalties similar offences specified therein (article 16), and that the Decree is applicable to offences committed before its entry into force (article 18).

A lengthy official commentary on this Decree was issued by Shih Liang, Minister of Justice of the Central People's Government, and reproduced in a dispatch from the New China News Agency, dated Peking, 25 February 1951, under the title "Let us suppress all counter-revolutionary activities with determination and justice".

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<sup>40/</sup> The full text is reproduced below as document (vii), section B, page 158.

In his account of the former de facto situation, the Minister says that there have also been cases of excessive leniency "in the exercise of supervision (over counter-revolutionaries); education and reform being mistakenly regarded as the most important features of the penalty of imprisonment, and prisons being regarded as schools and factories".

The Minister attributes the state of affairs which the Government proposes to deal with primarily to the fact that "some of our judicial services have not sufficiently realized that the courts and prisons are so many instruments for promoting the democratic dictatorship of the people, and have not understood that the enemies of the people have forfeited the right to pardon".

The Minister goes on to say that punishment must be combined with reform: "The offenders must be subjected to education and reform, though without prejudice to the over-riding premise of punishment and restraint. Hence when offenders are punished, it is not sufficient to deprive them of their freedom and imprison them. They must be made to work, partly to bring home to them, by means of reform through labour, the justice of their sentences, and partly to inculcate in them the mentality of workers and to transform them into new men".

Last, but not least, in his authoritative commentary, Minister Shih Liang is particularly anxious to remove all distinction between crimes actually committed by counter-revolutionaries and crimes merely planned.

In his view "the mistake is to place counter-revolutionary criminals on the same footing as ordinary criminals in cases where the issue is whether a crime has in fact been committed. It must be made quite clear that participation in any counter-revolutionary organization, and sympathy with counter-revolutionary aims are positive counter-revolutionary acts, punishable as such, and not mere expressions of intent or attempts".

No doubt, the many concrete instances of reform through labour which we find in public statements by the Chinese authorities during 1951 represent the application of these regulations and an attempt to implement the principle laid down in article 7 of the Common Programme.

On 15 December 1951 the Communist newspapers Wen Wei Pao and Ta Kung Pao of Hong Kong published reports describing the achievements of the Public Security Bureau of the People's Municipal Government of Canton since the inception of reformatory labour for counter-revolutionaries in July 1951.

On 22 July 1951 the Yangtze Daily, which appears at Wuhan, published an account of the Conference on Reformatory Labour in the Central-South Area held from 2 to 9 July 1951. Those attending it included representatives of the finance, agriculture and forestry, irrigation and civil affairs departments of the Central-South Administration. The Conference noted the results, both educational and economic, achieved by the forced labour of persons in custody, mostly in agriculture and in handicrafts. "The reformatory labour corps in Ch'ungyang and Huangp'i districts in Hupei have become partly or entirely self-sufficient after eight months of work." The Conference decided that the procedures in question should be speeded up, and that "after the elimination of a group of recalcitrant counter-revolutionaries who in the past had committed unpardonable bloody crimes", all the counter-revolutionaries who had then been in custody for several months should be first tried according to law and sentenced to reform through labour".<sup>41/</sup>

An article dated 26 July 1951 which appeared in the Shanghai Liberation Daily, mentions the preliminary plans for the enrolment of prisoners for forced labour drawn up by the State Administration Council of Eastern China.

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<sup>41/</sup> The full text of the article is reproduced below as document (xxiii), Section B, page 224.

In March 1952, a series of decisions were adopted by the organs of the Central People's Government and published by the New China News Agency. They bear the dates 8, 20 and 28 March 1952, and were published successively on 11, 24, and 30 March 1952. They concern establishment of Peoples' Tribunals for dealing with cases of waste, bureaucratic deviations, the economic crimes committed by business men and merchants.<sup>42/</sup> It is specified that the penalties imposed may take one of the five forms: organizational control (one to two years), reformatory labour (one to four years), fixed-term imprisonment, life imprisonment, or the death penalty. Suspension of sentence, especially death sentence, is specifically provided for.

The provisions for reform through labour in the case of persons detained in custody, whether counter-revolutionaries or not, are supplemented by regulations applicable locally or throughout the People's Republic of China which provide for the reform through labour of counter-revolutionaries not in custody but under police supervision. The Shanghai Liberation Daily on 19 August 1951 published a leading article stating that the city's Military Control Committee had, on 2 July 1951, enacted "provisional regulations for the supervision of counter-revolutionaries". By 13 August the number of counter-revolutionaries placed under supervision by the Committee since the enactment of these regulations was 1,028, and it was stated that the number could be expected to increase still further. The article pointed out that the counter-revolutionaries in question were of the innocuous kind, since they had not been sentenced to imprisonment, and that they had been warned that their only chance of saving their lives was to place themselves under public supervision and Government control, to repent of their past offences and to reform themselves through their labour.

The "detailed instructions for the supervision of counter-revolutionaries" published by the Public Security Bureau of Wuhan, on 25 November 1951, in the

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<sup>42/</sup> The full texts are reproduced below as documents (viii), (ix), and (x) respectively, section B, pages 163, 168 and 169.



newspaper Sh'ang Chiang Jih Pao of Hankow relate to the same category of persons, namely counter-revolutionaries who have "committed offences but not sufficiently serious offences to warrant arrest and punishment". The instructions refer in particular to the following categories:

- (1) members of the special services of the Kuomintang;
- (2) cadres of the reactionary parties and groups, e.g. the Kuomintang, the Socialist Party and the Youth Party;
- (3) the heads of religious sects;
- (4) reactionary landlords and "despots";
- (5) "bandits";
- (6) the civil and military officials of the ousted Government;
- (7) "other counter-revolutionaries".

It is part of the duties of the counter-revolutionaries under supervision to make a "positive contribution to production".

Finally, for China as a whole, "Provisional Measures for the Control of Counter-Revolutionary Elements" promulgated by the State Administration Council on 27 June 1952 were published by the New China News Agency on 17 July at Peking, over the signature of the Minister of Public Security.<sup>43/</sup> The nature of these Measures is similar to that of the earlier local regulations: there are similar headings for counter-revolutionaries; their obligations are the same; and the measures also include reporting the discovery of counter-revolutionary activities, and active participation in production.

(b) The regulations of 7 September 1954

The period described above as one of the de facto application - prior to the formal enactment of any regulations, even in the shape of provisional measures - of the policy of reform of offenders, especially counter-revolutionaries,

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<sup>43/</sup> The text is reproduced below as document (xiii), section B, page 170.

i.e. political offenders, by forced labour, came to an end with the publication on 7 September 1954 of a decree by the State Administration Council, entitled "Regulations enacted in the People's Republic of China governing reform through labour".

These regulations were adopted on 26 August 1954, and published in the Peking newspaper Jen Min Jih Pao on 7 September. They are the first regulations declared to be definitive (no longer provisional) applicable throughout the territory of the People's Republic "for the purposes of punishing all counter-revolutionary and other criminal prisoners and of compelling them through labour to reform themselves and to become new persons" (article 1).

They provide that later detailed rules would be promulgated to carry the regulations into effect. One such enactment, the "Provisional measures governing the release of prisoners upon completion of terms of reformatory labour and concerning their resettlement and employment" was actually published in the same issue of Jen Min Jih Pao. That issue also prints the report submitted to the State Administration Council by the Minister of Public Security, as well as an editorial entitled "Implement thoroughly the policy of the reform of criminals", which is an official commentary on the regulations.

(1) Regulations governing reform through labour<sup>44/</sup>

It is outside the circumscribed scope of the information which the International Commission against Concentration Camp Practices lays before the United Nations and the ILO to analyse these laws in detail or to study them exhaustively from the lawyer's point of view. Not only would the translation involve us in great difficulties, but also many of the provisions require explanation in the form either of authoritative commentaries or of concrete examples furnished by the authorities or by deponents; and these are still wanting.

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<sup>44/</sup> The full text is reproduced below as document (xvii), section B, page 190.

The best means of determining clearly the scope of the regulations and of deciding whether the system of forced labour they institute comes within the category of systems now solemnly condemned by the United Nations, would in fact be an investigation by the United Nations and the ILO.

What is at all events certain is that the system of forced labour is applied to political offenders for political ends.

This is made clear in chapter I. Reform through labour is described as "an instrument of the people's democratic dictatorship" (article 2), its purpose being that of "combining punitive control with thought reform and of co-ordinating productive labour with political education" (article 4). Reform through labour is applied to convicted criminals in prisons or in reformatory labour corps, to untried prisoners in houses of detention, and to young prisoners in houses of correction (article 3). These institutions are under the direction of the people's public security bureaux and are supervised by the people's procurator. In the case of offenders who have been tried by a court, the people's courts advise what treatment is applicable (article 6).

Houses of detention (chapter 2, section 1) are given custody of untried prisoners and prisoners sentenced to imprisonment for less than two years. It is specified that they are required to perform productive labour and to receive political education (article 9). In the event of an offender being placed under surveillance or sentenced to labour without imprisonment, he is sent back to his place of domicile or to his original work unit (article 10).

Prisons (chapter 2, section 2) are intended for "counter-revolutionary and other major criminals who have been sentenced to life imprisonment or who have received a suspended sentence of death and are unfit for labour outside the prison" (article 13).

Prisoners are required to perform labour and to receive education, due regard being paid to their different circumstances (article 14).

The reformatory labour corps (or, to render the Chinese characters literally, the corps responsible for supervising and re-educating criminals) deal with most of the convicted counter-revolutionaries and other criminals "who are fit for labour outside the prison" (chapter 2, section 3, article 17). The functions of these corps is to organize prisoners for systematic productive work in agriculture, industry and reconstruction programmes and to impart political education in co-ordination with productive labour (article 18). Reformatory labour corps may, according to the number of prisoners and to the requirements of production, form labour companies, regiments and brigades (article 20).

The houses of correction for young prisoners (chapter 2, section 4) are established for the custody of young prisoners between the ages of thirteen and eighteen years (article 21). Their function is to give the young prisoners a political education, new moral education, basic cultural education and training in technical skills. The prisoners are required to undertake light tasks (article 22).

Chapter 3 of the regulations makes provision for combining the political and ideological education of prisoners with compulsory labour, the purpose of reform through labour being to guide the prisoners towards voluntary labour (article 25), to bring home to them the nature of their crimes, to eliminate their criminal thoughts, and to inculcate new notions of ethics (article 26).

The methods advocated are collective instruction; conversation and reading, as well as physical and recreational activities, side by side with production on a competitive basis and full utilization of the ability of skilled prisoners (article 28).

Chapter 4 deals with economic matters. It provides that the productive activities of reformatory labour are to serve the needs of national production (article 30), in the manner in which the financial and economic authorities of the Government may direct. Special emphasis is laid on "the vigorous promotion of agricultural production" (article 33). One method of including the production of prisoners in national planning is the direction of prisoners' labour where necessary to suit the requirements of production, which vary from one region to another (article 35). In the event of industrial accidents involving a prisoner's incapacity or death, "suitable provision shall be made for him or for his relatives" (article 34).

Chapter 5 regulates the conditions governing imprisonment. The first rule is that the committal of a prisoner to an institution requires one of three documents: either a court sentence, or an enforcement order, or a detention order (article 36). It is not yet clear what these terms involve; for example it is not specified what authority is competent to make an "enforcement order". Persons are committed to prison if they are suffering from mental illness, acute contagious disease, or serious illness, or if imprisonment would endanger their lives; pregnant women and women who have given birth to a child within the previous six months are also not committed, though major counter-revolutionaries and other prisoners convicted of serious offences may be committed (article 37). In the event of a mother being imprisoned, then, in the absence of relatives, the children must be placed in private foster homes or in an orphanage by the local administrative officers (article 39).

The regulations provide, in the passages dealing with security, that only guards may carry arms. Uniform standards of food and clothing must be established. Canteens may be organized. Normal working hours are nine to ten hours a day, and in no instances more than ten, with eight hours for sleeping. The time for study may vary, but must in no circumstances be less than one hour a day. In the case of young prisoners the period for sleep and for study may be prolonged. Adult prisoners have one rest day every fortnight, and young prisoners one rest day a week. The regulations also provide for health services, including a clinic or hospital according to circumstances. Family visits are allowed not more than twice a month, but no visit may exceed thirty minutes. Letters are censored.

Release on bail may be granted to prisoners who are seriously ill, to invalids, or to persons over fifty-five years of age who have been sentenced to imprisonment for less than five years (article 60).

Prisoners are discharged when they have served their sentence, or if instructions for release are given by the investigating or judicial authorities, or if conditional release is granted (article 61).

If, after the expiry of his term, a prisoner elects to remain with the corps, or if he is homeless and without employment, or if he can easily be settled in a sparsely populated area, he will remain in the employment of the reformatory labour institution (article 62). A regulation to give effect to this clause was enacted on the same day, as described below.

Chapter 6 provides for the establishment of Supervision and Control Commissions for reformatory labour corps which employ more than 3,000 prisoners in remote areas far from any provincial capital.

Chapter 7 provides for a system of rewards and punishments for prisoners. Rewards range from commendation to conditional release, and punishments from admonition to solitary confinement. If a prisoner commits an offence inside the penal institution, he is brought before the local people's court. In the case of habitual offenders inside the institution, the reformatory labour institution may arrange for an enquiry by the Public Security Bureau with a view to having the prisoner retained for further reform by the local people's court (article 72).

In virtue of chapter 8, the reformatory labour institutions are financed by appropriations from the national budget and income from the production of the institutions.

(2) Provisional measures governing the release of prisoners upon completion of terms of reformatory labour and concerning their resettlement and employment<sup>45/</sup>

The "Provisional measures governing the release of prisoners upon completion of terms of reformatory labour and concerning their resettlement

<sup>45/</sup> The full text is reproduced below as document (xviii), section B, page 195.

and employment", published on the same day as the "Regulations...governing reform through labour" are intended to give effect to article 62 of the Regulations (see above). The effect of these measures is that on the expiry of his term:

(1) a prisoner who elects to remain with and continue to be employed by the corps may do so;

(2) a prisoner who does not so elect but who is employed in a sparsely-populated area and has to earn his living and keep his family may be retained by the reformatory labour institution. In any such case, the corps must first, within three months before the completion of the term, apply to the Public Security Bureau for approval (article 2).

The offender recovers his political rights in conformity with whatever terms are stipulated in the sentence (article 4). If the released prisoner has behaved reasonably well during his detention, and possesses technical skill, he is assisted in finding employment. Otherwise, he is given work in a reformatory labour corps, at a wage to be determined, or is employed in a newly-established agricultural settlement (article 5).

If after his release and placement in employment a prisoner is able to earn his livelihood, the civil administration authorities arrange for his family to join him (article 7). If he cannot be placed in employment locally, he is assigned under a co-ordinated plan to another reform through labour production unit, or to a new agricultural settlement (article 8).

(3) Report by the Minister of Public Security<sup>46/</sup>

Before these regulations were adopted by the State Administration Council on 26 August 1954, a report had been submitted by Lo Jui-Ching, Minister of Public Security; this report was later published in Jen Min Jih Pao on 7 September 1954. The report states that the Regulations governing reform

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46/ The full text is reproduced below as document (xvii), section B, page 190.

through labour had been in preparation for a long time, with the assistance of Soviet jurists, and that they took into account the excellent results already achieved throughout the country by the reformatory labour institutions.

According to the Minister, a large number of prisoners had become skilled workers as a result of reform through labour. "Many prisoners and their families have expressed their sincere gratitude for our policy of reform through labour. They describe our reformatory labour institutions as 'hospitals for thought reform and schools for technical training'."

Another statement by the Minister refers to the economic side of the results achieved in the reform of prisoners through labour. "The other side of the picture, so far as achievements in this work are concerned, is the large-scale production of the criminals that we have thus organized." He speaks of many reformatory labour farms, some of them having an area of over 10,000 mou (approximately 700 hectares), industrial plants, and labour corps for water conservation, railway construction, lumber collection and house building. Considerable income is derived from these enterprises. "By 1955, the aggregate receipts and expenditure in the national budget are expected to approach balance."

"For example, in regard to building materials, over 2,000 million bricks and over 770 million tiles were produced last year....The Reformatory Labour Hosiery Works of Peking produced 714,000 dozen socks and stockings last year. The Tientsin Steelworks produced over 1,700,000 units of connecting parts for heating equipment last year...Generally speaking, our policy of reforming criminals through labour and the results obtained during the past four years have been a marked success...In other words, the draft regulations governing reform through labour of the People's Republic of China are derived from our experience in carrying out this fundamental policy consistently during the past few years. Appropriate measures based on practical experience have been systematized and codified in the regulations."

After sketching the main provisions of the regulations as briefly outlined above, especially the work of the houses of detention, concerning which he states



that "The reformatory labour laws of the Soviet Union have similar provisions", the Minister explains the "Provisional measures governing the release of prisoners upon completion of terms of reformatory labour and concerning their resettlement and employment" adopted in pursuance of article 62 of the regulations. "The reason for this provision (i.e. article 62) is that such action will solve the problem of certain prisoners in seeking employment upon release, lessen the difficulties of the State in dealing with unemployment, and eliminate the danger of such prisoners reverting to crime owing to their inability to find a livelihood"

The Minister states that released prisoners who remain with the labour corps must be treated differently and receive a wage. They are permitted to settle their families as soon as they can afford to send for them. If their income does not permit them to maintain their families, they are given material assistance. Here again, Minister Lo Jui-ching explains that this is the codification of a practice which has actually existed for a long time. "For example, at the Ching-ho farm at Peking, the number of prisoners released on completion of their reform through labour terms during the last four years is 5,384. Those who voluntarily continue to work with the corps number 1,455, or more than 27 per cent of the prisoners released."

Those who have acquired technical skills are treated as regular skilled workers. Families are organized to participate in various types of work, enable them to become self-supporting.

As a result, all those who remain with the corps as well as their families are very grateful to the People's Government and say "that it has solved the problem of their whole life". Indeed, many prisoners still serving their terms have been moved to declare that their aim is "to work actively during the prison term and to remain with the corps on completion of the term".

(4) Editorial in the newspaper Jen Min Jih Pao of 7 September 1954<sup>47/</sup>

Another important commentary on the published texts is an editorial in Jen Min Jih Pao entitled "Implement thoroughly the policy of the reform of

criminals." Like the Minister in his report, the commentator refers to the experience gained over the past few years, and says that "we have achieved great results in the reform of criminals through labour. According to the statistical returns from different areas, more than 83 per cent of the criminals in confinement throughout the country have participated in agricultural and industrial production, or have been organized into various engineering corps for the felling of timber, the construction of buildings...etc." These regulations, "based on experience in the work of reform through labour during the past few years, set forth in legal form our State's policy and measures for the enforcement of compulsory labour service for the reform of counter-revolutionary and other criminals."

The writer of the article urges the people generally and their leaders to understand and apply the policy in question wholeheartedly. Party committees and people's governments at all levels are urged to follow these activities closely and to lead and supervise the labour service organs so as to make the corrective labour service serve the needs of the national economy and contribute to local production plans.

There is no suggestion that the work of criminals should be put on the same rating as that of free workers. "In our State, the people are the masters, they enjoy full democratic rights. Their participation in the reconstruction through production of the State is motivated by their love for labour and for the country, and their labour is performed voluntarily and is remunerated. But because of the varying degrees of injury they have done to the State and the people, criminals generally, whether guilty of counter-revolutionary or of other crimes, have been placed under restraint in accordance with the law of the State and deprived of their political rights. During their period of confinement the State arranges for them to participate in productive labour with a view to their education and reform, and to give them an opportunity to redeem themselves by meritorious service. Such labour is compulsory, not remunerated, and carried out under strict control."

Such is the preliminary information which the International Commission against Concentration Camp Practices wishes to bring to the notice of the United Nations and of the ILO, in accordance with its aims and objects and its consultative status.

This information does not include either depositions, which will be furnished later, with originals or photostat copies of quotations still not available, or analyses of two recent laws dated 21 September 1954, relating to the organization of the people's courts and the organs of the people's procurator's office.<sup>48/</sup> These laws should be studied by whatever investigating body is set up. The International Commission against Concentration Camp Practices is ready, if called upon to do so, to provide such a body with the official published texts.

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<sup>48/</sup> The full texts are reproduced below as document (xix), section B, page 197.

6. Supplementary memorandum by the International Commission  
Against Concentration Camp Practices

On 28 March 1955, the International Commission Against Concentration Camp Practices submitted a supplementary memorandum concerning "the system of forced labour believed to be in force in the territory of the People's Republic of China". The text of this memorandum is as follows:

In pursuance of Economic and Social Council resolution 524 (XVII) of 27 April 1954, I had the honour to send you, on behalf of the International Commission Against Concentration Camp Practices, a non-governmental organization in consultative status (Category B), a letter dated 31 December 1954 containing particulars which had come to this Commission's notice of a system of forced labour believed to be in force in the territory of the People's Republic of China.

The material in question dealt largely with the laws and regulations which had come into force between 1949 and 7 September 1954 and which related to the punishment of political offenders in the People's Republic of China, by means, inter alia, of corrective labour.

Some photostat copies of original Chinese documents were sent with that material.

The Commission has since then obtained fresh documentary material, photostat copies of which are sent herewith.

(Note: Five documents which were enclosed are reproduced in section B below as documents (vi), (vii) and (xxiii) to (xxv).)

The material which I originally sent to you did not include any depositions. It is the principal object of this memorandum to send you a number of depositions.

(Note: Five affidavits and a letter attached to this memorandum were listed at this point. Summaries (Nos. 2-7 prepared by the International Commission Against Concentration Camp Practices) are reproduced in section C below.)

The depositions sent herewith are few in number, even though this Commission, in its concern to shed full light on a question so gravely affecting the modern world and above all the former deportees to Nazi camps, has assembled a considerable number; the explanation is that the body which I have the honour to represent is most scrupulous in citing only documents of unquestionable authenticity.

The identity of the persons who supplied the documents is known; they are available for questioning at any time by whatever body the Council may wish to designate and their signatures were authenticated either by competent authorities or by identifiable witnesses.

It is to be noted that, except in the case of Father Sohier,<sup>49/</sup> the last two months of whose imprisonment overlap the period, the depositions of the persons in question all relate to the situation in the period prior to the enactment, on 7 September 1954, of the regulations governing reform through labour in the People's Republic of China.

No deposition relating to the period since that date has been supplied.

In addition to the regulations of 7 September 1954 other legislative provisions were in force during this later period.

At the end of its earlier memorandum the Commission drew attention to two Acts dated 21 September 1954 to establish people's courts and the offices of the People's Procurator.

Other far-reaching laws have been enacted recently: the Constitution of the People's Republic of China, article 19 of which relates to reform through labour,<sup>50/</sup> and also regulations, dated 20 December 1954, governing arrest and detention in the People's Republic of China.<sup>51/</sup>

These enactments have two implications.

Firstly, a thorough analysis of the legal position in the period since the promulgation of the Constitution becomes necessary.

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<sup>49/</sup> See summary of deposition No. 6 in section C below, page 265.

<sup>50/</sup> The text is reproduced below as document (i), section B, page 152.

<sup>51/</sup> The text is reproduced below as document (xxi), section B, page 213.

Secondly, and above all, one must inquire whether the practices prevailing in the pre-constitutional period, and described in the depositions quoted below,<sup>52/</sup> are still current in China, after the promulgation of the Constitution.

Evidence on this latter point is somewhat conflicting.

On the one hand, all the Government reports published by the Chinese Communist Press and all the comments of the Press itself, excerpts from which were quoted in the earlier memorandum, suggest that the new legislative provisions do no more than give legal sanction to a pre-existing practice.

For instance, an article by Chi Jen entitled, "Reform Criminals into New Men" published in the Jen Min Jih Pao of 16 October 1954 still stresses the reformatory aspect.<sup>53/</sup>

Certain evidence on the other hand, suggests that the practices may have been modified.

Mr. Tung Pi-wu, for example, in his address to the First Plenary Session of the Chinese People's Political Consultative Conference, reported in the Jen Min Jih Pao of 25 September 1954, stated: "Our laws are framed in the light of the immediate demands of the revolutionary struggle and of common experience in that struggle..... As long as military operations were in progress and the broad masses of the people were being mobilized in support of land reform movements and of measures to deal with counter-revolutionaries..... it was neither possible nor expedient to establish a complete, but arbitrary and rigid corpus of laws..... Now that the nation has entered a phase of systematic reconstruction and our Constitution has been promulgated, it will be not merely possible but essential gradually to enact fairly detailed legislation as an effective safeguard for national reconstruction and for the democratic rights and privileges of the people."

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<sup>52/</sup> Summarized in section C below, pages 256-266.

<sup>53/</sup> The text is reproduced below as document (xxviii), section B, page 240.

Similarly, Father Sohier,<sup>54/</sup> who was so cruelly tortured by his warders in prison, that he will be a permanent invalid, states, in a letter sent to Prime Minister Chou En-lai from Hong Kong in November 1954, that on his release the examining magistrate and the administrator Ts'ai said to him: "We admit that we have been somewhat at fault in treatment of you here. We hope you will make it clear that we have changed our methods and have already made some improvement."<sup>55/</sup>

Clearly, then, further inquiry by the United Nations is called for.

No one, least of all the leaders of the People's Republic of China, can fail to appreciate the need for a clear and impartial exposition of the exact nature of the penalties imposed in the form of corrective labour on persons regarded as politically dangerous by the executive and the judicial authorities.

As in the past, the International Commission Against Concentration Camp Practices will consider it an honour to assist the United Nations and its fact-finding bodies in whatever way it can and to place the knowledge derived from the past experiences of its members at their disposal with its customary complete impartiality.

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<sup>54/</sup> See summary No. 7 in section C below, page 266.

<sup>55/</sup> This extract is from the original of the letter.

## B. TEXT OF LAWS, REGULATIONS AND OTHER DOCUMENTS

The documents reproduced in this section were submitted by governments and non-governmental organizations together with their reports and memoranda. In cases where identical documents were submitted by more than one source, the text has been reproduced only once. For reference purposes, a list of these documents is first given, followed by a note explaining their source and, finally, the texts of the documents themselves.

### List of Documents

#### 1. Laws, regulations and official statements

- (i) Constitution of the People's Republic of China, 20 September 1954 (Articles 19, 100 and 101)
- (ii) "Common Programme" of the People's Government, 24 September 1949 (Articles 7 and 8)
- (iii) Land Reform Law, 28 June 1950 (Article 10)
- (iv) Provisional Regulations governing the punishment of law-breaking landlords in the Central and South China area, 16 November 1950 (Articles 3 and 5)
- (v) "Provisional Regulations Governing the Punishment of Law-Breaking Landlords in the Central and South China Area" (Promulgated by the Central and South China Military and Political Commission on 16 November 1950)
- (vi) Regulations of the People's Republic of China for the punishment of counter-revolutionaries. Decree of 21 February 1951.
- (vii) Report to the People's Government Council on the "Regulations for the suppression of counter-revolutionary activities and the punishment of counter-revolutionaries"; statement by Peng Chen, Vice-Chairman, Political and Legal Commission of the Administrative Council (21 February 1951)
- (viii) Provisions laid down by the Economy Practice Investigation Committee of the Central People's Government for the disposal of cases of corruption and waste, and for the suppression of bureaucratic deviations, 8 March 1952.
- (ix) Decisions by the State Administration Council concerning the establishment of People's Tribunals during the Five Anti-Campaign, 21 March 1952 (Clause 3)



- (x) Decisions by the State Administration Council concerning the establishment of People's Tribunals during the Three-Anti-Campaign, 28 March 1952 (Clauses 3 and 6)
- (xi) Decisions concerning the recovery of bribe and booty from corrupt elements, 31 March 1952 (Clause 2)
- (xii) Statement on the Draft regulations for the punishment of corruption. Report by Peng Cheng, member of the Central Political Bureau (18 April 1952)
- (xiii) Provisional measures for the control of counter-revolutionary elements, 27 June 1952 (Articles 5 and 8)
- (xiv) Decisions of the State Administration Council of the Central People's Government concerning the promulgation of the "Outline of Internal Rules for State-owned enterprises", 14 July 1954
- (xv) "Outline of Internal Labour Rules for State-owned enterprises", 14 July 1954
- (xvi) Regulations Enacted in the People's Republic of China governing reform through labour, 26 August 1954
- (xvii) "Explanatory statement on the Draft regulations governing reform through labour". Report of Lo Jui-Ching, Vice-Chairman of the Political and Legal Commission of the State Administration Council (26 August 1954)
- (xviii) Provisional measures governing the release of prisoners upon completion of terms of reformatory labour and concerning their resettlement and employment, 26 August 1954
- (xix) Organic Laws of the People's Courts and People's Procurators' Offices of the People's Republic of China, 21 September 1954
- (xx) Directive on Study and Implementation of Organic Law of People's Courts, issued jointly by the Supreme People's Court and the Ministry of Justice on 7 December 1954
- (xxi) Regulations of the People's Republic of China governing the arrest and detention of persons, 20 December 1954
- (xxii) Regulations of Urban Organizations, 31 December 1954

2. Newspaper articles

- (xxiii) "Conference on reformatory labour in central-south area adjourns". Decisions on questions of guiding principles, measures of implementation and finance. Published in Yangtze Daily, 22 July 1951
- (xxiv) "Ching-Ho farm of the Public Security Bureau at Peking achieves successful results in its work of reforming counter-revolutionary criminals through labour". Published by the New China News Agency, Peking, 18 October 1951
- (xxv) "Reformatory labour achieves good results; evil-doing criminals become new men". Published in Hong Kong Wen Wei Pao, 15 December 1951
- (xxvi) "The Strengthening of the Procurators' work to safeguard national reconstruction". Published in Peking Jen Min Jih Pao, 21 May 1954
- (xxvii) "Implement thoroughly the policy of the reform of criminals through labour service". Published in Peking Jen Min Jih Pao, 7 September 1954
- (xxviii) "Reform criminals into New Men". Published in Peking Jen Min Jih Pao, 16 October 1954
- (xxix) "Oppose breaches of labour discipline". Published in Peking Jen Min Jih Pao, 22 October 1954
- (xxx) "Important measures to improve the work of basic-level organs of State power in cities". Published in Peking Jen Min Jih Pao, 2 January 1955
- (xxxi) "For more effective suppression of the enemy and protection of the people". Published in Peking Jen Min Jih Pao, 8 January 1955

[Note: Documents No. (i) to (v), (xi) to (xiv) were transmitted by the Government of the Republic of China; (xix) to (xxii), (xxvi); and (xxviii) to (xxxi) by the Government of the United States of America; (vi) to (viii) and (xxiii) to (xxv) by the International Commission against Concentration Camp Practices; (ix) and (x) by the Government of the Republic of China and also by the International Commission against Concentration Camp Practices; (xv) by the Governments of the Republic of China and also by the United States of America; (xvi) to (xviii) by the Governments of the Republic of China, the United States of America and also by the International Confederation of Free Trade Unions; and (xxvii) by the Government of the United States of America, the International Commission against Concentration Camp Practices and also by the International Confederation of Free Trade Unions.]

1. TEXT OF LAWS, REGULATIONS AND OFFICIAL STATEMENTS

(i) "Constitution of the People's Republic of China"

(Adopted by the First National Congress at its first session on 20 September 1954 and promulgated in the name of the Praesidium of the Congress on the same date)

"Article 19. The People's Republic of China safeguards the people's democratic system, suppresses all treasonable and counter-revolutionary activities and punishes all traitors and counter-revolutionaries. The State deprives feudal landlords and bureaucrat-capitalists of political rights for a specific period of time according to law; at the same time, it provides them with a way to earn a living, in order to enable them to reform through work and become citizens who earn their livelihood by their own labour."

"Article 100. Citizens of the People's Republic of China must abide by the Constitution and the law, uphold discipline at work, keep public order and respect social ethics."

"Article 101. The public property of the People's Republic of China is sacred and inviolable. It is the duty of every citizen to respect and protect public property."

(ii) "Common Programme of the People's Government"

(Adopted on 24 September 1949)

"Article 7. The People's Republic of China must suppress all counter-revolutionary activities ... Counter-revolutionary elements, feudal landlords and bureaucrat-capitalists in general must be deprived of their political rights within a certain period according to law after they have been disarmed and their special power has been eliminated; however, they shall at the same time be given a means of livelihood and shall be compelled to reform themselves through labour to become new men."

"Article 8. It shall be the duty of every national of the People's Republic of China to defend the fatherland, ... to maintain labour discipline, to protect public property, to perform public and military service and to pay taxes."

(iii) "Land Reform Law"

(Adopted by the 8th meeting of the People's Government on 28 June 1950)

"Article 10. ... An equal share shall also be allocated to the landlord, so that the landlord may make a living by his own labour, and reform himself through labour."

(iv) "Provisional Regulations Governing the Punishment  
of Law-Breaking Landlords in East China"

(Adopted by the 28th meeting of the East China Military  
and Political Commission on 19 September 1950)

"Article 3. Whoever attempts to resist or undermine land reform and is proven to be guilty of one of the following shall, according to the nature and circumstances of the offence, be liable to repentance in public, hard labour, or imprisonment for not less than one year."

"Article 6. Whoever commits any offence under the preceding article but is not a principal offender shall be liable to imprisonment for not less than one year and not more than ten years; whoever commits the offences under the preceding article as a result of threat or fraud shall, according to the nature and circumstances of the offence and the degree of repentance, be liable to imprisonment for not more than one year or education through labour."

"Article 8. Punishment for an attempt to commit offences under Article 4 and Article 5 may be reduced from that prescribed for the offences or remitted or commuted to education through labour by reason of the circumstances or social influences under which the attempt is made or the causes which prevent the commutation of the offences."

(v) "Provisional Regulations Governing the Punishment  
of Law-Breaking Landlords in the Central and South  
China Area"

(Promulgated by the Central and South China Military and Political  
Commission on 16 November 1950)

"Article 3. ... and shall, according to the nature and circumstances of the offence, be liable to repentance in public or hard labour or imprisonment for not more than one year."

"Article 5. ... and shall, according to the nature and circumstances of the offence, be liable to repentance in public or hard labour or imprisonment for not less than one year and not more than five years."

(vi) Regulations of the People's Republic of China  
for the Punishment of Counter-Revolutionaries

(Promulgated by the Central People's Government upon approval  
by the Central People's Government Council at its eleventh  
meeting on 20 February 1951)

Decree Issued by the Central People's Government  
(Ta Kung Pao, 23 February 1951) 21 February 1951

The Regulations of the People's Republic of China for the Punishment of Counter-Revolutionaries are hereby promulgated, to take effect immediately.

Mao Tze-tung

"Article 1. The present regulations are made under article 7 of the Common Programme of the People's Political Consultative Conference of China for the purpose of punishing counter-revolutionary criminals, suppressing counter-revolutionary activities and consolidating the people's democratic dictatorship.

"Article 2. All counter-revolutionary criminals who seek to overthrow the people's democratic régime or to undermine the people's democratic cause shall be punished in accordance with the present regulations.

"Article 3. Any person who conspires with any imperialistic power to commit treason against the fatherland shall be liable to the death penalty or imprisonment for life.

"Article 4. Persons who are chiefly responsible for instigating, inducing or bribing public officials, armed forces or militia to rise in revolt, or who lead such a revolt shall be liable to the death penalty or imprisonment for life. Other persons participating in such instigation, inducement or bribery or in such revolt shall be liable to imprisonment for not more than ten years, provided that the penalty may be increased in the case of major offenders.

"Article 5. Where a group of persons has assembled together in armed rebellion, the principal plotters, ringleaders and other major offenders shall be liable to the death penalty. Other persons taking an active part in such rebellion shall be liable to imprisonment for not less than five years.

"Article 6. Any person who commits any of the following acts constituting espionage or assistance to the enemy shall be liable to the death penalty or imprisonment for life, provided that the penalty may be reduced to imprisonment for not less than five years in the case of minor offenders:

- (1) stealing or disclosure of state secrets for the benefit of domestic or foreign enemies, or supplying them with intelligence;
- (2) indicating air-raid or bombardment targets to enemy aircraft or warships;
- (3) providing arms, ammunition or other military supplies to domestic or foreign enemies.

"Article 7. Any person who participates in counter-revolutionary activities or in an espionage organization shall be liable to the death penalty or imprisonment for life, if:

- (1) he engages in underground activities by order of any domestic or foreign enemy;
- (2) he organizes or joins any counter-revolutionary special service or an espionage organization after the liberation;

(3) having organized or led any counter-revolutionary special service or an espionage organization or committed other heinous crimes before the liberation, he renders no meritorious service thereafter to atone for his guilt;

(4) having been a member of any counter-revolutionary special service or of an espionage organization before the liberation, he carries on counter-revolutionary activities thereafter;

(5) he carries on counter-revolutionary activities after having surrendered himself and registered with the people's government;

(6) he continues to maintain contacts with counter-revolutionary special agents and spies or carries on counter-revolutionary activities after having been re-educated and released by the people's government.

The penalty under this article may be reduced to imprisonment for not less than five years in the case of minor offenders.

"Article 8. Any person who uses feudalistic secret societies to carry out counter-revolutionary activities shall be liable to the death penalty or imprisonment for life, provided that the penalty may be reduced to imprisonment for not less than three years in the case of minor offenders.

"Article 9. Any person who, for counter-revolutionary purposes, plots or carries out any of the following acts of sabotage or violence shall be liable to the death penalty or imprisonment for life, provided that the penalty may be reduced to imprisonment for not less than five years in the case of minor offenders:

(1) looting or wrecking of military establishments, factories, mines, forests, farms, dikes, means of communication, banks, warehouses, safety facilities or other important public or private properties;

(2) causing disaster to human beings, livestock or crops by dropping poison, scattering germs or other means;

(3) disturbing markets or undermining public finance on the orders of any domestic or foreign enemy;

(4) assaulting, murdering or causing bodily harm to public officials or personnel;

(5) forging official documents under the name of military or administrative organs, democratic parties or people's organizations in order to carry out counter-revolutionary activities.

"Article 10. Any person who, for counter-revolutionary purposes, commits any of the following acts of provocation or incitement shall be liable to imprisonment for not less than three years, provided that the penalty may be increased to death or imprisonment for life in the case of major offenders:

- (1) inciting the public to defy or sabotage the collection of grain or taxes, the exaction of labour or military service or the implementation of other administrative measures of the people's government;
- (2) committing acts of provocation or sowing the seeds of dissension with a view to undermining unity between the Government and the various ethnic groups, democratic classes, democratic parties, people's organizations or the people in general;
- (3) carrying on counter-revolutionary propaganda or agitation, or fabricating and spreading rumours.

"Article 11. Any person who, for counter-revolutionary purposes, crosses the national frontier surreptitiously shall be liable to imprisonment for not less than five years, imprisonment for life or the death penalty.

"Article 12. Where a group of persons jointly commits the offence of breaking open a prison or of staging a riot in order to break prison, the persons organizing or plotting such an offence shall be liable to the death penalty or imprisonment for life. Other persons actively participating in the commission of such an offence shall be liable to imprisonment for not less than three years.

"Article 13. Any person who harbours or protects any counter-revolutionary criminal shall be liable to imprisonment for not more than ten years, provided that the penalty may be increased to imprisonment for more than ten years or for life or be increased to death in the case of major offenders.

"Article 14. The penalty for any of the offences specified in the present regulations shall, whenever appropriate, be mitigated, reduced or remitted if the offender:

- (1) surrenders himself to the people's government and shows a genuine feeling of repentance;
- (2) renders meritorious service to atone for his guilt, either before or after its discovery or exposure, and thereby shows a genuine feeling of repentance;
- (3) is found to have committed the offence unwillingly as a result of duress or fraud on the part of counter-revolutionary elements; or
- (4) committed only counter-revolutionary offences of lesser gravity before the liberation, and has since definitely repented of his guilt and severed all connexions with counter-revolutionary organizations.

"Article 15. Unless sentenced to death or to life imprisonment, a person convicted of two or more offences under the present regulations shall, as appropriate, be sentenced to a penalty no greater than the aggregate of the several penalties for the various offences and no less than the heaviest of such penalties.

"Article 16. Any other offence committed with counter-revolutionary intent but not covered by the present regulations may be made subject to the same penalty as provided in the present regulations for an offence of a similar nature.

"Article 17. Any person convicted of an offence under the present regulations may be deprived of his political rights and be subjected to the confiscation of all or part of his property.

"Article 18. The provisions of the present regulations shall also be applicable to counter-revolutionary offences committed before the coming into force of these regulations.

"Article 19. Every person shall have the right to expose counter-revolutionary criminals and submit confidential information on such criminals to the people's government, but no one may make false charges motivated by personal animosity.

"Article 20. Offenders punishable under the present regulations shall ... during the period of military control be ... by the Military Control Commission under the Regional Military Command in the various regions..."

[Translator's note: The original text of this article is incomplete.]



(vii) Report to the People's Government Council on the  
"Regulations for the Suppression of Counter-  
Revolutionary Activities and the Punishment of  
Counter-Revolutionaires"

by PENG Chen, Vice-Chairman,  
Political and Legal Commission  
of the Administrative Council

(Hong Kong Ta Kung Pao, 23 February 1951)

Mr. Chairman, Mr. Vice-Chairman, Fellow Members:

The suppression of counter-revolutionary activities is a problem of deep concern to the whole nation. During the recent past, because we did not effectively and thoroughly carry out the principle of "combining suppression with leniency" as set forth in article 7 of the Common Programme, there was a tendency toward over-leniency in many localities, with the result that the people of various classes became dissatisfied with the People's Government in this connexion.

The people reproached us with "boundless leniency" and "clemency above the law". They said: "There is nothing to fear except over-leniency on the part of the Communist Party." They said: "The People's Government is good in every respect except in its liberal treatment of evil-doers. The Government lets evil-doers prey upon the common people who are left without protection. This is bad." Some workers indignantly asked the cadres: "Look! We worked in a production contest for months. A single fire set by enemy agents has wiped everything out. If you do not crush them, we will never take part in a production contest again." Some people said: "The Government must be asleep. No distinction is made between enemies and friends." Some said: "The Government tolerates evil to the detriment of the people. It is not acting like the People's Government."

The people and the masses are just and wise. The people are full of praise for the "Resist-America, Support-Korea" Campaign, for the Land Reform, for stability of prices and currency, for urban administration and for democratic measures, but they consider us to be over-lenient toward counter-revolutionaries. In fact, our past record has not been satisfactory in this regard and for a time was very unsatisfactory. In particular, since the American imperialists started their war of aggression against Korea, the picture has become even clearer.

At that juncture, the bandits who were agents of the United States and Chiang Kai-shek, as well as remnants of other counter-revolutionary forces, thought that the time had come for their dream of "the Third World War and the Recovery of the Mainland" to become reality and for the United States and Chiang Kai-shek to return to power. They madly tore off their mask of "simulated

repentance and reform" and emerged from their underground and clandestine activities to engage in various overt acts of subversion and to strike at the people in the open. Enemy agents and bandits plotted to demolish railway bridges, to destroy factories and mines and to burn down granaries and warehouses. They openly looted the people and killed the cadres. Rioting and disturbances occurred in many localities. All political brigands who had not been annihilated and suppressed became more active than ever. Many members of reactionary parties or cliques who had previously expressed repentance and willingness to submit to control began to refuse or to evade control through various devices, and in certain cases even conspired with reactionary organizations to engage in subversive activities. At that time, reactionary sects and gangs engaged in various forms of rumour-mongering and subversion against the People's Government, while landlords in newly-liberated areas threatened the farmers with "capital punishment upon the return of Chiang Kai-shek" in order to undermine land reform and prepared to welcome Chiang Kai-shek's return. Moreover, even in areas which had been liberated for some time and where land reform had been put into effect, certain landlords whose power had not been entirely destroyed began a process of "counter-liquidation" of the farmers by forcing them to return land, foodstuffs, draught animals and farm implements to the landlords and by compelling the farmers to vacate their houses. Underground counter-revolutionary armies were organized in certain localities to prepare for armed insurrection. In some areas, whole families of cadres were massacred. To illustrate: over ten cadres of a farmers' association were killed in one instance; over forty members of a village farmers' association were killed in another instance; there was also a case of a whole team of supply-carriers for the People's Liberation Army being killed. In the province of Kwangsi alone, over three thousand cadres of the People's Government were killed while the number of bandits grew with each suppression campaign, the reason being that we rarely if ever executed bandit leaders or recidivists. As to production and reconstruction projects and to supplies and materials which were destroyed by counter-revolutionary elements, the amount of loss is incalculable. In fact, the impudent effrontery of enemy agents and bandits reached an intolerable extent. Thus it is evident that the tools of imperialism, the reactionary Kuomintang clique and its accomplices, are not resigned to their fate of death when their rule is overthrown but will use every possible means at all times to attack the people and the people's government with savage ferocity.

This shows that boundless leniency is an erroneous policy. Leniency cannot and must not be shown toward the major counter-revolutionary elements who are unrepentant or toward those who have continued to engage in counter-revolutionary activities since the Liberation. Such elements must be severely suppressed. Those who deserve capital punishment must be executed. Those who deserve imprisonment must be incarcerated. Those who require supervision must be placed under control. This is clearly specified in the Common Programme and has been repeatedly emphasized in Chairman Mao's directives.

In view of these resolute and clear directives from Chairman Mao and the Central People's Government, the question might be asked why there has been a tendency toward boundless leniency. The reason will be found in many forms of confused thinking on the part of the cadres.

The first factor is a self-complacent attitude tending to underestimate the enemy and a lethargic condition arising from the assumption that, with so many armies of the Chiang bandits totally annihilated and with the reactionary Kuomintang rule entirely overthrown, the remnants of counter-revolutionary elements are of little importance. Consequently, vigilance has been relaxed and the suppression of counter-revolutionaries slackened.

Secondly, some cadres have confused the need for strengthening and widening the base of the people's democratic united front with the question of resolute extermination of counter-revolutionary elements. They fail to understand that the more thoroughly the counter-revolutionary elements are exterminated, the less will be the possibility of the united front being disrupted and undermined. Thus the united front will be further strengthened. At the same time, when the base of the united front is further strengthened and widened, the enemy will be still more isolated and the counter-revolutionaries can be exterminated with greater ease.

Others have been apprehensive of the effect of resolute suppression of counter-revolutionaries which, they consider, may lead to alarm and even panic. They fail to see clearly who will become alarmed and panicky under such circumstances. Will they be the enemy agents and bandits? The aim of suppression is precisely to exterminate such elements, and it is right and proper that they should become alarmed and panicky. Why should such a result be cause for concern? Will the masses feel alarmed and panicky? The answer is that as long as the People's Government suppresses the counter-revolutionaries without excesses, being "steady of hand and accurate in aim", the people will be joyfully applauding and will certainly not become panicky. Panic would, on the contrary, be caused if the Government's boundless leniency, irresolution, tolerance of evil and indulgence toward enemy agents and bandits allowed them to harm the people without deterrence.

Some hold the view that in victory the people should be merciful and lenient. Those who express this view fail to understand that the people's victory is impossible without a determined effort to exterminate the enemies of the people. The people's security and victory cannot be assured without the resolute suppression of the jackals of America and the Chiang bandits. Any generosity or leniency shown to such elements would be tantamount to malevolence toward the people and a mockery of the people's revolutionary crusade, as well as being unfaithful to the people's trust. The degree of punishment imposed upon the criminals should be based on the magnitude of the crime. If the crime deserves capital punishment, the criminal should be mercilessly executed. If the crime does not deserve capital punishment, the criminal should not be executed. Nor should the criminal be executed in borderline cases. Capital punishment should be imposed only on those who must be executed, in other words, fully proven major counter-revolutionaries.

The origin of the tendency toward boundless leniency can be traced to the above-mentioned forms of confused thinking. However, as Chairman Mao has pointed out, the decision hinges upon the leadership.

Since last autumn, when the Central People's Government issued numerous directives and firmly took the lead in this connexion, the erroneous tendency toward boundless leniency has been speedily corrected in various areas in accordance with the basic policy of combining suppression with leniency. Impenitent and recalcitrant bandit leaders, recidivists, mobsters and heads of reactionary sects who had committed grave crimes were rigorously suppressed. Thereupon the whole situation changed. Those landlords and mobsters who had engaged in "counter-liquidation" of the farmers hastened to bow to the will of the farmers and to acknowledge their guilt. Those enemy agents who had recklessly engaged in subversive activities were either executed or imprisoned in exile. Many organized political bandits were quickly exterminated or disbanded. Even in those provinces where bandits were most active, namely, Fukien, West Hunan, Kwangsi, Kwangtung, Szechuan, Kweichow and Yunnan, the people's revolution proceeded on a firmer basis. In other words, evil has been overcome and right has triumphed. Where counter-revolutionaries were resolutely suppressed, where major bandit leaders, recidivists, mobsters, enemy agents and heads of reactionary sects were executed, the masses in those areas were far from being alarmed and panicky, but applauded and acclaimed the Government or celebrated with firecrackers. In those localities where the correct policy of the Central People's Government has been thoroughly implemented, the masses no longer reproach us with "Clemency above the law", but are full of praise for the correct objectives and excellent measures of the People's Government, which they describe as "just what one would expect from the People's Government." In certain areas, however, the suppression of counter-revolutionary activities is still not resolute enough; this indicates a soft and weak attitude and a continued tolerance of enemy agents and bandits without chastisement, to the dissatisfaction of the people. It is our view that such areas must speedily and thoroughly correct these deviations by firmly suppressing all counter-revolutionary activities in accordance with the directives of the Central People's Government.

Now, in order to furnish the cadres and the masses with legal weapons for the suppression of counter-revolutionary activities, in order to provide the judges with proper standards for the imposition of heavy penalties on counter-revolutionary criminals, in order to overcome rightist or leftist deviations in the process of resolutely suppressing counter-revolutionary activities, it is necessary to establish regulations for the punishment of counter-revolutionaries. The Central People's Government has been requested by various local authorities to promulgate such regulations as soon as possible. Accordingly, the Political and Legal Commission of the Administrative Council has drafted a set of "Regulations of the People's Republic of China for the Punishment of Counter-Revolutionaries" in accordance with the principles set forth in article 7 of the Common Programme. These Regulations having been approved by the Administrative Council at its 71st Administrative meeting, they are now submitted to the Central People's Government Council for consideration and approval.

These Regulations are based on the policy of combining suppression with leniency, under which "major evil-doers will be severely punished, those coerced into following such major criminals will be forgiven, and meritorious conduct will be rewarded." The principle of severity will be applied to leaders of counter-revolutionaries and to enemy agents and spies who have impenitently persisted in pursuing counter-revolutionary activities since the liberation. On the other hand, the principle of leniency will be applied to those coerced or duped into taking part in counter-revolutionary activities and to those who participated in counter-revolutionary activities only to a minor extent before the liberation and who have shown genuine repentance since the liberation, especially if they have since that time rendered distinguished services to the people's cause.

With a view to facilitating understanding of these regulations on the part of the cadres, we have endeavoured in the course of drafting to solve current problems while avoiding complexity and diffuseness. The wording is therefore simple and direct.

- (viii) Provisions laid down by the Economy Practice Investigation Committee of the Central People's Government for the disposal of cases of corruption and waste and for the suppression of bureaucratic deviations

(Approved by the State Administration Council at its 127th Meeting on 8 March 1952)

(NCNA, 56/ Peking, 11 March 1952)

Now that the work of the "3 Anti" struggle is nearing completion in all government agencies above the level of special areas and in all units of the armed forces above regiment level throughout the country, the following provisions are adopted with a view to dealing correctly and uniformly with certain questions concerning the disposal of cases of corruption and waste and the suppression of bureaucratic deviations discovered during the campaign.

#### I. BASIC PRINCIPLES

The basic principle of combining reform with punishment should be applied in dealing with cases of corruption discovered during the "3 Anti" Campaign. Lenient treatment should be given to the majority of offenders whose cases are less serious or who confess completely and redeem themselves by deeds. Severe punishment should be meted out to the minority of offenders whose cases are serious and pernicious in character and who refuse to confess. Cases of waste and bureaucratic deviations should also be appropriately dealt with in the light of actual conditions and in a responsible manner, so as to educate the cadres and to unite the masses. This is the only way in which the laws of the nation can be upheld and the revolutionary spirit of integrity, simplicity and close association with the masses can be maintained and developed. This is also the only way in which the results of the "3 Anti" Campaign can be consolidated to benefit the future work of national reconstruction.

#### II. MEASURES APPLICABLE TO CORRUPT ELEMENTS

1. The following measures should be taken to deal with various categories of corrupt elements:

- (a) In cases of corruption of a less serious and pernicious nature where the amount involved is less than one million yuan, offenders who confess their mistakes and give assurances of future good conduct are to be regarded as non-offenders and no disciplinary penalty is to be imposed. In cases of

a) more serious character where there is a full confession with genuine penitence and assurances of future good conduct, the offenders may also be regarded as non-offenders without disciplinary punishment being imposed. In these two categories of cases, no restitution is required except where the offender voluntarily returns the funds or property involved. However, if an offender persistently refuses to confess or if the case is serious and pernicious, the offender should be classified as a corrupt element and appropriate disciplinary penalties should be imposed. Proper restitution of the funds or property should be required.

(b) In cases of corruption where the amount involved is between one million and ten million yuan, less serious offenders who confess completely and give assurances of future good conduct will not be liable to criminal penalties but will be subject to disciplinary penalties appropriate to the circumstances, with proper restitution of the funds or property involved. However, those who are youthful offenders or who have committed an occasional offence but voluntarily confess or who have redeemed themselves by deeds through active participation in the "3 Anti" Campaign upon discovery may be classified as non-offenders without disciplinary punishment, although appropriate restitution should be required. Offenders in this category who persistently refuse to confess or whose offences are serious and pernicious will be subject to criminal penalties.

(c) Where the amount involved is between ten million and one hundred million yuan, criminal or disciplinary penalties should be imposed depending on the seriousness of the offence, the frankness of confession, restitution of the funds or property involved and participation in the discovery of other offenders. Restitution of funds or property should, however, be required wherever feasible.

(d) Where the amount involved exceeds one hundred million yuan, criminal penalties appropriate to the gravity of the offence should be imposed. Restitution of funds or property is required. If, however, the offender voluntarily confesses, sincerely repents, makes full restitution and redeems himself by reporting other cases of corruption, appropriate disciplinary penalties may be imposed instead of criminal penalties.

2. Disciplinary penalties take one of the following six forms: warning, demerit, demotion in grade, demotion in position, relief from post and dismissal. In practice, lenient treatment should be given on the basis of the fullness of confession and merits earned by reporting other cases of corruption during the "3 Anti" Campaign. Offenders should be urged to redeem themselves by meritorious work, and dismissal should be avoided as far as possible so that the offenders will not be deprived of livelihood and become social outcasts to the detriment of law and order. If retention in some capacity within the same government agency is not practicable, those who are relieved should be transferred to another agency by the personnel authorities or placed in training centres with a view to their reform and change of occupation.

3. Criminal penalties, except in cases of remission, take one of the following five forms: organizational control (one to two years), reformatory labour (two to four years), fixed-term imprisonment, life imprisonment or the death penalty. Where fixed-term imprisonment, life imprisonment or the death penalty is imposed, the sentence may be suspended if the circumstances so warrant. Persons placed under organizational control continue to work in the same organization without any position and without political rights but are given the opportunity to reform and assured of basic subsistence. Offenders sentenced to reformatory labour are grouped in suitable localities and appropriate categories for labour service. Where the sentence is suspended, if the original sentence is fixed-term imprisonment, the offender need not be placed in custody and may be subject to either organizational control or reformatory labour to permit observation of his conduct. If the original sentence is life imprisonment or death, the offender is placed in custody and required to undergo compulsory labour to permit observation of his conduct.

4. In computing the period during which the offence of corruption has been committed, the general rule is to take 1 October 1949 (date of the establishment of the People's Republic of China) as the starting point. However, in serious and pernicious cases of corruption, or in cases with a consistent pattern or where popular indignation is great, the investigation may go back to the date of liberation of the town or city or province concerned. In localities liberated after the establishment of the People's Republic of China, the date of liberation is taken as the starting point. For units of the armed forces which responded to the call of liberation, the date of the establishment of the system of revolutionary political work in the unit should be taken as the starting point. Cases of corruption which occurred prior to the establishment of the People's Republic of China may be dealt with as special cases if this is necessary because of their serious and pernicious nature or if they have been reported on account of great popular indignation.

### III. MEASURES APPLICABLE TO CASES OF WASTE

#### 1. Over-expenditure and wasteful extravagance in personal life

(a) Reasonable over-expenditure, i.e. over-expenditure required by an individual's personal life and work. Some of these cases are due to the unreasonableness or imperfection of the system enforced in the past. If an individual's over-expenditure results in a standard of living roughly equivalent to that of public service personnel of the same grade and has received the approval of appropriate authorities, it should be regarded as lawful over-expenditure. If such approval has not been received, the case should be regarded as one of defective procedure and the proper procedure should be completed. Such cases should not be classified as waste. The system should be revised in the future on the basis of actual requirements and financial feasibility.



(b) Semi-reasonable over-expenditure, i.e. over-expenditure required by an individual's personal life and work but in excess of the general standard of living of public service personnel of the same grade. Even if prior or subsequent approval has been received, the portion of expenditure which constitutes waste must be reviewed.

(c) Lavish over-expenditure in connexion with personal life or work. Such cases must be thoroughly examined and immediately corrected as constituting waste. The system must be strictly adhered to in the future and public criticism should be made within appropriate limits.

(d) Extravagant over-expenditure in connexion with personal life and work. This is not only a serious case of waste but constitutes prodigality verging on corruption. Such cases should be severely criticized and immediately corrected. Excess supplies must be surrendered, and appropriate disciplinary penalties should be imposed. Serious cases may be treated as special cases and appropriate criminal penalties imposed.

2. Over-expenditure and wasteful extravagance in collective life

(a) Reasonable over-expenditure in collective life, e.g. staff welfare, family subsidy, necessary entertainment on the part of a government agency and facilities required by the nature of work. Such reasonable over-expenditure should not be regarded as waste. The system should be organized or revised in the future on the basis of requirements and feasibility.

(b) Unreasonable over-expenditure in collective life, e.g. lavish entertainment and social functions, excessive purchases, furnishings or building in a government agency. Persons in charge should undertake a thorough review leading to immediate correction. In serious cases, appropriate disciplinary penalties may be imposed on the persons in charge.

3. Operational waste

(a) Operational waste due to insufficient experience or lack of experience despite diligent work on the part of the persons in charge, e.g. waste and losses in construction or operational funds. Such mistakes must be closely reviewed and no recurrence is permitted.

(b) Operational waste and losses due to serious bureaucratic deviations on the part of the responsible chiefs or due to mismanagement on the part of the personnel concerned where no insurmountable difficulties exist. In such cases, appropriate disciplinary penalties should be imposed on those who bear direct responsibility, in addition to a thorough review. Serious cases which have caused considerable loss to the country may be treated as special cases and criminal penalties imposed.

4. In dealing with cases of waste, investigation should not be continued too far into the past. They should be dealt with on the basis of actual conditions immediately preceding the "3 Anti" Campaign.

#### IV. STAGES OF IMPLEMENTATION AND THE QUESTION OF AUTHORITY TO APPROVE

1. In order to relieve as soon as possible the apprehensions of the vast majority of minor corrupt elements in the current "3 Anti" struggle within government agencies, units of the armed forces, educational institutions and public enterprises so as to facilitate re-education and reform and to concentrate on the task of basic completion of the "3 Anti" struggle in all government agencies above the level of special areas and all units of the armed forces above regiment level within the month of March, all localities should by 20 March complete the disposal of cases involving persons not classified as corrupt elements and aim at the partial disposal of less serious cases of corruption where only disciplinary penalties are to be imposed.

Cases of waste should be dealt with only after the above-mentioned categories of cases have been disposed of or when the "3 Anti" struggle at various levels has been basically completed.

2. Offenders not classified as corrupt elements and those on whom only disciplinary penalties are imposed should be dealt with in the following manner: As a first step, the entire personnel (including all those who are under provisional control because of corruption whether proven or suspected) should be convened to attend a meeting at which the basic principles in dealing with cases of corruption and waste are announced in the name of the Economic Practice Investigation Committee of the People's Government at various levels. The policies enunciated above should be explained to the public. Subsequently, after preparations have been completed by the Economic Practice Investigation Committee at various levels, the cases should be examined by the agencies concerned. Upon approval by the responsible authorities, the verdicts should be announced in public.

In general, authority to approve disciplinary penalties rests with the immediately superior organ. However, where the punishment is relief from post or dismissal, it should also be approved by the next higher organ.

3. In cases of corruption where criminal penalties are to be imposed or remitted, the following procedure applies to all party, administrative, military, civil and educational personnel. After preparations have been made by the Economic Practice Investigation Committee at various levels, People's Tribunals should be organized by appropriate administrative units under the direction of civil or military courts to try such cases. All units should aim at completing by the end of April the disposal of all cases of corruption where criminal penalties are to be imposed as well as all unfinished cases of corruption in the preceding category where disciplinary penalties are to be imposed.

In general, authority to approve criminal penalties rests with the immediately superior organ. However, life imprisonment and the remission of sentence in important cases of corruption must be approved also by the next higher organ. Death sentences must be approved by the regional government and the Central Government.

## V. THE SUPPRESSION OF BUREAUCRATIC DEVIATIONS

With regard to bureaucratic deviations, the position is as follows: During the "3 Anti" Campaign, reviews have been made at various levels under the leadership of executive heads and with the criticism of the public. Many cases of corruption and waste have been uncovered. Frenzied offensives launched by unlawful industrialists and merchants against government agencies have been disclosed. Many deficiencies in the work of government agencies have been revealed. As a result, the majority of responsible personnel have become profoundly conscious in their thought and in their work of the serious threat of bureaucratic deviations to government operations. For this reason, there has been a general and speedy growth of an excellent spirit of close association between the leadership and masses.

Criticism should be directed to those cadres who are guilty of serious bureaucratic deviations. In some cases, punishment should be imposed. Certain cadres have already been relieved of their posts or suspended from their functions while other cases have not been disposed of. After the cases of corruption and waste have been dealt with, appropriate disciplinary punishment should be meted out to such cadres according to actual circumstances and the degree of repentance. As for the minority of responsible personnel who, during the review at various levels, failed to undertake complete self-criticism and about whom the public still has misgivings, further reviews should be carried out during the construction phase of the "3 Anti" Campaign and appropriate conclusions should be reached.

Upon the basic completion of the "3 Anti" struggle, all units must enter into the constructive phase of the "3 Anti" Campaign. This means that all public service personnel must further strengthen belief in the leadership of the working class, consolidate the organization of work, examine the policies and ideas underlying the work of various units, establish new patterns of work, reform and living so as to ensure in thought, in spirit, in organization and in tradition the elimination of all vestiges of corruption, waste and bureaucratic deviations and the fostering of the revolutionary spirit of integrity and simplicity in the service of the people.

(ix) "Decisions by the State Administration Council Concerning the Establishment of People's Tribunals during the Five-Anti Campaign"

(Adopted by the 129th meeting of the State Administration Council on 21 March 1952)

(NCNA, Peking, 24 March 1952)

"3. The municipal people's Tribunal (or the municipal or hsien people's court) shall have the power to make arrest, to pass such sentences as recovery of illegal income, imposition of indemnity or fine, confiscation of property, deprivation of political rights, controlled reform through labour, imprisonment for a definite period, life imprisonment and death, and to suspend sentence or order acquittal."

(x) "Decisions by the State Administration  
Council Concerning the Establishment of  
People's Tribunals during the Three-Anti  
Campaign"

(Adopted by the 130th meeting of the State Administration  
Council on 28 March 1952)

(NCNA, Peking, 30 March 1952)

"3. The people's Tribunal of each unit shall have the power to subpoena, arrest, detain, release, and sentence to institutional custody, reform through labour, imprisonment for a definite period, life imprisonment, death, and order the recovery of bribe and booty, the confiscation of property, deprivation of political rights, suspension of sentence and acquittal."

"6. ....

"A. ....

"B. Those sentenced to reform through labour shall be sent to institutions so designated by the Government or the military headquarters to serve out the sentence.

"C. ....

"D. Those receiving a suspended sentence of imprisonment and changed to institutional custody shall have the sentence carried out by their own organizations; those changed to reform through labour shall be dealt with according to paragraph B of this article; those receiving a suspended sentence of life imprisonment or death shall be handed over to the local people's courts or military courts for imprisonment and forced labour."

(xi) "Decisions Concerning the Recovery of Bribe  
and Booty from Corrupt Elements"

(Approved by the 130th meeting of the State Administration  
Council and promulgated on 31 March 1952)

"2. ....

" ....

"C. .... (2) Those convicted shall return the money made through corrupt means. If recovery is really impossible, other appropriate measures may be taken by the organization or the people's court. Those convicted of a serious offence may be given a heavier sentence or made to pay through forced labour."

(xii) "Statement on the Draft Regulations for the  
Punishment of Corruption"

(A report by Peng Cheng, member of the Central Political  
Bureau and mayor of Peking, as approved by the  
14th meeting of the People's Government  
on 18 April 1952)

"Sentences of death, life imprisonment and imprisonment for a definite period may be suspended when the situation permits. Such suspension is mainly applicable to prisoners who tell the truth, repent, or have a meritorious record. Those receiving a suspended death sentence or a suspended life imprisonment sentence shall be imprisoned and subject to observation during imprisonment and forced labour, and it shall, in accordance with their record during the period of suspension, be decided whether to execute the original sentence or to commute it to a lighter sentence during the suspension period.

"There are three different kinds of punishment. The lightest is control, the next is hard labour, the heaviest is imprisonment.... In the present three-anti and five-anti campaigns, we shall place most of those who violate provisions of this Article under control or hard labour service. In the future, more shall be given hard labour service or imprisonment. For those who committed offences in the past, the period of imprisonment shall be short; for those who commit offences in the future, the terms shall be long."

(xiii) "Provisional Measures for the Control of  
Counter-Revolutionary Elements"

(Promulgated by the State Administration Council  
on 27 June 1952)

"Article 5. Persons under control shall:

- (1) obey Government control provisions;
- (2) actively participate in labour production;
- (3) immediately make a report when discovering other people engaging in counter-revolutionary activities."

"Article 8. Persons under control may have their control period shortened or cancelled if they fulfill one of the following conditions:

- (1) .....
- (2) Obey the supervision of the masses, actively participate in labour production, and actually reform."

(xiv) "Decisions of the State Administration Council  
of the Central People's Government concerning  
the promulgation of 'The Outline of Internal  
Labour Rules for State-Owned Enterprises'"

(Adopted by the 215th meeting of the State Administration Council  
on 6 May 1954, and promulgated on 14 July 1954)

1. "The Outline of Internal Labour Rules for State-Owned Enterprises" is enacted in accordance with recommendations by the All-China Federation of Labour and herewith promulgated for application.
2. The departments of the Central People's Government in charge of enterprises shall be responsible for the establishment, in accordance with this Outline, of internal labour rules suitable to their respective working conditions. Such rules shall have the consent of the labour unions concerned before promulgation, and shall be sent to the Ministry of Labour of the Central People's Government for reference.
3. If the competent departments of enterprises have already made regulations and rules similar to internal labour rules, such regulations and rules shall be amended or supplemented in accordance with this Outline, but such amendments and supplements shall have the consent of the labour unions concerned and shall be sent to the Ministry of Labour of the Central People's Government for reference.
4. Directors or managers of enterprise units shall, in accordance with the provisions of this Outline and the internal labour rules of the competent department, together with the actual conditions prevailing in their own units, prepare internal labour rules for their respective units, and, upon securing the consent of the labour organizations of the units and after examination by local labour administration organs, submit such rules to their immediate supervisory bodies for approval and application.
5. Government organs, co-operative societies, enterprises under joint public and private control, and private enterprises may, on the basis of actual conditions and in the spirit of this Outline, establish internal labour rules of their own, but such rules shall have the consent of the labour organizations of each such unit concerned (where there is no labour organization, the rules shall be submitted for discussion by the entire staff), and shall after examination by the local labour administrative organs, submit the rules to their immediate supervisory bodies for approval. (For private enterprises, the rules shall be submitted to the labour administrative organs of the local people's government for approval.)

(xv) "Outline of Internal Labour Rules for  
State-Owned Enterprises"

(Adopted by the 215th meeting of the State Administration  
Council on 6 May 1954, and promulgated on 14 July 1954)

(Peking, Jen Min Jih Pao, 14 July 1954)

In accordance with Article 8 of the Common Programme of the Chinese People's Political Consultative Conference, the people of the People's Republic of China have the obligation to observe labour discipline. In our country, labour is an honoured, brave and exalted profession. Labour discipline is built upon the foundation of the self-awakening of the labourers. The purpose of enacting internal labour rules in factory and mining enterprises is to ensure and strengthen labour discipline, correctly to organize labour, fully and rationally to use working hours, to increase labour productivity and to produce goods of high quality. Accordingly, strict adherence to internal labour rules is the sacred duty of all the workers, technical personnel, and staff employees of the People's Republic of China.

Chapter One. Appointment, transfer, and separation

1. A new workman or employee applying for appointment shall present to the management references from his original employer concerning his previous employment, or references from the labour administration organ of the local people's government. If this is his first job, he shall present a letter of reference from the district administrative organ of his domicile, or documentary proof from his school. Nobody shall be appointed if he does not have any of the above-mentioned references.
2. When appointing a workman or employee, or transferring a workman or employee to a new post, the management shall explain to the workman or employee the working system, internal labour rules, safety rules, production sanitation rules, fire prevention rules, and other rules and regulations ensuring normal work of the staff, and shall also explain to him the use of machinery, machine tools, equipment, and other tools.
3. When appointing a workman or employee, the management shall decide on a definite wage rate on the basis of his technical skill, production experience, and the position to which he is appointed. Whether his degree of technical skill meets the requirements of his work or position may be determined during a probationary period. The maximum probationary period for a workman shall be one month, the maximum probationary period for an employee three months.
4. When a workman resigns or asks for a transfer, two weeks' notice shall be given to the supervisor of his unit; when an employee resigns or asks for a

transfer, one month's notice shall be given. The resignation or transfer of any workman or employee shall have the approval of the director or manager in order to be effective; otherwise it shall be considered as a violation of labour discipline.

5. The dismissal of any workman or employee without reason is forbidden. When a workman or employee is dismissed, he shall be given a letter of reference, indicating the conditions of and reasons for the dismissal. If a workman or employee disagrees with the management's decision, he has the right to lodge a complaint with his labour organization, or to petition the labour administrative organ of the local people's government to deal with his complaint in accordance with procedures governing labour disputes.

6. The appointment and transfer of supervisory personnel of an enterprise shall, in accordance with its organizational structure, be decided by its superior administrative organ.

#### Chapter Two. The fundamental duties of the management and the staff

7. The fundamental duties of the management are:

(1) Correctly to organize the work of the staff, thereby enabling each workman or employee to work according to his own special ability and the degree of his skill;

(2) To endeavour to give work assignments out in time and to supply the staff with tools, material, equipment, and other articles in order to ensure continued and uninterrupted work by the staff in the entire working day;

(3) To endeavour to assign each workman to his definite work station, lathe, machinery, etc.;

(4) To ensure the perfection of machinery, lathe, and other equipment;

(5) To strengthen labour discipline, and thoroughly to implement the system of production responsibility;

(6) To extend the experience of advanced workmen, and to enforce measures of rationalization in production;

(7) To observe labour laws and regulations (such as laws and regulations relating to working hours, wages, labour protection, labour insurance, etc.).

8. The fundamental duties of the staff are:

(1) To work conscientiously and responsibly.



- (2) To observe labour discipline, to begin work according to schedule, strictly to observe the prescribed working hours, to devote the entire working hours to production, to do nothing unrelated to production and not to engage in idle talk or loafing, not to argue or fight, and not to interrupt other people's work;
- (3) Strictly to observe internal labour rules, to safeguard confidential information of the factory and mining enterprises, to carry out promptly and correctly the tasks assigned by the management;
- (4) Correctly to complete tasks on time, to meet the production quota and to try to surpass it, to endeavour to comply with current technical rules or instructions concerning production rules as given by immediate supervisors, to achieve the objective of high quality production, and not to produce any defective articles;
- (5) To safeguard State property (machinery, lathes, tools, raw material, etc.) and to enforce rules concerning the maintenance of equipment and the safe-keeping of raw material and finished products;
- (6) To observe safety rules, production sanitation rules, and fire prevention rules, and to make good use of working clothes and safety equipment issued by the management;
- (7) To clean his own work-station on time. When going off shift, to ensure the cleanliness of the work-station and hand over the work completely and precisely to the succeeding workman.

### Chapter Three. Working hours

9. All factory and mining enterprises shall establish regular working hours and rest periods. If the work is done in shifts, all the staff shall be assigned to the different shifts in orderly rotation.
10. The staff shall be notified of the starting and ending of the working hours and rest periods. (In general, such notices may be given by blowing whistles or ringing bells, or by other signals.)
11. At the start of working hours, the workman or employee shall take his own time-card from the time-card board or present his pass to the pass desk for safe-keeping. At the end of working hours, he shall put his time-card back on the time-card board or reclaim his pass. The time-card board or pass desk shall be open for half an hour before the start of working hours and half an hour after the end of working hours. A time-clerk shall be on duty at the time-card board or pass desk to supervise the proceedings. An accurate timepiece shall be placed by the time-card board or pass desk.

12. When the work is of a continuous nature and the next workman does not arrive on time, the workman on duty shall not stop working, but report immediately to the supervisor in charge, who shall immediately assign someone to take over the work.

13. The following activities (except those set forth under article 18 and article 19 of the Labour Union Law) are forbidden during working hours:

- (1) Stoppage of work in order to participate in social activities;
- (2) Convening of meetings concerning social activities;
- (3) Issue of wages and letters of reference;
- (4) Making the staff engage in other activities interfering with their work.

14. When a workman or employee is incapable of work, he shall be restrained from working.

#### Chapter Four. Punishment

15. The management shall, in accordance with the nature of the offence, order the following disciplinary measures to be taken against any workman or employee violating labour discipline:

- (1) Warning;
- (2) Demerit;
- (3) Major demerit;
- (4) Transfer to a position at a lower wage level or demotion to a lower grade or a lower post.

16. Any person who is found guilty of serious violation of labour discipline which causes heavy losses to the enterprise shall be dismissed or sent to the court to be dealt with in accordance with the law.

17. Any person who without adequate reason arrives later or leaves earlier than the regular hours of the shift or indulges in loafing, sabotage, or absenteeism during working hours shall, in accordance with the seriousness of the offence, be given appropriate punishment up to and including dismissal.

18. The management shall decide on the punishment immediately after it has proof of the wrongdoing of the workman or employee concerned. Before making such decision, the person who violates labour discipline shall be given an opportunity to state his case. In general, punishment shall be decided upon within one month of the day the wrongdoing is proved. No punishment shall be given if no decision is made in three months. With the exception of complicated cases and unless adequate reasons are given, the responsible person in the management shall be subject to punishment if the offence is not dealt with in accordance with the time-limit herein specified.

19. The purpose of punishing a workman or employee is to educate the entire staff and to educate the punished man himself. Therefore, each decision for punishment shall be transmitted to the punished man in writing and shall be announced to the entire staff. When necessary, a regular meeting may be devoted to self-examination by the wrongdoer and to correct public criticism by the staff.

20. A workman or employee subject to any of the disciplinary measures listed in article 15 may have his punishment rescinded by the management if no new violation of labour discipline is found within one year; if he can correct his mistake and attain good results, with factual proof, the management may rescind his punishment without waiting for the completion of the one-year period.

21. A workman or employee, who produces defective articles or damages tools or equipment as a result of violation of working rules or irresponsibility, may be required to pay indemnity in full or in part for the material loss incurred, in accordance with the situation, no matter whether he is punished or not. The amount of indemnity shall be determined by the management and shall be deducted from the wages of the workman or employee concerned until the total amount is paid, but in no case shall any deduction exceed thirty per cent of the actual monthly wages of the workman or employee. If he corrects his mistake promptly and attains good results, the indemnity may be reduced or remitted in accordance with the situation.

22. After the announcement of the punishment, the punished man may present his views to the superior administrative organ within ten days of the announcement. The original punishment shall be enforced until a decision is rendered by the superior administrative organ.

23. When a member of the supervisory personnel of the enterprise is found to have done wrong or to have violated labour discipline, he shall, in accordance with the organizational structure, be subject to disciplinary action by the original appointing organ, according to the seriousness of the offence, or be sent to the court to be dealt with in accordance with the law.

24. Internal labour rules shall be posted in conspicuous places in machine shops (section or unit offices).

(xvi) "Regulations Enacted in the People's Republic of China  
Governing Reform through Labour"

(Adopted on 26 August 1954 at the 222nd meeting of the  
State Administration Council)

(NCNA, Peking, 7 September 1954)

Chapter One. General Principles

"Article 1. The present regulations are adopted in accordance with the provisions of article 7 of the Common Programme of the People's Political Consultative Conference of China for the purposes of punishing all counter-revolutionary and other criminal prisoners and of compelling them through labour to reform themselves and to become new persons.

"Article 2. The reformatory labour institutions of the People's Republic of China shall be an instrument of the people's democratic dictatorship and the agencies responsible for the punishment and reformation of all counter-revolutionary and other criminal prisoners.

"Article 3. In order to reform prisoners through labour, prisons and reformatory labour corps shall be established for the confinement and control of convicted prisoners in accordance with the nature of the offences committed and the degree of severity of the penalties imposed.

Houses of detention shall be established for the confinement of untried prisoners.

Houses of correction shall be established for the reform of young prisoners through education.

"Article 4. In the reform through labour of all counter-revolutionary and other criminal prisoners, the reformatory labour institutions shall carry out fully the policies of combining punitive control with thought reform and of co-ordinating productive labour with political education.

"Article 5. Reformatory labour institutions shall exercise strict control over all counter-revolutionary and other criminal prisoners during the period of their confinement and no negligence or relaxing of effort shall be permitted. Cruelty and torture shall be strictly prohibited.

"Article 6. Reformatory labour institutions shall be under the direction of the people's public security bureaux and shall be supervised by offices of the people's procurator at various levels. In matters pertaining to judicial functions, they shall receive guidance from the people's courts at various levels.

"Article 7. If prisoners are under investigation or on trial, the reformatory labour institutions shall carry out their work of control and education in conformity with the investigation and trial proceedings.

## Chapter Two. Reformatory Labour Institutions

### Section 1. House of detention

"Article 8. Houses of detention shall be primarily for the confinement of untried prisoners.

If commitment to reformatory labour corps is inexpedient, a prisoner sentenced to imprisonment for less than two years may be committed to a house of detention.

"Article 9. Houses of detention shall be conversant with the circumstances of each untried prisoner. Untried prisoners accused of committing a grave offence shall be placed in solitary confinement, and prisoners implicated in the same case or in related cases shall be segregated in order to ensure co-ordination with the investigating and judicial authorities for the speedy conclusion of the case or cases. To the extent compatible with the proceedings of investigation and trial, untried prisoners shall be organized to perform appropriate labour.

Convicted prisoners committed to a house of detention shall be segregated from the untried and shall be required to perform productive labour and given political education.

"Article 10. If an untried prisoner committed to a house of detention is subsequently ordered to be placed under surveillance or sentenced to labour without imprisonment, he shall, in accordance with the final decision of the people's court concerned, be sent back to his place of domicile or to his original work unit to serve his sentence with the local people's government concerned or with his original work unit.

"Article 11. Houses of detention shall be established at national, provincial, municipal, special administrative district and hsien levels and shall be under the jurisdiction of the people's public security bureaux at corresponding levels.

Houses of detention of different levels to be established in the same locality may be combined as appropriate.

Branch public security bureaux in municipalities under the direct control of the central authority and in municipal districts serving as provincial capitals may, if necessary, also establish houses of detention.

"Article 12. Each house of detention shall have a director, one or two deputy directors, and a number of assistants and guards.

### Section 2. Prisons

"Article 13. Prisons shall be intended primarily for the confinement of counter-revolutionary and other major criminals who have been sentenced to life imprisonment or granted a stay of execution after sentence of death and who are unfit for labour outside the prison.

"Article 14. Prisons shall exercise strict supervision and vigilance over the prisoners who, if necessary, may be placed in separate cells. Prisoners shall be required under strict supervision to perform labour and to receive education, due regard being paid to their different circumstances.

"Article 15. Prisons shall be established by the provinces and municipalities as required and shall be under the jurisdiction of provincial and municipal people's public security bureaux.

"Article 16. Each prison shall have a director, one or two deputy directors, and various work sections in charge of control and education, production, general administration, etc.

### Section 3. Reformatory labour corps

"Article 17. The reformatory labour corps shall have the custody of and exercise control over convicted counter-revolutionaries and other criminals who are fit for labour outside the prison.

"Article 18. The reformatory labour corps shall organize prisoners for systematic productive work in agriculture, industry, and reconstruction programmes and shall impart political education in co-ordination with productive labour.

"Article 19. Reformatory labour corps shall be established by the provinces and municipalities as required and shall be under the jurisdiction of the provincial and municipal people's public security bureaux.

"Article 20. Reformatory labour corps may, on the basis of the number of prisoners and the requirements of production, form labour platoons, companies, battalions, regiments and divisions. Each unit shall have a leader and a number of deputies and shall set up such work sections as control and production may require.

### Section 4. House of correction for young prisoners

"Article 21. Houses of correction shall be established for the custody and education of young prisoners who are over 13 but under 18 years of age.

"Article 22. The houses of correction shall lay particular emphasis on the imparting of political education, new moral education, basic cultural education and training in productive skills to young prisoners and shall require them to undertake light labour under conditions favourable to their physical development.

"Article 23. Houses of correction shall be established at provincial and municipal levels as required and shall be under the jurisdiction of the provincial and municipal people's public security bureaux.

"Article 24. Each house of correction shall have a director, one or two deputy directors and may have such other personnel as are required by the work of the institution.

### Chapter Three. Reform through Labour and Education

"Article 25. Reform through labour shall be co-ordinated with political and ideological education in order that compulsory labour may gradually become voluntary labour, thereby converting the prisoners and enabling them to become new persons.

"Article 26. By the continuous and systematic use of such methods as collective instruction, private conversations, study documents and organized discussion, the prisoners shall be trained to confess their guilt and to comply with the law and given instruction in political and topical events, productive labour and culture in order that they may recognize their criminality, eliminate their criminal thoughts and form new moral concepts. The prisoners may engage in suitable physical, cultural and recreation activities and they shall also be organized in study groups to discuss their life, labour and learning.

"Article 27. Special attention shall be paid to the development of productive skills and the habit of work among the prisoners. In the process of reform through labour, due regard shall be given to making full use of the ability of skilled prisoners.

"Article 28. Production on a competitive basis may be organized among the prisoners in order to improve efficiency and to stimulate the positive interest of the prisoners in reform through labour.

"Article 29. In order to facilitate examination of the reform of the prisoners, a file and index card system shall be maintained by specially appointed personnel to record from time to time particulars regarding the prisoners' discipline and achievements in labour and learning as a basis for periodic reviews.

### Chapter Four. Reformatory Labour Production

"Article 30. The productive activities of reformatory labour shall serve the needs of national economic reconstruction and shall be integrated with the general programme of national reconstruction through production.

"Article 31. The productive activities of reformatory labour shall be under the co-ordinated direction of the Financial and Economic Commissions of the people's Governments at various levels and shall receive specific guidance from departments concerned with agriculture and forestry, industry, finance, communications and transport, water conservation and commerce.

"Article 32. The central authority, provinces and municipalities shall establish Committees on Reformatory Labour Production, to be composed of the officers in charge of the Financial and Economic Commissions at various levels, Government departments concerned with financial and economic affairs, and public security and judicial bodies at corresponding levels, to direct and supervise the implementation of programmes on the productive activities of reformatory labour.

"Article 33. The productive activities of reformatory labour shall be directed, under the centralized management of the provinces and municipalities, towards the vigorous promotion of agricultural production, the development of production in promising manufacturing, mining and pottery industries, and the organization of productive work in water conservation, road construction and other reconstruction programmes.

The special administrative district and hsien authorities shall be chiefly responsible for the organization of productive work in houses of detention and may also organize productive work in areas outside their jurisdiction.

"Article 34. In the organization of prisoners for productive work, the necessary safeguards and systems shall be provided to ensure the protection of the workers. If a prisoner is crippled or dies in the course of work or because of a disaster, suitable care shall be taken of him or of his relatives as circumstances may require.

"Article 35. The Ministry of Public Security of the Central People's Government may, in accordance with the number of prisoners in various areas of the country, conditions of production and the requirements of national reconstruction, draw up plans for the distribution of the prisoner labour force which, upon approval by the State Administration Council, shall serve as a basis for the co-ordinated allocation of the force. However, temporary allocation involving a relatively small number of prisoners and not affecting extensive areas may be authorized directly by the Ministry of Public Security.

#### Chapter Five. System for the Control of Prisoners

##### Section 1. Commitment of prisoners to institutions

"Article 36. Commitment of a prisoner to an institution shall be effected by means of a writ for the enforcement of a judgment or a writ of detention, without which no prisoner may be admitted. If particulars specified in a writ are found to be at variance with the facts or incomplete, the committing authority shall be required to furnish an explanation or supplementary information.

"Article 37. A prisoner shall upon admission be required to undergo a physical examination. With the exception of major counter-revolutionaries and other prisoners convicted of serious offences, the following shall not be admitted:

- (1) Persons suffering from mental illness or an acute contagious disease;
- (2) Persons who suffer from a grave illness and whose life may be endangered by imprisonment; and
- (3) Pregnant women and women who have given birth to a child within the previous six months.



Persons refused admission under the preceding paragraph, shall be sent by the committing authority to a hospital or to some other suitable place, or placed in the care of a guardian, due consideration being given to the individual circumstances of the prisoners.

"Article 38. Prisoners shall, as dictated by circumstances, be placed in cells or solitary confinement or in quarters set aside for women or the sick. Women prisoners shall be supervised by personnel of the same sex.

"Article 39. Women prisoners shall not be permitted to bring young children to the institutions. If prisoners can find no way to look after their children, they shall be entrusted by the civil affairs sections of local administrative offices to the care of a private home, orphanage or nursery, the expenses involved being defrayed from social relief funds.

"Article 40. Prisoners shall be carefully searched on admission. Any prohibited articles discovered shall be sent to the people's court for confiscation. Articles for personal use shall be kept in safe custody by the institution and a receipt therefor shall be issued to the prisoner concerned. The prisoner may be permitted the use of any of these articles for justified purposes. On the release of the prisoner, all such articles shall be returned. Anything found to be providing useful information to the investigating authorities shall be duly forwarded.

Women prisoners shall be searched by personnel of the same sex.

"Article 41. The following particulars shall be entered in a prisoner status register in respect of each prisoner admitted:

- (1) name;
- (2) sex;
- (3) age;
- (4) racial extraction;
- (5) place of origin;
- (6) address;
- (7) social origin;
- (8) occupation;
- (9) education;
- (10) special ability or skills;
- (11) offence committed;
- (12) duration of imprisonment;
- (13) condition of health; and
- (14) family circumstances.

If necessary, a photograph of the prisoner may be attached to the register.

"Article 42. If an untried prisoner is found to have been detained beyond the period prescribed by law while awaiting conclusion of the investigation or trial of his case, the house of detention concerned shall forthwith notify the committing authority and request the speedy disposal of the case.

"Article 43. If valid information is found in respect of a convicted prisoner in its custody which may alter the findings in his case, the reformatory labour institution concerned shall forthwith transmit such information to the judicial authorities which originally tried the case or to the local people's court as evidence in a new trial.

Section 2. Guard

"Article 44. The people's public security forces shall at all times be responsible for keeping prisoners under armed guard. Armed personnel detailed for guard duty shall be placed under the operational command of the reformatory labour institution.

"Article 45. Vigilant guard shall be maintained outside the prison enclosure, around the areas where prisoners work or rest, and during the period when a prisoner is taken to or from prison. Only members of the guard forces or of the staff of the institution may bring arms into prison quarters or the areas where prisoners work or rest.

"Article 46. By special order of the investigating authority or with the approval of the officer in charge of the reformatory labour institution, instruments of restraint may be used as precaution against possible escape, violence or other dangerous acts on the part of a prisoner. Such instruments shall be removed as soon as the reasons for their use cease to exist.

"Article 47. The reformatory labour institution and the guard forces may, after using every other means of control without success, have recourse to arms, if:

- (1) the prisoners riot;
- (2) the prisoners, in an attempt to escape, defy control or resist arrest;
- (3) the prisoners, in an attempt to do violence or cause damage with a dangerous weapon or instrument, defy control or offer resistance;
- (4) the prisoners are being abducted or helped to escape in defiance of control; or
- (5) the prisoners attempt to disarm guards.

Particulars or every case when arms are used shall be reported to the competent people's public security bureau and office of the people's prosecutor for review.

The reformatory labour institution and the guard forces shall be held criminally responsible for any improper use of arms which constitutes an offence.

"Article 48. In the event of a natural disaster or emergency, the reformatory labour institution and the guard forces shall endeavour to rush prisoners to safety and shall increase their vigilance.

"Article 49. The reformatory labour institution shall make a regular inspection of prisoners and prison quarters every day and a major inspection weekly or fortnightly.

### Section 3. General treatment

"Article 50. Every prisoner shall be provided with food and clothing in conformity with the prescribed standards. Any attempt to reduce, withhold or appropriate to any other use the supply of such food and clothing is strictly prohibited.

Adequate steps shall be taken, to the extent consistent with the dietary standards, to improve and vary the prisoners' food, due regard being paid to the customs of prisoners belonging to ethnic minorities.

"Article 51. In order to make available to prisoners supplementary food and daily necessities, there may be established in every locality where prisoners are being reformed through labour such supply centres as may be required.

"Article 52. Prisoners shall as a rule be required to do work for nine to ten hours a day, except that those who are engaged in seasonal production may be required to work up to twelve hours daily. Prisoners shall as a rule be allowed to sleep eight hours a day. The period of study may be determined on the basis of prevailing conditions, but in no case shall it average less than one hour a day. In the case of young prisoners, the period for sleep and for study shall be duly prolonged. Prisoners who are not engaged in any work shall have from one to two hours exercise in the open air daily.

Adult prisoners shall as a rule have one rest day for every half month while young prisoners shall have one rest day a week.

"Article 53. Each reformatory labour institution shall set up a clinic, hospital or other medical establishment of a size commensurate with its own and the necessary medical facilities shall be provided. However, in the case of houses of detention at the hsien level where only a small number of prisoners are kept, the local public hospital may be requested to render the necessary medical services.

Attention shall at all times be paid to all matters relating to the health and cleanliness of prisoners such as bathing, hair-cutting, laundry, disinfection and immunization.

"Article 54. Upon the death of a prisoner, a medical certificate shall be issued, an inquest shall be made by the local people's court, and notice shall be sent to the family of the deceased and to the committing authority.

"Article 55. All expenses incurred in providing prisoners with medical care, health service, education, physical training and cultural and recreational facilities shall be borne by the reformatory labour institution in a manner consistent with the prescribed standards and actual needs.

#### Section 4. Visits and correspondence

"Article 56. Every prisoner shall be allowed visits by his family not more than twice a month and for a period of not more than thirty minutes each visit, provided that in special circumstances such period may be duly prolonged with the approval of the officer in charge of the reformatory labour institution. Conversations at the time of visit shall not be conducted in code or in a foreign language. An alien prisoner shall receive visits from his family in the presence of an interpreter.

An untried prisoner shall be permitted to receive visits from his family when approved by the committing authority or by the judicial authority before which his case is pending.

"Article 57. The reformatory labour institution shall carefully examine articles of personal use or money in people's currency sent to a prisoner by his family and shall not permit the prisoner to receive articles not essential to his needs. The institution shall register the amount of money in people's currency sent to a prisoner, keep the funds in safe custody and issue a receipt therefor. The prisoner shall be allowed to draw the money to meet any legitimate expenses.

"Article 58. Every letter to or from a prisoner shall be examined by the reformatory labour institution. In the case of an untried prisoner, the letter shall be examined either by the committing authority or the judicial authority before which his case is pending, or by the institution concerned at the request of these authorities. If a letter is found to contain information on the case or prejudicial to the education and reform of the prisoner, it shall be withheld.

"Article 59. Under special circumstances, steps may be taken to restrict or suspend the right of a prisoner to receive visits or articles of personal use from his family or his right of correspondence.

#### Section 5. Release on bail

"Article 60. A prisoner who belongs to any of the following categories may be released on bail and allowed to serve his sentence outside the institution, with the time thus spent outside credited as part of the term of imprisonment, provided that, prior to his release, the competent people's public security bureau has duly considered and approved such action and provided that the people's public security bureau having jurisdiction over the area where the prisoner is to reside has been asked to keep him under surveillance:

- (1) Persons who are gravely ill and in need of medical treatment outside the institution, with the exception of the most reprehensible offenders;

(2) Persons who have been sentenced to imprisonment for less than five years and who are over fifty-five years old or physically incapacitated and therefore not likely to endanger society.

The provisions of paragraph (1) may also be applied to an untried prisoner, if prior to his release on bail the committing authority has given its approval and the people's public security bureau having jurisdiction over the area where the prisoner is to reside has been asked to keep him under surveillance.

#### Section 6. Discharge

"Article 61. A prisoner shall be discharged when:

- (1) he has served his sentence;
- (2) instructions for his release have been given by the investigating or judicial authority concerned; or
- (3) he has been granted release on parole.

The reformatory labour institution shall, on the date specified, discharge the prisoner granted release and issue him a certificate of discharge in which the institution's record of the prisoner shall be entered.

The reformatory labour institution shall pay the prisoner upon his discharge the travel allowance necessary for his homeward journey and, if he is gravely ill, shall notify his family to call for him.

"Article 62. Any prisoners who at the time of release after serving their sentence elect to remain with the corps, or are homeless and without any prospect of employment, or are in sparsely populated areas where their settlement is possible, shall be registered with the reformatory labour institution for work and employment in accordance with measures to be adopted separately.

#### Chapter Six. Supervision and Control Commission

"Article 63. There shall be established a Supervision and Control Commission for each reformatory labour corps of more than three thousand prisoners situated in a remote area far from any provincial capital.

"Article 64. It shall be the duty of the Supervision and Control Commission to supervise, inspect and direct the reformatory labour corps in the enforcement of measures relating to the education of prisoners through labour as well as in the administration of the system of reward and punishment.

"Article 65. The Supervision and Control Commission shall consist of five to seven members, including one or two representatives each of the people's public security bureau and of the people's court at the provincial level and the officer in charge of the reformatory labour corps.

"Article 66. The Supervision and Control Commission shall regularly report to the people's public security bureau, the people's court and the office of the people's prosecutor at the provincial level and request instructions from them.

#### Chapter Seven. Reward and punishment

"Article 67. A fair and impartial system of reward and punishment shall be put into effect so that prisoners may have a chance to make amends for their guilt by meritorious conduct.

"Article 68. A prisoner may be granted, on the basis of merit, such rewards as a commendation, a material award, a record of merit, commutation of sentence or parole, for:

- (1) consistent observance of discipline and serious efforts at study, which indicate a genuine feeling of repentance;
- (2) efforts to dissuade other prisoners from committing unlawful acts or the furnishing of information on counter-revolutionary organizations and activities inside or outside the institution which is subsequently substantiated;
- (3) industrious labour which results in fulfilling or even exceeding the norm of production;
- (4) outstanding achievement in the economic use of raw materials and in taking good care of public property;
- (5) inventiveness or creativeness in applying highly technical skills or notable success in teaching others such skills;
- (6) contributions made in averting damage in the event of a disaster or emergency, or
- (7) other meritorious services to the country and the people.

"Article 69. A prisoner shall be subject to such disciplinary punishments as befit the seriousness of the case, including admonition, a mark of demerit and solitary confinement, if he:

- (1) impedes the reform of other prisoners;
- (2) does not take good care of or damages tools of production;
- (3) is idle at work or refuses to work;
- (4) commits other acts in violation of the administrative rules of the institution.

"Article 70. Reward or punishment under articles 68 and 69 shall be announced and effected after consideration and approval by the officer in charge of the reformatory labour institution, provided that, if a commutation of sentence or parole is involved, the reward shall not be announced and effected until the proposed action has been referred to the competent people's public security bureau for consideration and has received the approval of the local people's court at the provincial or municipal level.

"Article 71. If a prisoner commits any of the following offences during the period of confinement, the reformatory labour institution shall, taking account of the seriousness of the case, request the local people's court to impose penalties in accordance with the law:

- (1) participation in a riot or act of violence, or incitement to commit an act of violence;
- (2) escape or organizing escape;
- (3) causing damage to construction work or important public property;
- (4) open and refractory refusal to work;
- (5) other serious violations of the law.

"Article 72. If, in the course of reform through labour, major counter-revolutionary offenders or habitual offenders convicted for larceny or robbery, instead of working hard, persistently show indiscipline, thereby proving themselves to be not yet reformed and likely, if released, to continue to endanger the peace and order of society, the reformatory labour institution may, prior to the expiration of their sentences, present its views to the competent people's public security bureau for consideration in order that such prisoners may be retained for further reform through labour in accordance with the ruling to be given by the local people's court.

"Article 73. If there are definite indications that a prisoner, subject to disciplinary punishment has obviously repented, the punishment may be mitigated or rescinded, account being taken of the degree of repentance.

#### Chapter Eight. Expenses

"Article 74. The reformatory labour institutions shall be financed by:

- (1) appropriations from the national budget; and
- (2) income from the production of the institutions.

"Article 75. The expenditure of the reformatory labour institutions shall be effected in accordance with the standard procedures and system determined jointly by the Ministry of Public Security and Ministry of Finance of the Central

People's Government. Specific measures to control the receipt and disbursement of funds for use in connexion with reform through labour shall be provided in separate rules.

Chapter Nine. Supplementary rules

"Article 76. Detailed measures for the enforcement of the present Regulations shall be prescribed in separate rules.

"Article 77. The present Regulations shall come into force on the date of promulgation following their adoption at the State Administration Meeting of the State Administration Council of the Central People's Government.



(xvii) "Explanatory Statement on the Draft Regulations  
governing Reform through Labour of the People's  
Republic of China"

(Report of Lo Jui-Ching, Vice-Chairman of the Political and Legal Commission of the State Administration Council, at the 222nd meeting of the State Administration Council, on 26 August 1954)

(NCNA, Peking, 7 September 1954)

Mr. Premier, Fellow Members:

The "Draft Regulations governing Reform through Labour of the People's Republic of China" have been in preparation for a long time. In the course of preparation, we were assisted by Soviet legal experts. After prolonged discussion, a number of amendments have been made in the draft. The first draft was considered by the Political and Legal Commission of the State Administration Council at its 222nd meeting, and an amended draft was adopted in principle by the Commission. In order to ensure more satisfactory, more appropriate and more efficient implementation of the programme to reform criminals through labour, we consider it necessary to issue this set of regulations as soon as possible. For this reason, the draft regulations are now presented to the State Administration Council for consideration and approval with a view to their promulgation and execution. I wish to make the following comments with regard to the main provisions of these regulations:

(1) During the past few years, pursuant to the directives given by the Chairman, Mr. Mao, in "On the People's Democratic Dictatorship" and the provisions of article 7 of the Common Programme and in accordance with the fundamental policy of the Chinese Communist Party and the Central People's Government to reform criminals through labour to become new citizens, the reformatory labour institutions at various levels, acting under the guidance of the People's Government, have consistently carried out the correct programme of "co-ordination of disciplinary control with thought reform and co-ordination of productive labour with political education". Consequently, excellent results have been achieved in reforming criminals through labour. Our reformatory labour institutions are not merely concerned with placing numerous criminal elements in custody to prevent them from committing further evil acts against society but, what is more important, they are actively engaged in organizing them to undertake productive labour during the period of punitive control, in reforming their thought as they work and in giving them cultural education as well as training in productive skills in order to help them to become new citizens. This is an important step in the maintenance of public order and in promoting the smooth development of national reconstruction. Furthermore, the overwhelming majority of prisoners have soon genuinely acknowledged their guilt and have been able, to a greater or lesser extent during the prison term, to reform their own thinking, to raise their own cultural level and to acquire the habit of working. As a result of undergoing reform through labour, a large number of prisoners have become skilled workers in industry, agriculture and building and

construction. Some of them have even been selected as advanced and model workers upon employment after release. Past experience has shown that, with the policy of reforming criminals through labour, it is possible to reform criminal elements in the course of work. This is therefore an effective way to eradicate counter-revolutionary activities and all criminal offences. It will be readily recognized that, if we did not adopt this policy of reforming their thinking and enabling them to acquire the habit of working and productive skills, there would be no assurance that, upon release on completion of their prison terms, they would not continue to commit crimes and to engage in counter-revolutionary and destructive activities endangering the State and the people. It would also be hardly possible for them to earn a lawful living by their own labour in the new society. Consequently, not only is the policy of reforming criminals through labour supported by the whole nation, but many prisoners and their families have expressed their sincere gratitude for our policy of reform through labour. They describe our reformatory labour institutions as "hospitals for thought reform and schools for technical training". Some of them say: "In the old society, good people were kept in prisons; in the new society, bad people are kept in prisons and become good in the process." Some others say: "We cannot discipline our own children; the Government can do it better." Many of our foreign friends who come from capitalist countries, after visiting our reformatory labour institutions, are astonished at what they see and full of praise for our achievements. In our work of reforming criminals through labour, we have accomplished wonders which they had not thought possible. They describe it as "the correct and most humane policy in the treatment of criminals."

The other side of the picture, so far as achievements in this work are concerned, is the large-scale production of the criminals that we have thus organized. During the past four years, many reformatory labour farms have been set up, some of the larger farms having an area of over 10,000 mou. A number of industrial plants have also been established under this programme. In addition, numerous labour corps have been organized for public works such as water conservation, railway construction, lumber collection and house building. These productive enterprises, besides directly contributing to the development of national reconstruction, have resulted in substantial savings for the State, thus creating a large amount of national wealth. In this four-year period, after deducting the living expenses of prisoners and other necessary expenditure under the reformatory labour programme, the amount of fixed assets and liquid capital thus accumulated is approximately equal to the total sum allocated by the State for this programme.

By 1955, the aggregate receipts and expenditure in the national budget are expected to approach balance. Production under the reformatory labour programme has contributed significantly to the supply of commodities to meet the requirements of basic national development as well as the people's needs

for consumer's goods. For example, in regard to building materials, over 2,000 million bricks and over 770 million tiles were produced last year, directly contributing to the basic construction work of the nation. The Reformatory Labour Hosiery Works of Peking produced 714,000 dozen socks and stockings last year, thus adding to the supply of consumer's goods for the people. The Tiertsin Steelworks produced over 1,700,000 units of connecting parts for heating equipment last year; the products being considered above standard, a long-term contract has been signed with the Anshan Steelworks to supply the latter with this item. The farms, industrial plants, mines, ceramic works, and other production enterprises now in operation have laid a firm foundation for the future work of reforming criminals through labour.

Naturally, our work of reforming criminals through labour is not without its defects. Defects have been found in the past and no doubt certain defects still exist at present. However, generally speaking, our policy of reforming criminals through labour and the results obtained during the past four years have been a marked success.

From the above facts, it will be seen that there must be close co-ordination of, and equal emphasis on, the three main lines of policy, namely, (a) the punishment and control of criminals; (b) compulsory productive labour; (c) education in political thinking. This fundamental policy is the basic concept underlying the Draft Regulations. In other words, the Draft Regulations governing reform through labour of the People's Republic of China are derived from our experience in carrying out this fundamental policy consistently during the past few years. Appropriate measures based on practical experience have been systematized and codified in the Regulations.

(2) With regard to the establishment of reformatory labour institutions on the basis of past experience, various types of institutions such as houses of detention, prisons, reformatory labour corps, and houses of correction for young prisoners are set up according to the nature of the offences committed, the degree of severity of the penalties imposed, the distinction between convicted criminals and untried criminals etc. Different types of criminals are given different kinds of treatment in custody so as to facilitate judicial processes and the work of reform. Such counter-revolutionaries and other convicted criminals as are fit for labour outside prison are supervised by authorities in charge of reformatory labour corps and centrally organized to engage in labour outside prison, such as planned production in agriculture and industry or construction work in water conservation and road-building. This is the main type and the most appropriate form of organized production by criminal labour. Major counter-revolutionaries and other major convicts who are not fit for work outside prison are supervised and organized by prison authorities to engage in labour inside prison. Another category consists of juvenile criminals who, though relatively small in number, should not be confined in the same institutions as adults but should be carefully segregated because, from the point of view of criminal responsibility, juvenile

criminals should obviously receive different treatment from adults. In the case of juvenile criminals, the main emphasis should be placed on re-education during the period of punitive control. Furthermore, it is relatively easy to convert juvenile criminals into good citizens by education. Again, from the standpoint of health and strength, juvenile criminals should not be required to engage in excessive or strenuous labour. For these reasons, it is essential that houses of correction should be set up in selected localities to control and re-educate juvenile criminals. Thought development and basic instruction in culture and technical skills are stressed during their periods of disciplinary control, supplemented by an appropriate amount of light work, with a view to re-educating them to become useful citizens, houses of detention are established primarily for prisoners still under investigation or awaiting trial, in other words untried prisoners. Though distinct from prisons and reformatory labour corps, they nevertheless constitute an essential part of the system of the people's democratic dictatorship to keep counter-revolutionary elements and other criminals under custody. At the same time, all untried prisoners capable of working are also required to work. In addition, under present conditions, some criminals sentenced to imprisonment for less than two years are placed and reformed in houses of detention. Consequently, houses of detention are classified as reformatory labour institutions. This is entirely in conformity with the spirit of the people's democratic judicial system. The reformatory labour laws of the Soviet Union have similar provisions.

The establishment, functions and scope of work of reformatory labour institutions are specified in chapter II of the Regulations.

(3) Since the punishment and reform of criminals are carried out under constraint, it is necessary to place all prisoners under strict control with a high degree of revolutionary vigilance. Accordingly, chapter V contains specific provisions on the guarding, visiting and communication procedures for prisoners and on precautionary measures under various circumstances. On the other hand, in accordance with the spirit of converting prisoners into new citizens, the health and the physical and cultural environment of the prisoners are given adequate attention. Such matters as prescribed periods of work and rest, medical, sanitary and health facilities, the provision of food, clothing and cultural activities and entertainment are appropriately and specifically covered in chapters II to V of the Regulations where special attention is also given to the living habits of prisoners who belong to racial minorities and to certain particular problems of women prisoners. Moreover, a system of reward and disciplinary punishment for prisoners is set forth in chapter VII in order to make the work of reforming prisoners more effective and to stimulate the positive interest of prisoners in reform through labour.

(4) One further point requires special clarification. During the past few years, an increasing number of prisoners have, upon completion of their prison terms during which they underwent reform through labour, voluntarily requested permission to remain with the labour corps in order to participate

in production, or have asked the reformatory labour institutions, to find employment for them. Consequently, article 62 of the Regulations specifically provides that: "Any prisoners who, at the time of release after serving their sentence, elect to remain with the labour corps for employment, or are homeless or without any prospect of employment, or who are in sparsely populated areas where their settlement is possible, shall be organized by the reformatory labour institution for work and employment." The reason for this provision is that such action will solve the problem of certain prisoners in seeking employment upon release, lessen the difficulties of the State in dealing with unemployment and eliminate the danger of such prisoners reverting to crime owing to their inability to find a livelihood. In response to the urgent requests of prisoners for permission to remain with the labour corps, this measure is in full accord with the interests of the State and the people. Naturally, the control and treatment of prisoners who remain with the labour corps and continue to participate in its production work upon completion of their prison terms are in principle different from those of convicts. They must be given reasonable and appropriate wages and remuneration for their work. Those with families should, wherever it is possible for their families to join them in co-operative work, be permitted to settle their families at the place of production and be given the necessary facilities and assistance for this purpose. If their income does not permit them to maintain their families, steps should be taken to help them support their families and enjoy security. A number of local reformatory labour institutions have already adopted this practice. For example, at the Chingho Farm in Peking, the number of prisoners released upon completion of their reform-through-labour-terms during the last four years is 5,384. Those who voluntarily continue to work with the corps number 1,455, which exceeds 27 per cent of the prisoners released. Such persons are generally assigned to work on the farm or in auxiliary factories. Those who have been trained as tractor operators, automobile drivers, skilled workers in agriculture, water conservation or medicine, or as electricians, carpenters, bricklayers etc., are given the same remuneration as regularly employed skilled workers when they do such work. Furthermore, in order to ensure that those who remain with the corps enjoy security and the benefits of family life, their families upon joining them are helped and organized to participate in the work of sack-weaving, cattle-feeding, nursing, teaching etc., in order to enable them eventually to become self-supporting. As a result, all those who remain with the corps as well as their families are very grateful to the People's Government and say that it has solved the problem of their whole life. Many prisoners still serving their terms have also been moved to declare that their aim is "to work actively during the prison term and to remain with the corps upon completion of the term". The experience gained at the Chingho Farm and other reformatory labour institutions has shown that the provisions of article 62 of the Regulations are absolutely necessary. In order to carry out article 62 of the Regulations governing Reform through Labour systematically, we have drafted a special set of "Provisional Measures governing the Release of Reform-through-Labour Prisoners upon Completion of Prison terms and the Resettlement and Employment of such Prisoners." These provisional measures are submitted for your consideration and approval together with the Regulations.

(xviii) "Provisional Measures Governing the Release of Prisoners upon Completion of Terms of Reformatory Labour and concerning their Resettlement and Employment"

(Approved by the 222nd meeting of the State Administration Council on 26 August 1954)

(NCNA, Peking, 7 September 1954)

"Article 1. The present measures are adopted in accordance with article 62 of the Regulations Governing Reform Through Labour of the People's Republic of China in order thoroughly to carry out the policy of reform through labour, to strengthen social order, and to resolve problems of work and employment of prisoners after they have served their sentences.

"Article 2. Prisoners who have served their sentences may be accepted for resettlement and employment by reformatory labour institutions if:

- (1) they elect to remain with the labour corps for employment and their service is needed in the productive activities of reformatory labour;
- (2) they are homeless and without any prospect of employment;
- (3) they have served their sentence of reformatory labour in sparsely populated areas and are in need of resettling in such areas together with other settlers.

"Article 3. Reformatory labour institutions shall, within three months before the completion of terms of reformatory labour by prisoners who qualify under either paragraph (2) or (3) of article 2, submit their recommendations to the competent People's Public Safety Bureaus for consideration and approval with a view to accepting the prisoners concerned for resettlement and employment upon the completion of their terms.

"Article 4. Persons who are accepted for resettlement and employment shall on the day of completion of their terms be released in accordance with the prescribed procedure and declared free, and shall be restored or continually deprived of their political rights in accordance with the original sentences.

"Article 5. Measures for the resettlement and employment of prisoners after release upon completion of their terms shall be as follows:

- (1) To encourage prisoners who have achieved more satisfactory results in reform through labour, have productive skills and are needed by productive enterprises, to seek employment by themselves, or when possible, to place them for employment by the labour department of reformatory labour institutions;

(2) To place and employ them in reformatory labour institutions and to determine their wages in accordance with their qualifications for work or technical skills;

(3) To allocate land on or near reformatory labour farms for the organization of collective production and the establishment of new villages.

"Article 6. The establishment of new villages shall be planned by the provincial reformatory labour institutions in conjunction with departments of civil administration of the same level.

"Article 7. Persons who have been resettled and employed in sparsely populated areas upon the completion of their terms of reformatory labour and who have become self-supporting through their productive work shall, with the assistance of the departments of civil administration concerned, and in accordance with arrangements applicable to settlers, have their families join them in order that they may enjoy security and family life.

"Article 8. Factories, mines, business enterprises, construction teams and small reformatory labour institutions shall, in accordance with the provisions of paragraphs (2) and (3) of article 5, place prisoners who have completed their terms within their own establishments. Persons who cannot be placed within these units shall be assigned under a co-ordinated plan by the provincial, municipal, or central reformatory labour institutions to other reformatory labour production units or new villages.

"Article 9. The present measures shall come into force upon approval by the State Administration Council of the Central People's Government.

(xix) Decree issued by the Chairman of the People's Republic of China  
(NCNA, Peking, 28 September 1954)

28 September 1954

The Organic Law of the People's Courts of the People's Republic of China having been adopted by the first National People's Congress of the People's Republic of China at its first session on 21 September 1954, is hereby promulgated.

Mao Tse-tung

Chairman of the People's  
Republic of China

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(a) ORGANIC LAW OF THE PEOPLE'S COURTS OF THE  
PEOPLE'S REPUBLIC OF CHINA

(adopted by the first National People's Congress  
at its first session on 21 September 1954)

CHAPTER I. GENERAL PRINCIPLES

Article 1. Judicial authority in the People's Republic of China shall be exercised by the following people's courts:

- (1) local people's courts;
- (2) special people's courts;
- (3) the Supreme People's Court.

The local people's courts shall be divided into lower people's courts, intermediate people's courts and higher people's courts.

Article 2. The Ministry of Justice shall seek the approval of the State Council for the establishment of the higher people's courts and special people's courts; the judicial administrative organs of provinces, autonomous regions and municipalities directly under the central authority shall seek the approval of the provincial and municipal people's councils or the self-government bodies of autonomous regions for the establishment of the intermediate people's courts and lower people's courts.

Article 3. It shall be the function of the people's courts to hear and determine criminal and civil cases and, through their judicial activities, to punish criminals of all kinds and to settle civil disputes with a view to safeguarding the people's democratic system, maintaining public order,



protecting public property, protecting the rights and legitimate interests of citizens and ensuring the smooth progress of the socialist reconstruction and socialist transformation of the country.

In the course of their work, the people's courts shall make every effort to educate the citizens to be loyal to the fatherland and consciously to obey the law.

Article 4. In administering justice the people's courts shall be independent, subject only to the law.

Article 5. In judicial proceedings the people's courts shall apply the law equally to all citizens without regard to their nationality, race, sex, occupation, social origin, religious belief, educational standards, property status, and length of residence.

Article 6. Citizens of all nationalities shall have the right to use their own spoken and written languages in court proceedings. The people's courts shall provide translations for any party unacquainted with the spoken or written language commonly used in the locality. In an area entirely or largely inhabited by a national minority or where a number of nationalities live together, hearings in the people's courts shall be conducted in the language commonly used in the locality, and judgements, notices and other documents of the people's courts shall be made public in such language.

Article 7. Cases before the people's courts shall be heard in public unless otherwise provided by law. The accused shall have the right to defence.

In addition to exercising his right to defence, the accused may entrust a lawyer with the defence of his case, may arrange for citizens recommended by people's bodies or approved by the people's courts to defend his case or may arrange for his next of kin or guardian to do so. When necessary the people's courts may assign counsel for the defence.

Article 8. People's assessors shall sit in the hearing of all first instance matters before the people's courts with the exception of simple civil cases, minor criminal cases and other cases provided by law.

Article 9. Cases before the people's courts shall be heard in collegiate court.

With the exception of simple civil cases, minor criminal cases and other cases provided by law, first instance matters before the people's courts shall be heard in a collegiate court composed of judges and people's assessors.

Appeals and objections in the people's courts shall be heard in a collegiate court composed of judges.

The president or division president shall designate a judge to act as the presiding judge in the collegiate court. The president or division president shall act as the presiding judge when taking part in the hearing of cases.

Article 10. The people's courts shall establish judicial committees. It shall be the duty of the judicial committees to review judicial experience and to discuss important or doubtful cases and other problems related to judicial work.

Members of the judicial committees of the local people's courts shall be appointed and removed by the people's councils of the corresponding level upon the recommendation of the presidents of the people's courts; members of the Judicial Committee of the Supreme People's Court shall be appointed and removed by the Standing Committee of the National People's Congress upon the recommendation of the President of the Supreme People's Court.

The presidents of the people's courts shall preside over the meetings of the judicial committees. The chief procurator of the corresponding level shall have the right to attend the meetings.

Article 11. In cases adjudicated by the people's courts, appeal shall be to the next highest court, the decision whereof shall be final.

With regard to judgements and decisions rendered by the local people's courts at first instance hearings, the party concerned may appeal to the next highest people's court in accordance with the procedures prescribed by law and the people's procurators' office may contest the decision in the next highest people's court in accordance with procedures prescribed by law.

Judgements and decisions rendered by the local people's courts at first instance hearings shall become enforceable if no appeal is lodged by the party concerned and the judgement or decision is not contested by the people's procurators' office within the prescribed period.

Judgements and decisions of the intermediate people's courts, the higher people's courts and the Supreme People's Court at second instance hearings and judgements and decisions of the Supreme People's Court at first instance hearings shall be final and shall be enforceable.

Where the final judgement or decision of an intermediate court or higher people's court imposes a death sentence, the party concerned may, if he contests the sentence, apply to the next highest people's court of the higher level for review of the case. If the party concerned does not lodge an appeal or apply for review of the case, a death sentence imposed by a lower people's court or a death sentence imposed or confirmed by an intermediate people's court shall be carried out when approved by the higher people's court.

Article 12. The presidents of the people's courts shall submit to the judicial committees for appropriate action any judgements or decisions rendered

by their respective courts which have taken legal effect but are found to have erred in the determination of facts or in the application of law.

Upon discovery of any error in an enforceable judgement or decision rendered by any other people's court, the Supreme People's Court shall have the right to assume jurisdiction over the case or to refer the case to the people's court of the lower level for retrial. Upon discovery of any error in an enforceable judgement or decision rendered by any people's court of a lower level, the people's court of the higher level shall have the right to assume jurisdiction over the case or to refer the case to the people's court of the lower level for retrial.

Upon discovery of any error in an enforceable judgement or decision rendered by any people's court, the Supreme People's Procurators' Office shall have the right to enter an objection in accordance with the procedures for judicial supervision. Upon discovery of any error in an enforceable judgement or decision rendered by any people's court of a lower level, the people's procurators' office of the higher level shall have the right to enter an objection in accordance with the procedures for judicial supervision.

Article 13. If the party concerned considers a judge to be incapable of being impartial in the trial on account of personal interests in the case or for any other reason, he shall have the right to request the withdrawal of the judge from the trial. The president of the court shall decide whether the judge should withdraw.

Article 14. The Supreme People's Court shall be responsible and report to the National People's Congress, and shall be responsible and report to the Standing Committee of the National People's Congress when the National People's Congress is not in session. Local people's courts shall be responsible to the local people's congresses at corresponding levels and report to them.

The judicial work of the people's courts at the lower level shall be subject to the supervision of the people's courts at the higher level.

The judicial administration of the people's courts shall be subject to the control of the organs of judicial administration.

## CHAPTER II. ORGANIZATION AND COMPETENCE OF THE PEOPLE'S COURTS

### Section 1. Lower People's Courts

Article 15. The lower people's courts shall include:

- (1) hsien and municipal people's courts;
- (2) autonomous hsien people's courts;
- (3) municipal chu people's courts.

Article 16. A lower people's court shall be composed of one president, one or two vice-presidents and a number of judges.

A lower people's court may set up a criminal division and a civil division, each with one division president and, if necessary, one deputy division president.

Article 17. A lower people's court may set up a number of people's tribunals, having regard to the area and population and the cases involved. The people's tribunals shall be regarded as component parts of the lower people's court; and their judgements and decisions shall be deemed to be judgements and decisions of the lower people's court.

Article 18. The lower people's courts shall have original jurisdiction in all criminal and civil matters except where otherwise provided by laws and decrees.

A lower people's court may request the transfer of any criminal or civil case before it to the next highest people's court for trial, if in its opinion the gravity of the case so requires.

Article 19. In addition to adjudicating cases, the lower people's courts shall:

- (1) deal with civil disputes and minor criminal cases which do not call for a court hearing;
- (2) direct the work of people's mediation committees;
- (3) be responsible for judicial administration within the limits of authority granted by the higher organs of judicial administration.

#### Section 2. Intermediate People's Courts

Article 20. The intermediate people's courts shall include:

- (1) intermediate people's courts established in the various districts of provinces and autonomous regions;
- (2) intermediate people's courts established in municipalities directly under the central authority;
- (3) intermediate people's courts established in larger municipalities;
- (4) intermediate people's courts of autonomous chou.

Article 21. An intermediate people's court shall be composed of one president, one or two vice-presidents, a number of division presidents, deputy division presidents and judges.

An intermediate people's court shall set up a criminal division, a civil division and, if necessary, other divisions.

Article 22. The intermediate people's courts shall have cognizance of:

- (1) matters of first instance in which it has original jurisdiction in accordance with laws and decrees;
- (2) matters of first instance transferred from the lower people's courts;
- (3) appeals from and objections to judgements and decisions of the lower people's courts;
- (4) objections entered by the people's procurators' office in accordance with the procedures for judicial supervision.

An intermediate people's court may request the transfer of any criminal or civil case before it to the next highest people's court for trial, if in its opinion the gravity of the case so requires.

### Section 3. Higher People's Courts

Article 23. The higher people's courts shall include:

- (1) the higher people's courts of provinces;
- (2) the higher people's courts of autonomous regions;
- (3) the higher people's courts of municipalities directly under the central authority.

Article 24. A higher people's court shall be composed of one president and a number of vice-presidents, division presidents, deputy division presidents and judges.

A higher people's court shall set up a criminal division, a civil division and, if necessary, other divisions.

Article 25. The higher people's courts shall have cognizance of:

- (1) matters of first instance in which it has original jurisdiction in accordance with laws and decrees;
- (2) matters of first instance transferred from lower people's courts;

- (3) appeals from and objections to judgements and decisions of lower people's courts;
- (4) objections entered by the people's procurators' office in accordance with the procedures for judicial supervision.

Section 4. Special People's Courts

Article 26. The special people's courts shall include:

- (1) military courts;
- (2) railway transport courts;
- (3) water transport courts.

Article 27. The organization of the special people's courts shall be determined in regulations to be made by the Standing Committee of the National People's Congress.

Section 5. The Supreme People's Court

Article 28. The Supreme People's Court shall be the highest judicial organ. The Supreme People's Court shall supervise the judicial work of local people's courts and special people's courts.

Article 29. The Supreme People's Court shall be composed of one president and a number of vice-presidents, division presidents, deputy division presidents and judges.

The Supreme People's Court shall set up a criminal division, a civil division and such other divisions as may be required.

Article 30. The Supreme People's Court shall have cognizance of:

- (1) matters of first instance in which it has original jurisdiction in accordance with laws and decrees and matters which should in its opinion be adjudicated by it;
- (2) appeals from and objections to judgements and decisions of the higher people's courts and special people's courts;
- (3) objections entered by the Supreme People's Procurators' Office in accordance with the procedures for judicial supervision.

CHAPTER III. JUDGES AND OTHER PERSONNEL OF  
THE PEOPLE'S COURTS

Section 1. Presidents, Division Presidents and Judges

Article 31. Citizens, other than persons deprived of political rights, who have attained the age of twenty-three and have the right to elect and to be elected, may be elected as presidents of the people's courts or be appointed as vice-presidents, division presidents, deputy division presidents, judges and assistant judges of the people's courts.

Article 32. The presidents of local people's courts shall be elected by the local people's congresses; and the vice-presidents, division presidents, deputy division presidents and judges shall be appointed and removed by the local people's councils.

The presidents of the intermediate people's courts established in various districts or provinces or in municipalities directly under the central authority shall be elected by the people's congresses of the provinces and municipalities concerned; and the vice-presidents, division presidents, deputy division presidents and judges shall be appointed and removed by the people's councils of the provinces and municipalities concerned.

In regions of national autonomy, the presidents, vice-presidents, division presidents, deputy division presidents and judges of the local people's courts shall be elected or appointed and removed by the self-government bodies at various levels.

The President of the Supreme People's Court shall be elected by the National People's Congress; and the vice-presidents, division presidents, deputy division presidents and judges shall be appointed and removed by the Standing Committee of the National People's Congress.

Article 33. The term of office of the presidents of people's courts shall be four years.

The people's congresses shall have the right to remove the presidents of the people's courts elected by them.

Article 34. The people's courts may have assistant judges if required.

The assistant judges of local people's courts shall be appointed and removed by the organs of judicial administration of the higher level. The assistant judges of the Supreme People's Court shall be appointed and removed by the Ministry of Justice.

The assistant judges shall assist the judges in their work. Upon the recommendation of the president of the court and with the approval of the adjudication committee, an assistant judge may temporarily assume the duties of a judge.

Section 2. People's Assessors

Article 35. Citizens, other than persons deprived of political rights, who have reached the age of twenty-three and have the right to elect and to be elected, may be elected as people's assessors.

The number, term of office and method of selection of the people's assessors of the people's courts shall be determined in regulations to be made by the Ministry of Justice.

Article 36. The people's assessors, as members of the people's court in which they sit, shall enjoy the same rights as the judges while serving as members of the court.

Article 37. The people's assessors shall report to the people's court for duties at the time indicated in the court notice.

While performing their duties at the people's court, people's assessors shall be paid their usual wages by the work units to which they belong; those with no wage income shall be given an appropriate allowance by the court.

Section 3. Other personnel

Article 38. The local people's courts shall appoint bailiffs to carry out the judgements and decisions in civil cases and to execute such parts of judgements and decisions in criminal cases as relate to property.

Article 39. The people's courts shall appoint clerks to record the court proceedings and to transact other relevant business.

Article 40. The composition and internal organization of the people's courts shall be determined in regulations to be made by the Ministry of Justice.



(xix) (b) Organic Law of the People's Procurators' Offices of  
the People's Republic of China

(adopted by the 1st National People's Congress  
at its 1st Session on 21 September 1954)

(NCNA, Peking, 28 September 1954)

CHAPTER I. GENERAL PRINCIPLES

Article 1. The People's Republic of China shall establish a Supreme People's Procurators Office, local people's procurators' offices and special people's procurators' offices.

The local people's procurators' offices shall include the people's procurators' offices of provinces, autonomous regions, municipalities directly under the central authority, autonomous chou, hsien, municipalities and autonomous hsien. The people's procurators' offices of provinces, autonomous regions and municipalities directly under the central authority may if necessary set up branch procurators' offices. The people's procurators' offices of municipalities directly under the central authority and of municipalities divided into chu may set up municipal chu people's procurators' offices.

The organization of the special people's procurators' offices shall be laid down in regulations by the Standing Committee of the National People's Congress.

Article 2. Each people's procurators' office shall have one chief procurator, a number of deputy chief procurators and a number of procurators.

The chief procurators of the people's procurators' offices shall direct the work of the people's procurators' offices.

The people's procurators' offices shall set up procurators' committees. Under the leadership of the chief procurators, the procurators' committees shall deal with important aspects of the procurators' work.

Article 3. The Supreme People's Procurators' Office shall exercise authority over all departments of the State Council, all local organs of the State, persons working in organs of State, and citizens to ensure observance of the law.

Article 4. The local people's procuratorates shall, in accordance with the procedures laid down in Chapter II of this Organic Law:

- (1) Supervise the decisions, orders and measures of local state organs to ensure their conformity with law and supervise persons working in organs of State and citizens to ensure observance of the law;
- (2) Investigate criminal cases, conduct and support public prosecutions;
- (3) Supervise the investigations of investigating organs to ensure their conformity with law;
- (4) Supervise the proceedings of the people's courts to ensure their conformity with law;
- (5) Supervise the execution of sentences in criminal cases and the work of the organs responsible for reformatory labour to ensure their conformity with law;
- (6) Exercise the right to institute proceedings or to join in proceedings in important civil cases involving the interests of the State and the people.

Article 5. In the exercise of their authority the people's procurators' offices shall apply the law equally to all citizens without regard to their nationality, race, sex, occupation, social origin, religious belief, educational standard, property status and length of residence.

Article 6. The local people's procurators' offices shall be independent in the exercise of their authority and are not subject to interference by local state organs.

Local people's procurators' offices and the special people's procurators' offices shall work under the leadership of the people's procurators' offices at higher levels; all shall work under the unified leadership of the Supreme People's Procurators' Office.

Article 7. The Supreme People's Procurators' Office shall be responsible and report to the National People's Congress, or, when the National People's Congress is not in session, to its Standing Committee.

## CHAPTER II. PROCEDURE FOR THE EXERCISE OF AUTHORITY BY THE PEOPLE'S PROCURATORS' OFFICES

Article 8. The Supreme People's Procurators' Office shall have the right to contest decisions, orders and measures of departments of the State Council and local state organs that contravene the law.

The local people's procurators' offices shall have the right to call for the rectification of decisions, orders and measures of state organs of the corresponding level that contravene the law; if their request is not complied with, they shall request the people's procurators' office of the next higher level to lodge a protest with the state organs of the next higher level. The local people's procurators' offices shall request the people's procurators' office of the next higher level to take action if any decisions, orders and measures of departments of the State Council and of local state organs of the higher levels are found to contravene the law.

The people's procurators' offices shall have no power directly to annul; amend or suspend the execution of decisions, orders and measures that contravene the law.

The state organs concerned shall be under a duty to consider and reply to the request or protest of the people's procurators' offices.

Article 9. If it is found that persons working in state organs have committed acts in violation of the law, the people's procurators' offices shall call upon the organs concerned to correct the acts done in violation of the law; the people's procurators' offices shall investigate the criminal responsibility if the said acts constitute a crime.

Article 10. If a crime is found to have been committed, the people's procurators' offices shall initiate criminal proceedings and, in accordance with the procedures prescribed by law, conduct an inquiry or refer the case to the public security organs for investigation; if upon conclusion of the inquiries it is considered that the accused should be brought to trial, the people's procuratorates shall conduct the prosecution before the people's court.

Article 11. The people's procurators' office shall call upon the public security organs of the corresponding level to correct any investigation procedures that contravene the law.

If a criminal investigation is initiated by the public security organs and it is considered necessary upon conclusion of the investigations that the suspect should be brought to trial, the case shall be referred, in accordance with the provisions of law, to the people's procurators' office which shall decide whether the suspect shall be brought to trial.

Article 12. No citizen may be arrested except by decision of the people's court, without the approval of the people's procurators' office.

Article 13. If the people's procurators' office does not approve a request for the arrest of a suspect or suspects made by the public security organs or decides not to prosecute a case referred to it by the public security organs, the public security organs may, if they consider the decision not justified, state their views to the people's procurators' office of the next higher level or refer the case to that office.

Article 14. In cases in which public prosecution is conducted by the people's procurators' office, the chief procurator or a procurator designated by him shall attend the court as the state public prosecutor to conduct the public prosecution and supervise the proceedings to ensure their conformity with law. The chief procurator may also send a representative to take part in and supervise the proceedings in cases which are not prosecuted by the people's procurators' office.

The chief procurator shall attend the court or designate a procurator to attend the court if the people's court decides that the people's procurators' office must send a representative to attend the court.

Article 15. The local people's procurators' offices shall have the right to contest, in accordance with the procedures for appeal, any judgement or decision of a people's court of the corresponding level at a first instance hearing if the judgement or decision is found to contain an error.

Article 16. The Supreme People's Procurators' Office shall have the right to contest, in accordance with the procedures for judicial supervision, any final judgement or decision of a people's court which it finds to have contained an error. The people's procurators' office of the higher level shall have the right to contest in accordance with the procedures for judicial supervision, any final judgement or decision of a people's court of the lower level which it finds to have contained an error.

Article 17. The Chief Procurator of the Supreme People's Procurators' Office shall attend the meetings of the Judicial Committee of the Supreme People's Court and shall have the right to request the Standing Committee of the National People's Congress to consider and deal with any case in which he does not agree with the decision of the Judicial Committee.

The chief procurators of the local people's procurators' offices shall have the right to attend the meetings of the judicial committees of the people's courts of the corresponding level.

Article 18. The people's procurators' offices shall supervise the execution of sentences in criminal cases and if the sentence is not executed in accordance with the law, shall call upon the executory organ to remedy the error.

The people's procurators' offices shall supervise the work of the organs responsible for reformatory labour and, if any measures taken are found to be contrary to the law, shall call upon the organ concerned to remedy the error.

Article 19. In the exercise of their functions the people's procurators' offices shall have the right to send representatives to attend the meetings of relevant organs and the right of access to the necessary decisions, orders, files and other documents of the relevant organs, enterprises, co-operatives and social bodies. The relevant organs, bodies and personnel shall be under a duty to supply any information and explanations required to the people's procurators' offices.

CHAPTER III. APPOINTMENT AND REMOVAL OF THE PERSONNEL  
OF THE PEOPLE'S PROCURATORATES

Article 20. The Chief Procurator of the Supreme People's Procurators' Office shall be elected by the National People's Congress. His term of office shall be four years.

The Deputy Chief Procurators of the Supreme People's Procurators' Office shall be appointed and removed by the Standing Committee of the National People's Congress.

The procurators and members of the Procurators' Committee of the Supreme People's Procurators' Office shall be appointed and removed by the Standing Committee of the National People's Congress upon the recommendation of the Chief Procurator of the Supreme People's Procurators' Office.

Article 21. The chief procurators, deputy chief procurators, procurators and members of the procurators' committees of the people's procurators' offices of provinces, autonomous regions and municipalities directly under the central authority shall be appointed and removed by the Supreme People's Procurators' Office with the approval of the Standing Committee of the National People's Congress. The chief procurators, deputy chief procurators, procurators and members of the procurators' committees of the branch people's procurators' offices of provinces, autonomous regions and municipalities directly under the central authority and of the people's procurators' offices of the hsien, municipalities, chou, autonomous hsien, and municipal chu shall be appointed and removed by the people's procurators' offices of provinces, autonomous regions and municipalities directly under the central authority with the approval of the Supreme People's Procurators' Office.

Article 22. Regulations concerning the personnel and operational organization of the people's procurators' offices shall be made separately by the Supreme People's Procurators' Office.

(xx) Supreme People's Court and Ministry of Justice Issue  
Joint Directive on Study and Implementation of Organic  
Law of People's Courts

(Peking Jen Min Jih Pao, 11 December 1954)

The Supreme People's Court and the Ministry of Justice, of the People's Republic of China, issued on 7 December a joint directive concerning the learning and implementation of the Organic Law of People's Courts of the People's Republic of China.

The directive points out that the implementation of the Organic Law of People's Courts in earnest will greatly promote the further democratization and regularization of our judicial work and the strengthening and consolidation of our revolutionary judicial system for safeguarding the Socialist construction of our country. The main key to the implementation of the Organic Law of People's Courts lies in all the judicial cadres gaining a correct comprehension of the law and acquiring unanimity in recognition, interpretation and action. Consequently, the well-led and well-organized mobilization and organization of all the judicial cadres in the country to learn the Organic Law of People's Courts in earnest constitutes a current important political task for the people's courts and judicial administration organs of all levels.

The directive requires the judicial cadres of all levels to lay emphasis in unanimously acquiring a correct understanding on the following six problems when learning the Organic Law of People's Courts:

1. The great significance of strengthening and consolidating the revolutionary judicial system to the carrying out of our Socialist construction and the significance of the principle of unity for the judicial system like leaving the courts to exercise the uncontested right of jurisdiction for the State, the application of law to every citizen on an equal footing, and the independence of the people's courts in passing out judgements in accordance with the law.
2. The mission of the people's courts. The enforcement of dictatorship and the protection of democracy constitute the two phases of the basic mission of the people's courts which are united and indivisible. Judicial work must be made to serve the political mission of the State. During the transition period, judicial work has the general task to safeguard the smooth progress, the Socialist construction and Socialist transformation of the State. The people's courts are required not only to deal out punishment but also to educate the people. They should exercise their characteristic functions to serve the Socialist construction and the central work of the State for the various periods through the medium of juridical activities.

3. The significance and function of the work of the people's courts in further democratizing the various systems. The public trial system, the defence system, the jury system, the system of using nationality languages in court proceedings, the system of electing court presidents and the system of making courts responsible to people's congresses of their levels all seek to deal blows squarely at the enemy, and to settle the disputes of the masses in a rational manner so that no innocent would be wronged and no bad egg would be left at large. The implementation of these systems is of advantage to the people as well as the development and elevation of the judicial work. It must be understood that the strengthening of the mass viewpoint of the cadres and the introduction of democratic thought constitute the motive power for enforcing the above-mentioned systems.

4. The establishment and strengthening of collective leadership inside the people's courts, the further manifestation of the functions of the collegial system and the juridical committee, and the strengthening of the responsibility of the court presidents and tribunal presidents in collective leadership.

5. The correct relations between the people's courts and the people's congresses of the same level, the people's committees, the procurators', public security, judicial administration and other relevant organs, the correct relations between the courts of different level, and how the higher courts should enforce and strengthen their supervision over the judgements dealt out by courts of lower levels.

6. The question of establishing courts and their grading. The good points in setting up people's tribunals in basic-level people's courts and in setting up additional middle-level people's courts to enforce the two-trial and one-trial systems.

The directive says that in the course of learning, attention should first be centred on the solution and recognition of problems. At the same time, the spirit of criticism and self-criticism should be manifested. In particular, the ideological viewpoint and working style incompatible with the Organic Law of People's Courts should be reviewed and criticized from top to bottom. At the same time, the various places must co-ordinate their learning of the Organic Law of People's Courts with the Organic Law of Procurators' Offices of the People's Republic of China.

In the end, the directive points out that the object in learning the Organic Law of People's Courts seeks to implement the law correctly and thoroughly. After comprehending the spirit and substance of the Organic Law of People's Courts, the various units must base on the policy of "taking the lead in every level from top to bottom to unite faces with points for positive promotion" to study and devise plans for the all-out and thorough implementation and enforcement of the law in their places. Places with the necessary conditions available should see that the law is enforced immediately. In places where the conditions are inadequate, such conditions should be positively created.

(xxi) Decree

(NCNA, Peking, 27 December 1954)

The Regulations of the People's Republic of China Governing the Arrest, and Detention of Persons adopted by the Standing Committee of the 1st National People's Congress of the People's Republic of China at its 3rd session on 20 December 1954 are hereby promulgated..

Mao Tse-tung,  
Chairman, People's Republic of China

20 December 1954

REGULATIONS OF THE PEOPLE'S REPUBLIC OF CHINA GOVERNING  
THE ARREST AND DETENTION OF PERSONS

Art. 1. In accordance with the provisions of Article 89 of the Constitution of the People's Republic of China, the freedom of person of citizens of the People's Republic of China is inviolable. No citizen may be arrested except by order of a people's court or with the approval of a people's procurators' office.

Art. 2. Counter-revolutionaries and other offenders liable to sentence of death and imprisonment shall be arrested by order of a people's court or with the approval of a people's procurators' office.

If an offender liable to arrest is seriously ill or is an expectant or nursing mother, he or she may be released on bail or placed under police surveillance.

Art. 3. Offenders liable to arrest in accordance with the order of a people's court or with the approval of a people's procurators' office shall be placed under arrest by a people's court, a people's procurators' office or the public security organ.

The public security organ shall seek the approval of a people's procurators' office when the arrest of an offender is deemed necessary.

Art. 4. When an offender is placed under arrest, a warrant of arrest issued by a people's court, a people's procurators' office or the public security organ must be produced and made known to the person arrested. Except in cases where investigations might be hindered or notification is impossible, the organ making the arrest should notify the dependents of the person arrested of the reason for the arrest and the place of detention.



Art. 5. The public security organ may take emergency measures to detain an offender summarily for investigation in any of the following circumstances:

1. If he is actively preparing to commit a crime, is actually committing a crime or is discovered immediately after committing a crime;
2. If he is accused of having committed a crime by the victim or by an eye witness;
3. If evidence of the commission of a criminal offence is found on his person or in his residence;
4. If he attempts to escape or is escaping;
5. If there is reason to believe that evidence may be destroyed or forged or there is a possibility of collusion between witnesses;
6. If his identity is not established or he has no fixed abode.

Art. 6. Any citizen may forthwith seize and hand over to the public security organ, the people's procurators' office or the people's court for action any offender:

1. Who is actually committing a crime or is discovered immediately after committing a crime;
2. Who is wanted by law;
3. Who escapes from a place of detention;
4. Who is being pursued.

Art. 7. Within 24 hours of the arrest of an offender, the public security organ shall notify the people's procurators' office of the same level of the circumstances of and reasons for the arrest; within 48 hours of receipt of the notice the people's procurators' office shall approve the arrest or otherwise; persons whose arrest is not approved by the people's procuratorate should be released by the public security organ immediately upon receipt of notice to that effect.

If the public security organ or the people's procurators' office fails to observe the preceding provision, the offender under detention or his dependents may request the public security organ or the people's procurators' office to take the appropriate action.

Art. 8. If an offender resists arrest and detention, the personnel carrying out the arrest and detention may employ appropriate methods of coercion, including the use of arms if necessary.

Art. 9. The organ carrying out the arrest and detention may, with a view to the discovery of criminal evidence, search the person of the offender, his possessions and his residence or other places concerned. It may also search any person concerned and his possessions and residence or other places concerned if it has reason to believe that such person may have concealed the offender or criminal evidence. Personnel conducting the search should, except in case of emergency, carry a search warrant issued by the organ carrying out the arrest and detention.

During the search neighbours or other witnesses and the person liable to search or his dependents should be present. After the search, a written record of the search and of the seizure of any criminal evidence should be made and signed by the neighbours or other witnesses and the person liable to search or his dependents. If the person liable to search or his dependent is not present or refuses to sign the records, a note to that effect should be entered in the record.

Art. 10. The organ carrying out the arrest and detention may, if it considers it necessary, notify the postal and telegraphic authorities to detain the mail and telegrams of the offender placed under arrest and detention.

Art. 11. The organ carrying out the arrest and detention should, within 24 hours of arrest and detention, interrogate the offender placed under arrest and detention and must immediately release him if his arrest and detention is found to be unwarranted. Persons charged with minor offences may be admitted to bail pending trial.

Art. 12. In the event of unlawful arrest and detention, the people's procurators' office shall investigate the persons responsible and shall discover those criminally liable if such unlawful arrest was occasioned by frame-up, retaliation, graft or other personal aims.

Art. 13. The provisions of these Regulations shall not apply to detention by the public security organ as an administrative punishment imposed on citizens violating security control regulations.

Art. 14. The Regulations shall come into force on the date of their promulgation.

(xxii) Regulations of Urban Organizations

I.

Organic Regulations concerning Urban Inhabitants' Committee  
Promulgated

(NCNA Peking, 31 December 1954)

Order

The Organic Regulations concerning Urban Inhabitants' Committees having been adopted by the Standing Committee of the 1st NPC of the People's Republic of China at its 4th session on 31 December 1954 are hereby promulgated.

Mao Tse-tung  
Chairman, People's Republic of China  
31 December 1954

ORGANIC REGULATIONS CONCERNING URBAN INHABITANTS' COMMITTEE

(adopted by the NPC Standing Committee at its  
4th session on 31 December 1954.)

(NCNA Peking, 31 December 1954)

Art. 1 For the purpose of strengthening the organization of street residents in cities and their work and furthering the public welfare of inhabitants, inhabitants' committees may be set up according to residential areas under the guidance of the people's councils of municipal chu and municipalities without chu divisions or of their deputed organs.

Inhabitants' committees are mass and autonomous organizations of inhabitants.

Art. 2 The tasks of Inhabitants' Committees are as follows:

- (1) To undertake public welfare work for inhabitants;
- (2) To make known the views and demands of inhabitants to local people's councils or their deputed organs;
- (3) To mobilize inhabitants to respond to Government calls and to observe the laws;

- (4) To direct mass security work;
- (5) To act as mediators in disputes between inhabitants.

Art. 3 Inhabitants' committees shall be organized as follows:

- (1) Inhabitants' committees should be set up in accordance with local conditions having regard to the area under the jurisdiction of the population section of the public security office and, in general, should each cover 100 to 600 households.

Inhabitants' teams composed generally of 15 to 40 households each shall be established under the inhabitants' committees. The number of teams set up by each inhabitants' committee may not exceed seventeen.

- (2) Each inhabitants' committee shall have 7 to 17 members, one member being elected by each inhabitants' team; one chairman and one to three vice chairmen shall be appointed from among the members; among them one shall be appointed to take charge of women's work.

Each inhabitants' team shall have a head; in general the member of the inhabitants' committee should also act as head of the team; one to two deputy heads may be elected if necessary. If a member of the inhabitants' committee is elected committee chairman or vice chairman, the team which elected him may elect another team head.

- (3) An inhabitants' committee representing a small number of inhabitants shall as a general rule not set up a work committee; the work shall be undertaken by the members and divided between them. An inhabitants' committee representing a large number of inhabitants may, according to requirements and with the approval of the people's council, set up permanent or provisional work committees to work under the unified leadership of the inhabitants' committee. Not more than five permanent work committees may be set up, in such fields as social welfare (including care for dependants of martyrs and servicemen), security, culture-education-health, mediation and women's work. Temporary work committees should be abolished upon the conclusion of their work.

Work committees should enlist the assistance of activists from among the inhabitants in their work, but where possible one person should assume one duty only to avoid over-burdening individuals with work.

- (4) Persons subject to mass surveillance and disenfranchised persons among the inhabitants should be incorporated into inhabitants' teams but may not serve as members of inhabitants' committees, heads of inhabitants' teams or members of the work committees; where necessary, the head of an inhabitants' team may exclude them from certain meetings of the inhabitants' team.

Art. 4 An inhabitants' committee shall be elected for a term of one year.

If for any reason a member of an inhabitants' committee cannot serve, another member may be elected to replace him or to fill the vacancy.

Art. 5 In general, organs, schools and large enterprises shall not participate in inhabitants' committees but should send their representatives to conferences of interest to them called by the inhabitants' committees and should comply with the resolutions and agreements of the inhabitants' committees concerning the public interests of inhabitants.

In workers' residential areas in which office employees and workers of enterprises live together and in large collective living quarters, an inhabitants' committee should be set up under the unified guidance of the people's councils of municipal chu and municipalities without chu divisions or of their deputed organs, or of the committee of workers' dependants organized by trade unions may take up the work of the inhabitants' committee.

Art. 6 In city areas where minority nationals live together, a separate inhabitants' committee may be set up; where the households are small in number, an inhabitants' team may be formed.

Art. 7 If it is necessary to assign tasks to inhabitants' committees or their work committees, the work departments of the people's councils of municipalities and municipal chu and other organs should make unified arrangements subject to the approval of the people's councils of municipalities and municipal chu. The work departments of the municipal and municipal chu people's councils may exercise professional guidance over the relevant work committees of the inhabitants' committees.

Art. 8 Inhabitants should comply with the resolutions and agreements of inhabitants' committees concerning public interests. In carrying out their work, inhabitants' committees should, on the basis of democratic centralism and voluntary mass action, act in a fully democratic way and may not resort to coercion.

- Art. 9 Public and miscellaneous expenses for inhabitants' committees and living allowances for members of inhabitants' committees shall be allocated under centralized plans by the people's councils of provinces and municipalities directly under the CPG in accordance with scales to be determined separately by the Ministry of the Interior.
- Art. 10 Expenditures incurred by inhabitants' committees for public welfare work may be collected from the inhabitants on a voluntary basis and subject to the concurrence of inhabitants and approval of the people's councils of municipal chu and municipalities without chu divisions. No other donations may be collected and no funds may be raised among inhabitants.

Funds collected for public welfare and their accounts relating thereto should be made public upon conclusion of business.

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II

Organic Regulations of Urban Street Offices  
Promulgated

(NCNA Peking, 31 December 1954)

Order

The Organic Regulations concerning Urban Street Offices, having been adopted by the Standing Committee of the 1st NPC of the People's Republic of China at its 4th session on 31 December 1954, are hereby promulgated.

Mao Tse-tung  
Chairman, People's Republic of China  
31 December 1954

ORGANIC REGULATIONS CONCERNING URBAN STREET OFFICES

(Adopted by the Standing Committee of NPC  
at its 4th session on 31 December 1954)

- Art. 1 For the purpose of strengthening the work among inhabitants and maintaining close contact between the Government and inhabitants, the people's councils of municipal chu and municipalities without chu divisions may set up street offices according to the requirements of the work as their deputed organs.
- Art. 2 Street offices shall be set up in municipal chu and municipalities without chu divisions with 100,000 or more inhabitants and may also be set up in municipal chu and municipalities without chu divisions having less than 100,000 but more than 50,000 inhabitants where the work requires street offices. They shall not as a rule be set up in municipal chu and municipalities without chu divisions having less than 50,000 inhabitants.
- The establishment of street offices shall be subject to the approval of the people's council of the next higher level.
- Art. 3 The area under the jurisdiction of street offices should generally correspond to the area under the jurisdiction of public security sub-stations.

Art. 4 Street offices shall carry out the following tasks:

- (1) Undertake matters assigned by the people's councils concerning work among inhabitants;
- (2) Direct the work of inhabitants' committees;
- (3) Reflect the views and demands of the inhabitants.

Art. 5 A street office shall have a director, a number of secretaries, depending on the amount of work and size of the area under jurisdiction, and a deputy director, if required.

A street office shall have 3 to 7 full-time cadres, including one cadre to take charge of work among women.

The directors, secretaries, deputy directors and cadres of street offices shall be appointed by the people's councils of municipal chu and municipalities without chu divisions.

Art. 6 The work departments of municipal and municipal chu people's councils may not directly assign tasks to street offices without the approval of municipal and municipal chu people's councils.

Art. 7 Running expenses for street offices and wages for working personnel shall be allocated by the people's councils of provinces or municipalities directly under the CPG under centralized plans.

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III

Organic Regulations concerning Public Security Sub-Station  
Promulgated

(NCNA Peking, 31 December 1954)

Order

The Organic Regulations of Public Security Sub-Stations, having been adopted by the Standing Committee of the 1st NPC of the People's Republic of China at its 4th session on 31 December 1954, are hereby promulgated.

Mao Tse-tung  
Chairman, People's Republic of China  
31 December 1954

ORGANIC REGULATIONS CONCERNING PUBLIC SECURITY SUB-STATIONS

(Adopted by NPC Standing Committee at  
its 4th session on 31 December 1954)

Art. 1 For the purpose of strengthening social security, maintaining public order, protecting public property and safeguarding civil rights, municipal and hsien public security bureaus may set up public security sub-stations in areas under their jurisdiction.

Public security sub-stations are the deputed organs of municipal and hsien public security bureaus responsible for security work.

Art. 2 Public security sub-stations shall carry out the following tasks:

- (1) Ensure enforcement of laws concerning public security and social order;
- (2) Suppress sabotage activities committed by counter-revolutionaries;
- (3) Prevent and curb the activities of bandits and other criminals;
- (4) Place counter-revolutionaries and other criminals under surveillance in accordance with the law;
- (5) Control the census;

- (6) Exercise control over theatres, cinemas, hotels, and radio suppliers, and over explosives, inflammable articles and other dangerous goods;
- (7) Guard the scene of important crimes and assist the department concerned to discover the criminals;
- (8) Direct the work of security committees;
- (9) Conduct propaganda among the inhabitants concerning the maintenance of increased revolutionary vigilance, the observance of law, the preservation of public order and respect for public morality;
- (10) Take an active part in and further welfare work for the inhabitants.

Art. 3 Public security sub-stations should be set up according to the size of the area, the number of inhabitants, social conditions and work requirements.

Art. 4 A public security sub-station shall have a chief, one or two deputy chiefs and several people's policemen.

Public security sub-stations shall work under the direct leadership of municipal and hsien public security bureaus or of public security sub-bureaus.

Art. 5 Public security sub-stations must maintain close contact with the masses, give careful attention to letters from the public, receive members of the public, make reports and hear the people's criticism and proposals at meetings of inhabitants or of inhabitants' committees.

Art. 6 Persons working in public security sub-stations must carefully comply with the laws, maintain proper discipline in their work and refrain from encroaching upon civil rights.

Art. 7 Railway and water public security sub-stations shall in general also be governed by these Regulations.

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## 2. TEXT OF NEWSPAPER ARTICLES

### (xxiii) Conference on Reformatory Labour in Central-South Area Adjourns

Decisions on questions of guiding principles,  
measures of implementation and finance

(Yangtze Daily, 22 July 1951)

The Conference on Reformatory Labour in the Central-South Area adjourned on 9 July after a seven-day session. The Conference heard reports by representatives from various districts on the implementation of reformatory labour projects. The Conference was also attended by representatives from the central-south area and the various provinces (including municipalities) who are employed by various government offices dealing with finance, agriculture and forestry, irrigation and civil administration. In the light of the practical experience gained in the course of the efforts to organize the prisoners for reformatory labour, the Conference discussed in detail and came to decisions on various aspects of reformatory labour such as guiding principles, measures of implementation, financing and production aims.

Representatives from various parts of the country who participated in the Conference unanimously agreed that after the elimination of a group of recalcitrant counter-revolutionaries who in the past had committed unpardonable bloody crimes, the counter-revolutionary elements at present in custody, including Kuomintang agents, bandits and mobsters, should be first tried and sentenced according to law and then subjected to compulsory reform through labour. That was an important part of the current work of suppressing counter-revolution and a political task of great significance. The successful completion of that task would not only eliminate reactionary political forces but would also help to increase the material wealth of society and reduce government expenditure. Hence, its economic significance should not be overlooked.

In the central-south area, most of the convicted prisoners at present engaged in reformatory labour are employed in agriculture and in handicrafts such as the weaving of jute bags and socks, the making of shoe soles, sewing, cigarette-rolling, printing, iron forging, limestone burning and the making of bricks and tiles. A small number are being used for construction works and in transportation. The reformatory labour corps in Ch'ungyang and Huangp'i districts in Hupei have become partly or entirely self-sufficient after eight months of work. A reformatory labour corps in a certain area of the Wuchang-Hankow municipality reaped a good harvest of wheat after having reclaimed a stretch of waste land last year. The waste land reclaimed during the first half of this year has already been sown.

Convicted prisoners assigned to productive labour at first showed signs of fear or opposition and even attempted sabotage, but after a period of rigorous training and hard labour under strict control, they are now able to face their task willingly and are striving to reform themselves and to contribute towards their redemption through this process. The experience gained in the successful implementation of the programme will be analysed and then generally applied to reformatory labour elsewhere.

Mr. Pu Shen-kuang, who is Director of Public Security in the central-south area, emphasized, in summarizing the discussions, that the current efforts to organize the prisoners for reformatory labour was a proper means of carrying out the policy of combining suppression and leniency. It was a task of great political and economic significance and should therefore be regarded as important by the comrades directing reformatory labour programmes. In striving for the realization of the project, due emphasis should be laid on the constructive and creative aspects. After analysing the favourable conditions for the reformatory labour programme in the central-south area, he pointed out that the needs of the project and all guiding principles and measures of implementation had been clearly established. In addition, the project had attracted the attention and support of the leading party and administrative organs at various levels, and effective co-ordination with authorities concerned with public finance, agriculture and irrigation had been achieved. As to production objectives, there was much waste land in the central-south area to be reclaimed, and there were also irrigation works to be carried out and ores to be mined. In addition, the area was rich in local products, and in view of the many favourable circumstances there should be no difficulty in finding outlets for the handicrafts. With respect to guiding principles, measures of implementation and the needs of the programme, Mr. Pu clearly stressed the necessity for co-ordinating the following factors: centralization of planning, adaptation to local conditions, diversification of operations and concentrated use of the labour force at the appropriate time.

Attention should be directed primarily towards implementing the project at the hsien and "administrative district" levels after convicted prisoners had been organized and assigned to reformatory labour. Agriculture, handicrafts and miscellaneous industries should be emphasized at the beginning, and large-scale projects such as irrigation should be gradually taken up at a later stage. With regard to methods of procedure, the first task should be the disposition of pending cases simultaneously with the organization of productive labour. All preparatory work must be completed before the end of July and most of all of the convicted prisoners should be engaged in productive labour by the end of August. Under the reformatory labour project, strict control should be exercised and political education stressed in order to prevent disturbances and sabotage.

(xxiv) Ching-Ho Farm of the Public Security Bureau at Peking achieves successful results in its work of reforming counter-revolutionary criminals through labour

The policy of combining political indoctrination with reformatory labour and of co-ordinating punishment with education has caused the reactionary thinking of many criminals to undergo profound changes

(NCNA, Peking, 18 October 1951)

During the past year or so, the Ching-ho Farm operated by the Public Security Bureau of the People's municipal Government of Peking has, in its work of reforming counter-revolutionary criminals through labour, not only began to obtain results in the form of economic gains, but also realized important political achievements. The reactionary thinking of many a criminal has, in the process of labour reform, undergone profound change. As a result, most of the criminals have shown a willingness to reform themselves through labour, to render meritorious service to atone for their guilt and to strive for the goal of becoming new men.

The Ching-ho Farm broke ground in March 1950. At that time, the site was nothing but a vast area of sparsely populated waste land. After more than a year of construction work, there are now on the site eight villages, with over 2,500 buildings. More than 1,500,000 cubic metres of ditches have been dug, the main one being over twenty miles long. The farm has two electric pumping stations which supply enough water to irrigate 50,000 mou of land. The entire farm is equipped with electricity and telephone facilities. There are clinics and laboratories as well as engineering, transportation, power-supply and maintenance services. In addition, with a view to meeting the specific needs and utilizing certain characteristics of the farm, a brick-kiln, a rice mill and a plant for making straw-bags have been erected. Last year, the farm reclaimed 7,000 mou of waste land, planted rice in more than 5,000 mou of paddy-fields and harvested 2,600,000 catties of grain. This year, an additional 33,000 mou of waste land have been reclaimed, 23,500 mou of paddy-fields have been planted with rice, and the yield of grain is expected to be 15,000,000 catties. Farming is supplemented by the raising of chickens, ducks, cattle, pigs and rabbits. It is believed that by next year the farm will probably become self-supporting and may even be able to turn over a part of its produce to the State.

When the criminals first arrived at the farm, they were unaccustomed to labour, possessed no productive skills and were afraid of, and even hostile to, performing labour service. Many took to idling or while carrying dirt, fell to the ground on purpose in order to lie down and rest. Others made frequent trips to the lavatory so as to stay away from work. Some counter-revolutionary criminals even displayed open resistance to labour service, destroyed production tools or organized fellow prisoners in an effort to escape.

By performing various forms of labour and receiving ideological education, the inmates of the farm have undergone great changes in their thinking. A majority of them meekly confessed their guilt and showed genuine repentance. It is not uncommon to find a prisoner, due for release after serving his sentence, indicating great reluctance to leave the farm. Miao Kan, a criminal who was to be released before the expiry of his prison term but chose to remain, said: "Speaking of treason, I once worked for the Japanese Consulate; speaking of special service activities, I was a regular agent of the Bureau of Investigation; hence, there is no reason why I should not behave well and work hard on the farm." There are many others who are determined to make meritorious contribution through labour service in order to atone for their guilt and win forgiveness from the people. Another criminal, Yan Cheng-yung, while releasing water to irrigate the fields, found a breach on the side of the dike and immediately threw himself against the breach to check the flow of water. By now, most of the criminals have learned some kind of productive skill; all technical work on the farm, such as surveying, water conservancy, mechanical operations, laboratory tests, electrical work and brick-making are done by criminals. A high degree of efficiency has also been achieved. For example, when the ditch-digging project was started, the average amount of earth excavated by each person was less than 1.5 cubic metres per day, whereas the present average is 5.7 cubic metres.

The successful results of the Ching-ho Farm in its work of reforming counter-revolutionary criminals were by no means easily attained. They were achieved only by applying the correct policy of co-ordinating political indoctrination with reformatory labour, and only after a very difficult ideological battle with the criminals had been waged and much painstaking work in ideological education had been done. When Chairman Mao Tse-tung's treatise On People's Democratic Dictatorship and the policy of reform through labour were explained to the criminals, they showed signs of violent mental revolt. Some of them burst into tears, some lost their appetite for food, some wrote death notes, and some attempted suicide or escape. To meet the situation, responsible officials of the farm made the criminals fully understand that reform through labour was a liberal measure taken by the people and the State for the sake of giving the counter-revolutionaries a new life and was therefore their only means of having a new future. At the

same time, the officials explained the history of social evolution and told them that the world was built on the fruits of labour. The ideological education thus given to the criminals has achieved the preliminary result of correcting their contemptuous and hostile attitude toward labour service.

However, this ideological transformation of the criminals engaged in productive activities was far from being stable and was readily susceptible to the influence of changes in external conditions. For instance, when the Korean People's Army made a temporary retreat from Seoul after the American imperialists landed at Inchon, Korea, in September of last year, some of the criminals began to appear restive and whispered conspiracy among themselves. They betrayed their reactionary pro-imperialist tendencies of worshipping America and at the same time entertained false hopes of seeing the American-supported reactionary clique of Chiang Kai-shek return to the mainland. With a view to correcting this development, the responsible officials of the farm made use of the winter season when work was comparatively light to conduct training classes for a period of three months. They informed the criminals of the latest world events and pointed out that in the end the people would win and the American imperialists would lose and that the general situation had already become stabilized and would never change. The fantastic illusions of the criminals were thus shattered. In addition, the officials selected many articles which exposed the true nature of American imperialism and the atrocities committed by the United States armed forces, as well as reports sent directly from the Korean battlefield for the criminals to read and study. This process of serious study and, in particular, the effect of the successful counter-attack staged by the Chinese and Korean People's Armies dealt a severe blow to the pro-American and America-worshipping mentality of the inmates. As a result, many of the criminals have since understood more clearly the comparative strength of the two opposing camps in the world.

To correct the reactionary thoughts of the counter-revolutionaries was a task which could not be accomplished over-night. There still existed a small number of counter-revolutionaries who continued to resist reform and even engaged in sabotage. The Ching-ho Farm adopted a policy of giving every man his due in matters of reward and punishment, of dealing with individuals according to their merits, and of co-ordinating punishment with education. For those who had committed lesser crimes and showed genuine repentance and an exemplary zeal for production during confinement, the farm officials recommended an early release. From March 1950 to October 1951, over 200 recommendations for the release of criminals have been approved by higher authorities and carried out. Among these criminals, forty were released before the expiry of their sentences. Appropriate moral encouragement and material rewards were given to those who, besides

admitting their guilt, engaged zealously in the labour service and lent themselves with ardour to measures of reform. Those who adopted a passive attitude towards work and performed poorly in the labour service were subjected to severe criticism directed against their reactionary sentiments. The die-hard counter-revolutionaries who openly opposed reform through labour or secretly engaged in sabotage or had even gone so far as to organize escapes were dealt with severely. Such people were formed into a special labour corps and placed under strict discipline. In some cases, their sentences were increased. Tu Hsi-tsin, a special service agent of the Bureau of Investigation and at one time head of the First Police Sub-Station of the Tang-tai Precinct under the Kuomintang régime, committed acts of insubordination while undergoing reform through labour and led fellow prisoner Yang Chung-sien and four others in an attempt to escape. Having fled to Peking, Tu was subsequently arrested by the Public Security Bureau and was sentenced to death. He was taken back to the farm, and the inmates were gathered together to witness his execution.

The basic principles governing reform of counter-revolutionaries through labour are trial by due process of law and the assignment of criminals to compulsory labour. However, when a specific task is to be performed, it is also necessary to adopt such methods as the rallying of the prisoners, production on a competitive basis and discussion by prisoners with a view to working out concrete measures to ensure the successful completion of the task. On the Ching-ho Farm, a system of holding the prisoners responsible for performing work of a "fixed quality and quantity within a specific period of time" has been adopted. In addition, production on a competitive basis has been introduced, and various means of encouragement and publicity have been employed. Such devices as "winning the red pennant", "red and black marks", "merit and demerit lists" and "wall bulletins", designed to criticize poor performance and commend that which is worthy, have proved to be of great value in maintaining a constant state of intensive activity among the criminals and in keeping the working spirit at a high level. For example, when a ditch-digging project was carried out last spring, the water in the ditch was frozen and yet some of the workers stood barefooted on the ice to excavate dirt in defiance of the severe cold. The amount of dirt excavated by some of the criminals reached the highest record of 34 cubic metres per day. Obviously these results could by no means be achieved by compulsion alone.

The experience of the Ching-ho Farm shows that the task of reforming criminals through labour must be carried out in accordance with the principles of co-ordinating political indoctrination with reformatory labour and punishment with education. In this way, people who enter as criminals will emerge as skilled workers, having been reformed into new men.



(xxv) Reformatory Labour Achieves Good Results  
Evil-Doing Criminals Become New Men

At Canton 378 security criminals have been released during the last five months and sent home at government expense to engage in productive work or earn their own living

(Hong-Kong Wen Wei Pao, 15 December 1951)

Reformatory labour, which was first imposed in June of this year upon counter-revolutionary criminals and security criminals by the Public Security Bureau of the People's Municipal Government of Canton, has already produced some preliminary results. Not only has it been economically advantageous by producing considerable wealth for the State, but it also has definite political significance in that it has induced most of the counter-revolutionary criminals to confess their guilt and to express their willingness to reform and become new men through the performance of labour service.

The assignment of criminals to productive labour service is designed primarily to meet the city's reconstruction needs and secondarily to assist agriculture and small handicraft production. During the last five months, the first steps have been taken for the re-education of the criminals and for the introduction of production-management, accounting and auditing systems. In addition, a clinic has been built for the criminals, the incidence of disease among them has been lowered, and they have been taught various elementary productive skills. Production during the last five months has been as follows: over 235,000 bricks have been made, over 926,000 catties of lime have been produced (two characters in the original illegible here), buildings and warehouses have been repaired or constructed and more than 3,200 cubic metres of stone have been crushed. At present, the rates of production have been increased to 500,000 bricks a month, 90,000 new-style tiles and 1,200,000 catties of lime. As to agricultural production, 464 mou of land have been planted with various kinds of crops, 330 mou of waste land have been reclaimed, and there has been an assorted harvest of grains, vegetables, potatoes, jute and various kinds of beans and peas totalling about 180,000 catties. In addition, over 9,700 fruit trees have been planted, more than 1,800 pigs, goats, fowls and ducks raised, and more than 5,000 fish bred. As to handicraft work, over 1,500 items of iron and over 6,600 items of wood and bamboo have been made, and over 11,000 units of hempen and coir rope have been twisted. Production in all the fields mentioned above is being gradually expanded.

The reform of criminals through labour is effected under a system of compulsory labour service combined with political education. The Municipal Public Security Bureau has initiated a campaign for the political mobilization of the criminals. This consists of explanations of Government policy and

emphasis on the fact that only through corrective labour can a new life be begun. The productive labour service is combined with systematic lectures on the history of social evolution, the theory of people's democratic dictatorship, the new philosophy of life and the magnificent achievements of the New China during the last two years. In addition, groups are organized for study and discussion purposes. Guidance is provided to enable the criminals to reflect on their own attitude towards labour, and they are told about the counter-revolutionary crimes of the American-Chiang bandit group. They also are encouraged to confess their own evil doings and gradually to change their attitude and views concerning the counter-revolutionary class, and thus to become new men through reformatory labour.

As regards the organization of production, the criminals, before being assigned to productive work, are formed into teams according to the length of their prison sentences and to their age, health and skills, and are given elementary training in the rudiments of production methods. In the performance of productive labour, a system of "fixed quality and fixed quantity" is employed. Under this system, a criminal is required to produce a prescribed amount of work of a prescribed quality within a fixed period of time. In addition, production on a competitive basis is organized, and criticisms or commendations, as the case may be, are posted on bulletin boards as a means of encouraging the criminals to adopt a constructive attitude towards productive efforts and of making them realize that they should take good care of public property. During the past five months, the productive efficiency of the criminals has been appreciably increased.

After five months of compulsory labour service and political education, most of the counter-revolutionary criminals have begun to show some change in their thought. For example, a person called Ch'i who was condemned to death but then reprieved subject to two years' good behaviour, at first considered himself "doomed" but has now said that he can become a new man if he performs his labour service conscientiously. A certain Chung, who was full of forebodings when he started his reformatory labour, has now realized his past evils and expressed his willingness to atone for his past crime by establishing his merit in the future. Two convicts known as Ku and I, who formerly entertained the idea of "changing heavens", have now come to realize that to follow the lead of the Kuomintang bandit group is the road to sure death. Consequently, they too are content to devote themselves to reformatory labour so that they may win a new lease on life. Many counter-revolutionary criminals who, because they had not previously performed labour, had become physically weak, have now, as the result of several months' discipline in the labour service, become rugged, dark and robust and are able to carry a load of some seventy or eighty catties on a shoulder pole. During the reformatory period, some counter-revolutionary criminals have confessed their crimes in

greater detail and supplied information on other counter-revolutionary elements. Security criminals have generally shown repentance while performing corrective labour, and 378 of them have already been released, and have been sent home at Government expense to engage in productive work or earn their own livelihood. Those who are homeless are sent to resettlement institutions where they participate in productive work. After several months of reformatory labour service, the criminals acquire good work habits, and some of them are even reluctant to leave when the time comes for their release.

The fact that counter-revolutionary elements harmful to the people have through corrective labour been gradually converted into productive workers useful to the State and to the people is ample proof of the soundness of the People's Government's policy of "suppression combined with leniency" towards the counter-revolutionary elements and of the soundness of the principle of "political education combined with compulsory labour" in the programme of reformatory labour. At the present time, Canton has already completed the work of disposing of all accumulated cases involving counter-revolutionaries. The Municipal Public Security Bureau has decided that all criminals sentenced to imprisonment and those condemned to death but reprieved subject to two years' good behaviour are to be assigned to productive labour before the end of this year.

(xxvi) The Strengthening of the Procurators' Work  
to Safeguard National Reconstruction

(Peking, Jen Min Jih Pao, 21 May 1954)

In the light of the general task confronting both the Party and the State during the transitional period, the Second National Conference on the Work of Procurators reviewed and summed up the procurators' work in the past and defined future policy. The aims of this policy will be to establish and improve in a methodical and orderly manner the organization and work of the people's procurators' offices throughout the country during the period of the First Five Year Plan on the basis of necessity and feasibility; to safeguard the socialist industrialization of the country and the socialist transformation of agriculture, handicraft industry, capitalist industry and commerce through the operation of the people's democratic legal system and the procurators' work; to fight against all counter-revolutionary elements and criminals who endanger economic reconstruction, socialist transformation or state order; to prosecute breaches of the law by citizens, including public officials; and to institute proceedings before the people's courts on behalf of the State. This conference will greatly advance the work of the procurators.

The work of the people's procurators is an important component of the work of the State. The people's prosecuting organs constitute an important weapon of the people's democratic dictatorship. Their task is to prosecute

breaches of the law by government organs, public officials and citizens throughout the country. During the past few years, while the country was still in the initial founding stage when revolutionary military action continued for some time on the mainland, when surviving counter-revolutionary influence was still massive and aggressive, and agrarian reform had not been concluded in newly liberated areas, it was necessary to rely on the direct action of the military forces and the masses and to depend upon military tribunals and people's tribunals for the swift suppression and elimination of the surviving influence of the three major enemies, for the consolidation of the people's democratic state power, and for ensuring the reconstruction and transformation of our economy. During this historical stage, it was neither possible nor desirable to institute a "comprehensive and perfect" legal system divorced from prevailing realities to bind the masses hand and foot; the people's procurators' offices and their work as legal control institutions of the State were thus not organized on a comprehensive and systematic basis. Instead, a policy of selective and gradual organization was adopted. This was entirely correct and was in conformity with the actual conditions of the State as well as the people's needs at the time. Not understanding this, some people wrongly supposed that the procurators' work was not important. Now that the social transformation movements to stamp out the remaining influence of the three major enemies have been basically concluded, that large-scale and planned economic reconstruction work has begun, and the first Constitution of our country is shortly to be promulgated, the decision of the Second National Conference on the Work of Procurators that procurators' offices should be organized throughout the country and their work improved in a methodical and orderly manner during the period of the First Five Year Plan is both essential and feasible and consequently entirely correct. This decision must be thoroughly carried out.

During the past four years, the procurators' offices have achieved a certain success. Prosecuting organs have been established in one third of the administrative units of hsien level and above throughout the country and some cadres have been trained. Wherever they have been established, these prosecuting organs have aided various large-scale social reform movements and dealt blows to law breakers in co-ordination with the essential work of the State at different stages, thereby playing a definite part in ensuring economic reconstruction, safeguarding the people's democratic rights and consolidating the people's democratic dictatorship. But it should also be admitted that the present organization and work of prosecuting organs are far from being adequate to meet the construction work of the State in general and economic reconstruction in particular. Our socialist revolution, i.e., socialist transformation, is a revolution more far-reaching and extensive than the New Democratic Revolution, involving a very complicated and acute struggle. During this struggle, the enemies inside and outside the country will not just sit by and watch, willingly accepting the fate of extinction, but will undoubtedly conspire to seize every opportunity to undermine our cause. We must continuously and sternly suppress

these sabotage activities by means of the revolutionary legal system. In order to ensure the smooth progress of the economic reconstruction of the country, it is also necessary to strengthen the protection of state property, the legitimate interests of the working class and people of all strata, the people's democratic rights and the state order; to apply the revolutionary legal system against law-breakers guilty of speculation or the theft of state property, against those who disturb social order, violate labour laws or encroach upon the legitimate interests of the working class, and against law-breakers and delinquents who go slow at work and neglect their duties in state organs and production enterprises; to strengthen supervision over state organs, public officials and all citizens in the observance of the law; and to stimulate a law-abiding spirit among the cadres and the masses. All these constitute serious tasks for the prosecuting organs, and require the further strengthening of the procurators' work in order that they may be performed in co-ordination with the public security organs and juridical organizations.

It is held by some that supervisory organs, public security organs and courts render the prosecuting organs unnecessary. This view is due to ignorance of the function of the prosecuting organs. Supervisory organs are administrative control agencies responsible for supervising the execution of government decisions by state organs and public officials and indicting organs and officials who violate the law and administrative discipline or are derelict in the performance of their duties. Supervisory organs are not responsible for the supervision of non-public officials. As the action they take is administrative in nature, cases that call for legal action are referred to prosecuting agencies for prosecution. The work of prosecuting organs and supervisory agencies must be closely co-ordinated, but their duties are not identical. Although the supervisory organs, the public security organs and the courts have the common task of suppressing counter-revolutionaries and punishing crimes, each has co-ordinating as well as restraining functions in respect of the others. In criminal cases the normal procedure is that the prosecuting organ first carries out an investigation and institutes proceedings before the court when it is satisfied that a crime has been committed. If the court considers that the evidence is inadequate or that no crime has been committed, the case is referred back to the prosecuting organ for reinvestigation or the accused is acquitted; if the prosecuting organ considers the court decision or judgement to be improper, it may lodge an appeal. The working relationship between a public security organ and a prosecuting organ is similar. The public security organ has to refer cases it has brought to light and investigated to the prosecuting organ for examination and decision as to whether or not to prosecute. The public security organ will express its objections to the superior prosecuting organ if it does not agree with the latter's decision. This judicial system of co-ordination and mutual checking will enable us to avoid subjectivism or one-sidedness in our work, to ensure correct and effective punishment of crimes, to prevent wrongful detention and miscarriage of justice, and to protect the people's democratic rights.

As more than half the administrative units of hsien level and above have not yet established prosecuting organs, the system of prosecution is still unsound, and experience is lacking. To meet the needs for the establishment of a judicial system following the proclamation of the Constitution and to enable the procurators to discharge their functions in future, we must strengthen the organization and operational procedures of the procurators' offices. In regard to organization, we should for the present augment and improve the prosecuting organs of provincial (or municipal) level and above and strengthen the people's procurators' offices in cities and industrial and mining areas so as to carry the procurators' work into factories and mines. Provinces where a better foundation for the work exists should try to establish and improve hsien prosecuting organs immediately; provinces where the foundation is weaker should first of all establish and augment prosecuting organs in a certain number of hsien as bases for developing the procurators' work in the countryside. Politically dependable cadres with adequate professional experience and appropriate cultural standards should be selected to staff the prosecuting organs. In regard to the operational procedures of the prosecuting organs, we should review previous experience and study the advanced experience of the Soviet Union in this field. In particular, we should energetically carry out experiments at keypoints and strive to acquire systematized experience within a certain period of time and to build up a politically and professionally strong force, thereby preparing the way for the widespread establishment of procurators' offices and the improvement of their work. Owing to the fact that the people's procurators' offices in many localities have failed in recent years to realize the importance of experiments at keypoints and to carry them out, a set of local people's procurators' offices capable of playing their parts as experimental centres has still not been developed and no comprehensive system of people's prosecuting procedures appropriate to actual conditions in our country has been worked out. This state of affairs must be changed as soon as possible.

While carrying out this development of organization and operational procedures, the procurators' offices at all levels must continuously raise the ideological consciousness, political level and professional ability of cadres by intensifying their political and ideological education. This means that the cadres must first have a clear idea of furthering the general task of the State and upholding the dignity of state laws, so as to enable them to understand that only when they are successful in performing the people's procurators' work in the prosecution of important cases while closely co-ordinating with key projects in the area currently in progress can the people's procurators' offices win the confidence and support of the masses and create favourable conditions for further development of the people's procurators' work. In prosecuting and dealing with cases and in carrying out other functions, the procurators' offices must distinguish between friend and foe, right and wrong, minor and serious offences, what should be given protection and what should receive drastic treatment; they must take care not to handle cases without regard to government policy or actual conditions. On the one hand, they should relentlessly fight all

violations of the law and crimes; on the other hand, they should guard against and correct any idea that they have special rights, i.e. regard themselves as "supervisors". They should co-operate with the departments concerned; maintain a modest and careful attitude; avoid subjectivism which leads them to love pre-eminence and to estrange themselves from the masses and realities; and establish a practical working procedure of investigation and study based on realities and depending on the masses. Only thus can all violations of the law and crimes be properly dealt with, the whole nation and all public officials be educated to observe state laws, decrees and policies, and the people's procurators' offices become a genuinely powerful auxiliary important Party and government organs in fighting violations of state laws and discipline and become their defenders.

(xxvii) Implement thoroughly the Policy of the Reform  
of Criminals through Labour Service

- Jen Min Jih Pao editorial -

(Peking Jen Min Jih Pao, 7 September 1954)

In our country, all criminals, including counter-revolutionary criminals and other criminals, must be punished in accordance with the law of the State, if the gains of our people's democratic revolution are to be consolidated, the security of the State and the life and property of the people are to be protected, and the smooth progress of the State's Socialist construction enterprises is to be safeguarded. But all crimes have definite social ideological roots. The evil ideology and evil habits left behind by the old society, calling for the injuring of others for self profit, and seeking enjoyment without labour, still remain in the minds of some people to a marked degree. Thus if we are to eradicate all crimes, we must, in addition to inflicting on the criminals the punishments due, also carry out various effective measures to transform the various evil ideological conceptions in the minds of the people, so that they may be educated and reformed into new people. The enforcement of compulsory labour service for reform among the criminals during the period of their confinement is one of the most effective means of achieving such an end.

In his treatise On People's Democratic Dictatorship, Comrade Mao Tse-Tung pointed out to us: "As for those belonging to reactionary classes or groups, after their political power has been overthrown, we will also give them land and work, permitting them to make a living and to reform themselves through labour - but only on condition that they do not rebel, commit sabotage, or create disturbances. If they do not want to work, the people's State will force them to do so." Article 7 of the Common Programme of the Chinese People's Political Consultative Conference also provides: "Reactionary elements, feudal landlords, bureaucratic capitalists in general, must also be deprived of their political rights within a certain period according to law after they have been disarmed and their special power eliminated; however, they shall at the same time be given a means of livelihood and be compelled to reform themselves through labour to become new men."

During the past few years, our State has with great fanfare and on a nation-wide scale conducted a campaign for the suppression of counter-revolutionaries, and arrested according to law large numbers of counter-revolutionary elements including bandits, despots, special service agents, key elements of reactionary parties and corps, and leaders of reactionary societies and Taoist organizations. At the same time various criminals who undermined social security and endangered the safety of the State and the people have been placed under restraint in accordance with the law.

Of the large number of these counter-revolutionary and other criminals, the minority guilty of heinous crimes and persistent in their refusal to repent had to be sentenced to death in accordance with the law of the State and to appease the hatred of the people. But in the case of the majority of the other criminals, our state organs have generally carried out Comrade Mao Tse-tung's directive and Article of the Common Programme, sentenced them to prison terms, deprived them of political rights, and ensured their reform through forced labour, organizing them for productive labour during which they receive political and ideological education. This will enable them gradually to recognize their crimes, transform their reactionary attitude of hostility to the people (an attitude they had brought with them from the reactionary ruling class) and other evil ideological tendencies, and turn them into new people through labour. Thus when they have completed their prison terms and are released from prison, they will no longer engage in criminal activities endangering the State and the people. At the same time, having learned vocational skills and developed habits of industry during their period of reform, they will be in a position to earn a proper living in society by relying on their own labour, and become citizens living on their own efforts.

During the past few years, we have achieved great results in the reform of criminals through labour. According to statistical returns from different areas, more than 83 per cent of the criminals in confinement throughout the country have participated in agricultural and industrial production, or have been organized into various engineering corps for the felling of timber, the construction of buildings, the restoration and construction of conservancy works and the building of railways and highways. The criminals who have participated in productive labour, under the correct leadership of Party organs and people's governments in different areas and under the control and supervision of the organs enforcing corrective labour service, have achieved



varying degrees of reform. The absolute majority of them have actively taken the initiative in participating in productive labour and striving to contribute meritorious service to make amends for their crimes. This has gradually transformed compulsory labour into voluntary labour, and many criminals have become skilled industrial and agricultural workers. With the exception of a number of determined counter-revolutionaries and hardened criminals who continued to indulge in malpractices, the criminals released have generally abided by the law and actively engage themselves in proper productive labour. For this reason, the policy of reforming criminals through labour and the measures taken to implement it have been enthusiastically welcomed by the broad masses of the people, and many criminals and their families have also expressed their gratitude. After being released to take up productive employment and other jobs, they have written to the organs enforcing corrective labour service, thanking the State for changing them into new people. Many friends from foreign countries after visiting our organs enforcing corrective labour service, have also considered it to be "the most correct and most humane policy in treating criminals".

The Government Administration Council of the Central People's Government has now promulgated the "Regulations Governing Reform through labour of the People's Republic of China". These Regulations, based on experience in the work of reform through labour during the past few years, set forth in legal form our State's policy and measures for the enforcement of compulsory labour service for the reform of counter-revolutionary and other criminals, the organic forms of the organs enforcing corrective labour service, the scope of their authority, and the principles underlying the control of criminals undergoing reform through labour. Party committees and people's governments at all levels must educate the cadres and the masses so that they fully realize the important political significance of the promulgation of these Regulations and lead and supervise the organs enforcing corrective labour service in the thorough implementation of the various provisions of the Regulations. In this way, the work of the corrective labour service will be further improved, counter-revolutionary and other criminals will continue to be re-educated, and the people's democratic dictatorship will be further consolidated.

To ensure the correct and thorough implementation of these Regulations, the cadres and the masses must be made to realize that there is a difference in principle and nature between the organization of criminals under custody for participation in productive labour and

participation in reconstruction through production on the part of the broad masses of the people. In our State, the people are the masters, they enjoy full democratic rights. Their participation in the reconstruction through production of the State is motivated by their love for labour and for the country, and their labour is performed voluntarily and is remunerated. But because of the varying degrees of injury they have done to the State and the people criminals generally, whether guilty of counter-revolutionary or other crimes, have been placed under restraint in accordance with the law of the State and deprived of their political rights. During their period of confinement the State arranges for them to participate in productive labour with a view to their education and reform, and to give them an opportunity to redeem themselves by meritorious service. Such labour is compulsory, not remunerated, and carried out under strict control. The organs carrying out this task are thus not ordinary productive units, but one of the tools of the people's democratic dictatorship, organs for the punishment and reform of all counter-revolutionary and other criminals.

For this reason, in dealing with the reform of criminals through labour, we must implement the policy of "coordinating punishment and control with ideological reform, coordinating productive labour with political education". In other words, in dealing with criminals still in custody, while they must be provided with appropriate living conditions and their maltreatment cannot be tolerated, it must also be remembered that they are criminals who once endangered the State and the people, and who may still harbour hostility toward the State and the people. Thus their control and supervision must be strengthened, and they must be made to engage, under rigid control, in productive labour, and during this process accept definite political and ideological education, to reform themselves ideologically, and to acquire the necessary cultural knowledge and productive skills. Only with the close co-ordination of punishment and control, compulsory productive labour, and the enforcement of political and ideological education, can the work of reform through labour be smoothly developed, and the expected results be achieved.

If on the other hand we attach importance only to productive labour and relax the necessary punishment, we shall assuredly give certain criminals who resist reform the opportunity to continue their secret sabotage of labour production, or even to engage in greater sabotage activities, thus making it impossible to carry out the task of reform through labour in an orderly manner. Naturally, at the same time we also should not relax the leadership and organization of the criminals to ensure efficient productive labour, as otherwise we shall similarly fail in our objective of reforming the criminals through labour. Accordingly, the neglect of political control and education and the neglect of reform through labour are thus equally mistaken.

The compulsory corrective labour performed by criminals in custody is an effective means of eliminating the criminal acts of counter-revolutionary and other criminals. The correct and thorough implementation of this policy and its continued application will result in the education and reform of those criminals who did no good to the State and the people but instead did much harm and will transform them into people who will not only cease to harm the State and the people, but will prove useful to them. This policy is obviously very necessary for the consolidation of our social order, for the strengthening of the people's democratic dictatorship, and for the promotion of the smooth development of national construction enterprises. State organs at all levels must educate cadres and the masses fully to appreciate the political and economic significance of this task, and thus to carry it through properly, and so far as possible give assistance to the organs enforcing corrective labour service, thus helping them to perform their work even better.

Party committees and people's governments at all levels must give constant attention to this work, strengthen its leadership and supervision, and make labour service for reform serve the needs of national construction, by including it in the local production plans. Those responsible for production and management in corrective labour service units, in addition to accepting the direct leadership of the competent public security organs, must also accept the unified leadership of the local committees of financial and economic committees, and in their various concrete undertakings, accept the guidance of the competent financial and economic departments, so as to strengthen the planning aspect of production, and raise further production and management levels. Production by criminals undergoing reform through labour may thus be smoothly developed, to make even greater contributions to the development of the State's economic construction enterprises.

(xxviii) Reform Criminals into New Men

by

Chi Jen

(Peking Jen Min Jih Pao, 16 October 1954)

During the past few years, substantial results have been achieved throughout the country in the reform of criminals through labour. After undergoing corrective labour most criminals gradually become conscious of their crimes, and are prepared to repent and lead a new life. Those previously unaccustomed to labour develop the habit of industry, those with no productive skills learn some kind of skill, and illiterates acquire a knowledge of the language. Today, the majority of the corrective labour units have become self-supporting and save the State from large financial expenditure; some have even accumulated funds, expanded production, and created wealth for the State.

Production from corrective labour, starting on a small scale and gradually expanding and developing from scattered units to concentrated units, has now reached impressive proportions, and is playing a real role in national economic reconstruction.

Corrective labour units engaged in agricultural production have established a number of large farms, some of which are semi-mechanized. Some of these farms have already attained a high level of production. In the Ching-ho Farm in Peking Municipality, for instance, the average output of rice is 741 catties per mou, 54 per cent higher than the output of local peasants. In the Kwang-han Farm in Szechwan, an average of 851 catties of wheat per mou has been harvested from its fertile farmlands. In some farms, crop farming has been supplemented by the development of animal husbandry, including the rearing of pigs, sheep, and cattle. The corrective labour farms in different parts of the country have made positive contributions to the support of national industrial reconstruction.

Corrective labour production is not confined to agricultural enterprises, but also includes industrial undertakings, mining, and the operation of kilns. To a certain extent, these undertakings are co-ordinated with the State's fundamental reconstruction programme, and partly supply the needs of the people. The hollow bricks produced by one corrective labour unit have supplied the needs of urban construction in the area. In 1953 the hosiery works of Peking Prison produced 32 per cent of all socks produced in the whole North China region. A corrective labour factory in Mukden produced reclaimed rubber and moulds for steel ingots of very good quality. The various corrective labour engineering corps, such as the Huai River Engineering Corps, the Tienshsi-Lanchow Railway Work Corps, have carried out engineering works in accordance with specifications, and many of them have repeatedly earned the praise of the engineering bureaus concerned.

In the course of productive labour, the corrective labour organs have, in accordance with the principle of co-ordinating punishment with education, carried out a programme for the ideological and political education of the criminals. With the exception of a minority of unrepentent persons who resisted reform and continued sabotage activities and have therefore been severely punished, an absolute majority of the criminals have achieved varying degrees of reform. Many have not only engaged with increasing enthusiasm in productive labour, but have continued to make frank admissions of crimes which they had concealed during their original examinations, and voluntarily supplied much valuable information, thus enabling the public security authorities successfully to complete their investigation of certain criminal cases.

According to incomplete returns from Shensi, Kiangsi, Shantung, Hopei, Liaosi and four other provinces, during the winter classes in 1953, criminals performing corrective labour made confessions and reports leading to the

discovery of 2,503 rifles and pistols and 34,276 rounds of ammunition which had been concealed. They also furnished 33,182 items of information concerning cases. The information furnished was subsequently found to be correct in most cases and contributed to the success of various social reforms.

With the organization last winter and spring of the study of the general tasks of the State during the transition period, the determination of the criminals to become new men was further intensified. Many criminals spontaneously wrote letters to mobilize their family members to participate in socialist reconstruction programmes. Su Chang-yueh, a criminal working in the Chiao-Szu Farm in Chekiang wrote a letter home and induced his family to sell 3,600 catties of surplus grain to the State.

So far as their attitude to work is concerned, the criminals generally have passed from the state of performing labour under compulsion to that of performing labour voluntarily. They have also learned productive skills. According to statistics based on investigations carried out in the 1st Prison, Muken, 90 per cent of the inmates had a good attitude towards work, and 74.3 per cent of them had reached the required standards with regard to productive skills. The enthusiasm for productive work of many criminals has steadily increased and they have contributed many inventions and innovations. During the production competitions in May 1953, at the corrective labour workshops of the Tientsin Prison, the criminals put forward 934 rational recommendations. After consideration, the recommendations were combined into more than 20 practical work regulations, leading to the production of an additional wealth of ¥800,000,000 for the State. In former Liaosi province, 67 inventions and innovations were reported last year in corrective labour production, leading to a monthly increase of over ¥2,190,000,000 in the wealth of the State. In Hopei province, the Bricks and Tiles Works operated by corrective labour developed a new baking system which raised the daily output from 80,000 to 155,000 bricks, leading to an increase to the wealth of the State of ¥4,700,000,000 a year. When the system is extended to the entire province, the increase gained will be ¥23,000,000,000.

The corrective labour organs are also working to eliminate illiteracy among the criminals. Many former illiterates now can write simple letters. In the 1st Corrective Labour Brigade in Hopei province, one third of the illiterates have learned 1,500 characters and most of the remainder have mastered from 800 to 900. In one corrective labour brigade in Shansi province, Liu Chang-shan, a criminal, wrote to his elder brother, "The Government not only reforms us through labor, but teaches us to learn the language. In the past I had never attended school, but I now know more than 2,000 characters, can keep accounts and write letters." Many criminals suffering from chronic ailments have been cured by the corrective labour organs.

In a letter to the corrective labour organ, Chu Shih-chi, a criminal in Shanghai said, "I suffered from perforated peptic ulcer and had never been cured previously. The People's Government has not only reformed me ideologically, but has also cured me of my diseases, and saved the lives of my entire family."

After completing their term of corrective labour a great many criminals have requested to remain as productive workers in their original units. Corrective labour organs in different areas have generally approved the spontaneous applications of criminals on the completion of their prison terms to remain with the units as productive workers. Those who desire to return to their homes to enter productive employment have been permitted to do so. The criminals thus released have for the most part been able to abide by the law, and participate actively in production. Li Hsi-feng, a prisoner in Kiangsi convicted of a criminal offence became very active in production after release and was elected a model worker. Wang Wan-shun, of Kiaochow, Shantung, returned to his home on his release and joined a mutual aid team in which he worked very actively. People were impressed by him, and said, "The Government really has the situation in hand; a former idler has been changed into a good worker." Wang Chang-sheng, a criminal in the Hunan Corrective Labour Brigade became a vegetable seller in Changsha on his release. He came upon an escaped prisoner Li Ho-sheng, and immediately apprehended him and took him to the public security authorities. On the way, Li offered him a bribe of ¥100,000, but he rejected the offer.

Many families of prisoners have also written to the Government expressing their thanks. Chou Mei-hsien, wife of Tao Chieh, a criminal of Shanghai, said in a letter "The People's Government has reformed my husband, and brought good fortune to our family." Many foreign friends from abroad, after visiting our prisons and seeing the corrective labour production activities, have praised new China for its humanity in the treatment of prisoners. After visiting the Peking Prison, the Chairman of the Japan-China Trade Committee from Japan said, "Today I fully realize the basic differences between the old prisons and the new prisons, and that you adopt a policy of education and reform in dealing with criminals." One visitor from Sweden said, "In a capitalist country, no prisoner receives such treatment. It is the most correct and most humane way of treating prisoners."

(xxix) Oppose Breaches of Labour Discipline

Peking Jen Min Jih Pao editorial

(Peking Jen Min Jih Pao, 22 October 1954)

With the overthrow of the reactionary rule of the Kuomintang and the abolition of the baneful discipline designed to oppress and exploit the workers that prevailed in industry in pre-liberation days, the working class of China has begun to establish a labour discipline of its own, and an overwhelming majority

of our workers and employees have, as their own masters, actively engaged in labour, carried on competitive productivity campaigns and conscientiously observed labour discipline, thus expediting the economic construction of the State and increasing the welfare of the working class and the entire people. The high degree of understanding, enthusiasm for work and creativity shown by the working class of China in national construction work during recent years has fully proved its qualification as the leadership class and the backbone of the nation.

However, owing to the increasing number of new workers in recent years and the lack of education in labour discipline on the part of enterprises, there have been breaches of labour discipline, manifested in non-observance of methods of work, disobedience of instructions, go-slow tactics and absenteeism, which have caused and continue to cause losses to the nation's economic construction. Among the workers and employees guilty of breaches of labour discipline, some, imbued with the evil habits of the old order, as shown by their selfishness, laissez-faire attitude and undisciplined habits, deficient in class consciousness and unwilling to work loyally, have persistently violated labour discipline and remained unchanged despite all the education given them. Though few in number, they often very seriously impair production. The serious breaches of labour discipline recently disposed of in Kiangsu and elsewhere afford a few instances. Because of their failure to follow proper methods of work and lack of responsibility, some persons of this kind caused fire to break out in a factory, which had to suspend production. Others wilfully disregarded the prescribed methods of work, with the result that a large quantity of products had to be re-processed or that serious accidents occurred when machines blow up. Still others disregarded the construction plans, thus making it necessary for many construction jobs to be repeated and causing serious waste. Still others absented themselves from work for long periods, slowed down their speed of work, were guilty of fraudulent practices or committed other misdemeanours. Such depraved elements have not only caused economic losses to the State but have also affected the masses ideologically with their decadent thought, hindered their unity and progress, and caused serious political damage to the workers. It is, therefore, entirely necessary that they should be dealt with drastically in accordance with law.

In our country, labour is a noble, honoured and heroic task and labour discipline is founded on conscientiousness of the workers. In seeking to strengthen labour discipline, the State has mainly followed a policy of encouragement and education, i.e., it has striven to improve the working conditions as well as the cultural and material life of the workers. Every care possible is afforded the labouring masses in order to arouse their enthusiasm for work and creativeness. Those with excellent records are rewarded, spiritually and materially. Moreover, education of a worker in communism is intensified in the various enterprises and the practice of criticism and self-criticism developed, so as to enable them gradually to recognize the identity of individual interests with the interests of the

entire people and the whole State and to observe labour discipline conscientiously. This is the fundamental method of strengthening labour discipline. However, any disciplinary penalties imposed on the workers are also for the primary purpose of educating them; that is to warn them not to repeat their errors and to warn others not to violate labour discipline.

However, it must be realized that the class relations of our society today are still rather complex. Non-working class ideas still continue to permeate through the broad working masses and the ranks of our working class are still being continuously penetrated by huge numbers of small producers and people of other class status. Thus a wide variety of ideas and types of conduct incompatible with collective discipline have been introduced. This complex situation underlines the fact that the consolidation of labour discipline is no simple matter but necessitates a hard struggle. This struggle, in fact, is to preserve the purity of the working class, to wipe out corrosive non-working class concepts and to safeguard the cause of the working class. To ensure victory, it is necessary to establish within the working class rigorous labour discipline and appropriate systems of production. Only when ideological education is integrated with drastic disciplinary life and only when the majority of the working masses wages a persistent struggle against breaches of labour discipline, will it be possible for a consolidated labour discipline to be established within enterprises, for the working class to become highly conscious and organized, and for the nation's Socialist industrialization to advance well on the road to victory.

In recent years, most of our workers and employees have in the course of their employment learned the importance of labour discipline as a means of safeguarding production. They have learned to preserve labour discipline conscientiously and to strive to combat breaches of labour discipline. However, there are some whose understanding of labour discipline is still incomplete. They do not understand the importance of labour discipline, and do not understand that to observe labour discipline and public order is the sacred duty of a citizen of New China, a symbol of new Socialist virtue, and the most vital weapon of the working class in its efforts to lead the entire people in the work of socialist construction. They think that they have become masters of enterprises and can have "freedom of action" without being restricted by discipline in any way. They have, therefore, regarded any discipline or labour regulations as unnecessary and consider breaches of labour discipline "a small matter". Nor do they seriously oppose any breaches of labour discipline on the part of others

This view is obviously incorrect. We should point out to our workers, especially the new workers, that as the position of the working class has been fundamentally changed since the liberation, the foundation of labour discipline is entirely different. Our labour discipline today is founded on the fact that



the national interest and individual interests completely coincide. It is no longer a means of oppressing and exploiting the worker but is a powerful weapon to maintain production, to lead the workers correctly in productive work and to arouse their enthusiasm for work. It would be an act of sabotage against the collective cause of the working class to be constantly absent from work, to go slow or to disobey directions and instructions, or to take any such attitude towards the working class's own enterprises. Such acts must be opposed by all.

The leadership cadres of some of our departments and enterprises have also harboured mistaken views regarding the problem of labour discipline, considering that strict enforcement of discipline is a "capitalist way of management", a "militaristic conduct", or "commandism". Accordingly they consciously or unconsciously adopt a compromising or tolerant attitude towards breaches of labour discipline and fail to take drastic action against them. They do not rely upon and mobilize the masses to combat breaches of discipline, or arouse the broad masses to give them moral support in opposing such breaches. Some workers have never devoted themselves to their work since their entry into the factory, but the leadership has never subjected them to disciplinary action.

The trade union or Youth League cadres of some enterprises, when speaking of the poor labour discipline, often onesidedly shift the blame to the shortcomings of the enterprises' welfare work and criticize the bureaucracy of the management; but make no criticism of, or even argue for, the small number of workers who have proved to be backward and who have labour discipline. They wrongly consider that this is the way "to safeguard the interest of the working class" and "to take a firm stand for the working class". But the result is just the reverse. Backward tendencies are fostered among the workers. Depraved elements and wrongful acts go unpunished. Labour discipline is further impaired. This has in fact seriously affected the interest of the working class and is not what the working class demands. That the cadres of any enterprises should take extremely good care of their workers and staff members is incontestable. But it is just because we want to look after their interest that we must constantly help them to correct their shortcomings, raise their class consciousness, and wage a firm struggle against the few persons and acts detrimental to the common interest of the working class. This is the proper attitude towards the interest of the working class and one that will earn the true support of our workers.

Such a state of affairs now exists in enterprises. While admitting that legal penalties are necessary, some consider them a measure with which to deal with counter-revolutionaries or to punish rare individual cases involving utterly depraved elements. Those responsible for serious accidents are regarded as not subject to legal penalties, no matter how great the loss to the State, but are just given advice or criticism, or asked to make some self-criticism. This method is also incorrect. Counter-revolutionaries

sabotaging our construction programme or depraved elements of extremely poor quality must, of course, be subjected to legal penalties, but those responsible for serious accidents, not caused by objective factors beyond control, but due to breaches of labour discipline, leading to unnecessary losses to the State, must be held guilty of damaging state property. They should be held liable for the loss thus caused by them, and receive the punishment they deserve under the law. Therefore, anyone guilty of breaches of labour discipline causing serious losses to the State and the people, must be criticized, warned or punished, no matter what class he belongs to, how high his position or how important his work. This is a point beyond dispute. Serious accidents involving the question of responsibility now frequently occur in all enterprises. The situation is even deteriorating in some departments. Great economic losses have been caused to the State. It will be impossible to consolidate labour discipline and there will be no end to the disasters resulting from serious accidents, if we do not adopt such a firm attitude towards labour discipline.

Of course, to establish a rigid discipline within the enterprises is no simple matter. Certain comrades show impatience regarding the problem of labour discipline and expect to solve it thoroughly through one campaign. This is an idle dream. We must fully realize that the consolidation of labour discipline involves a long process of communist education and cannot be accomplished overnight. Lenin said, "To establish a new labour discipline, to institute a new form of social relations between man and man, and to find a new form and a new method of inducing people to work would take many years and would require scores of years of effort". (From the Destruction of Old Systems to the Creation of New Systems). We must make long-range plans and seek to improve the situation as industrial development progresses. The lax labour discipline prevailing in all enterprises today is inseparable from the many shortcomings in ideological work and administrative work in the enterprises concerned. Education in labour discipline in many of the enterprises is virtually in a state of stagnation, political work is inactive and the practice of criticism and self-criticism is undeveloped. The amenities of workers and employees receive no attention and workers and employees are exhausted by the unending succession of unnecessary meetings and activities. New workers are sent to work immediately without receiving any technical and political training. No attention is paid to the workers' families and their needs, and a host of other things which should be done are neglected. It is, therefore, necessary for us to improve our work and improve the situation in the various enterprises before labour discipline can be consolidated.

In efforts to maintain labour discipline in the various enterprises, the leadership cadres and Party members of the enterprises at all levels bear a heavy responsibility and should set an example in observing and applying labour discipline. Many of our leadership cadres, especially the lower cadres and

Party members, often fail to observe labour discipline strictly. To change this state of affairs, all leadership cadres and Party members in the various enterprises should seriously study methods of work and safety measures, strictly observe labour discipline, and acquire a good grasp of the necessary technical knowledge. If leadership cadres and Party members violate labour discipline it is the more necessary to subject them to drastic and appropriate penalties. It is laid down in the Constitution of the Communist Party of China that it is the sacred duty of every Party member to "set an example in observing the discipline of the revolutionary Government and the revolutionary organization, to master his work and to set an example in all revolutionary activities". When the leadership cadres and Party members at all levels themselves learn the importance of abiding by the law, and act accordingly, it will be no difficult task to establish good labour discipline throughout all enterprises.

(xxx) Important Measures to Improve the Work of Basic-Level Organs  
of State Power in Cities

- Jen Min Jih Pao editorial -

(NCNA Peking, 2 January 1955)

Organic Regulations concerning Urban Street Offices, Urban Inhabitants' Committees and Public Security Sub-Station have been promulgated. This will further improve the work of Basic-level organs of state power in the cities and will be of great significance to security work in the cities, to the ties between the Government and the masses, to the implementation of policies and ordinances, and to the satisfaction of ever growing welfare demands of the people.

In recent years, an important change has taken place in the cities with the continued progress of economic construction: consumer cities have gradually become production cities, new industrial and mining cities have sprung up and the development of industry in the cities has given increasing impetus to the socialist construction of our country. Urban population has also increased at a rapid rate. The permanent population of cities in China in 1953 was over 40 per cent higher than in 1950. The expansion of urban construction and increasing population complicate the problem of urban work. The enemy will also do everything in his power to undermine construction work and social order in cities in order to hinder our socialist construction. Counter-revolutionaries who still remain at large, law-breaking capitalists who firmly resist reform and gangsters and robbers who resist reform frequently intensify their sabotage activities in cities and collaborate with the secret agents of the enemy. We must therefore further strengthen security work in the cities, more vigorously suppress all counter-revolutionaries and more successfully combat all criminal activities in order to ensure the smooth progress of the socialist construction of our country in a completely stable and orderly social environment.

For a certain period in the past, public security sub-stations in cities were unable to devote their whole strength to the safeguarding of social order because they also had to attend to certain civil affairs; the public security sub-stations were unable, on account of their own duties, to devote much effort to the systematic study and investigation of policies, conditions and problems connected with civil affairs work, thus also hindering the development of civil affairs work.

With the promulgation and enforcement of the Organic Regulations concerning Public Security Sub-Stations, this state of affairs will be radically improved. After being relieved of civil affairs functions, the public security sub-stations will not only be able to direct their whole strength against special agents, gangsters, robbers and other wrecking elements, to intensify the struggle against them and tighten up control over them, to safeguard social security and public order effectively, to ensure implementation of state laws and ordinances, to protect public property from theft and destruction and to protect civil rights against encroachment, but will also find it possible to conduct systematic social surveys, thus permitting greater initiative and better planning in public security work in the cities. Public security sub-stations will also find it possible to strengthen their leadership of mass activities to eliminate spies, bandits and robbers and prevent calamities and to play a greater part in such activities. At the same time, under the provisions of the Organic Regulations concerning Public Security Sub-Stations, the people can supervise the personnel of public security sub-stations, thus bringing these basic-level public security cadres and their work under mass supervision. All this is necessary for the large-scale economic construction of the country and will create favourable conditions for socialist industrialization and socialist transformation.

During the period of socialist construction in which our country finds itself, the task of basic-level organs of state power in cities will become heavier. Side by side with the rapid expansion of construction work in the cities, new situations and new problems will present themselves in such fields as social welfare for urban populations, the care of dependents of martyrs and servicemen, security, culture-education-health, mediation and women's work. Successful work in these spheres will not only facilitate the everyday life of the people but will also directly aid and co-ordinate socialist construction. This will demand of the basic-level organs of state power in cities further strengthening of their ties with the people and extensive enlistment of the masses in the administration of the State in order to make it possible to keep in touch with the situation, to rely on the masses for a proper solution of problems and to serve economic construction more effectively.

The organization of basic-level administrative organs of the State in cities in general and in major cities in particular was not wholly satisfactory in the past. These administrative organs had no deputed organs of their own in streets and consequently found it difficult to implement policies and ordinances, maintain contact with the people and accept mass supervision. These circumstances hindered the thorough development of their work. Since the

basic-level administrative organs of the State in cities had no organs of their own in cities, part of the civil affairs work had to be delegated to public security sub-stations while in industrial and mining areas part of the civil affairs work was delegated to administrative departments of factories and mines or trade union organizations. As a result, procedures and methods were not uniform and efficiency was low; moreover, the efforts of those responsible for leading production work were scattered because the administrative departments of factories and mines and trade unions had to undertake civil affairs. This state of affairs should of course be changed.

Street offices are deputed organs of the people's Governments in cities. Their tasks consist in carrying out duties among the inhabitants assigned by the municipal people's governments, in directing the work of inhabitants' committees and in reflecting the views and demands of the inhabitants. As is proved by experience in establishing street offices in many cities, street offices can considerably strengthen the work of administrative organs of the State and are a necessary organizational form during the period of large-scale economic construction of the country. By establishing street offices, the municipal people's governments are enabled to exercise unified control over all matters formerly scattered among public security sub-stations and administrative departments of factories and mines and are thereby enabled to carry out their work systematically. They can assign priority in accordance with the needs of economic construction, make unified arrangements, conduct unified study and verify the work done. With their deputed street organs, the municipal people's governments will strengthen the ties between the government and the people on a broader basis, will be able to keep in touch with views and demands of the masses and will find it easy to mobilize and organize the masses to implement policies and laws. With street offices undertaking routine administrative affairs of interest to the people, such as marriage registration and the issuing of various certificates, the heavy burden of the municipal people's governments is lightened and the municipal people's governments are enabled to concentrate their strength to further socialist industrialization and socialist transformation.

To strengthen the work of basic-level organs of state power in cities it is vital to place reliance on the masses and to improve the organization of urban inhabitants so that they can play a greater part in this work. However, for many years, there have been no unified and perfect organizations among street inhabitants in cities. In some cities, each public security sub-station has one or two security committee members and health committee members selected from among the masses to lead the routine work of the inhabitants in these fields while among the inhabitants there are numerous other organizations separately connected with various municipal departments and organizations. The municipal departments and organizations may assign work

to these organizations directly and call upon the inhabitants to carry out "urgent tasks" on their behalf. This has led to overlapping commands, organizational chaos and confusion in work among the inhabitants. The basic-level administrative organs of the State found it very difficult to direct such organizations and develop their work successfully; moreover, street activists frequently found their employment, life and health affected and their initiative in the work among inhabitants hindered by too many duties and conferences.

The establishment of inhabitants' committees in cities is an effective measure for remedying this chaos and improving work among street inhabitants. The establishment of inhabitants' committees will augment and unify the mass organization of inhabitants. In cities where inhabitants' committees have already been established, many overlapping organizations among inhabitants will be simplified, merged or abolished and the majority of members of the inhabitants' committees will assume one duty each, thus making it possible for each member to devote himself to his work. Thus, on the one hand street offices will find it easy to direct work among street inhabitants and, through the inhabitants' committees, rally the masses and organize the masses to complete various tasks; on the other, the inhabitants' committees will be in a position to consider and undertake public welfare work for the inhabitants. Because of the limited areas they cover, inhabitants' committees will find it easy to keep in touch with the conditions and problems of each household and with the needs of the inhabitants, to organize the inhabitants to solve their living, production and study problems in common, and to work for the well-being of the inhabitants in accordance with the 'each for all' principle. In cities where inhabitants' committees have been set up, such work is generally carried out by the inhabitants themselves, in some cases with government support. Solution of these questions will not only satisfy the needs of the inhabitants directly, but will also facilitate the progress of socialist construction.

In the last two years, street offices and inhabitants' committees have been established on an experimental basis and the work of public security sub-stations has been strengthened in over seventy cities in China to permit basic-level organs of state power in the cities to serve economic construction more effectively. As experience shows, these measures have substantially aided the masses and stimulated all types of socialist construction work. Therefore, leading Party and government organs in the cities must attach importance to this work, proceed with the establishment of organizations and develop work according to the provisions of the organic regulations of these three types of organization. In cities where street offices and inhabitants' committees exist, past work should be reviewed and future work improved in accordance with the provisions of the organic regulations.

(xxx) For More Effective Suppression of the Enemy  
and Protection of the People

- Jen Min Jih Pao editorial -

(NCNA Peking, 8 January 1955)

The "Regulations Governing Arrest and Detention" are enacted on the basis of our country's Constitution. Their basic object is to suppress the people's enemy ruthlessly and resolutely to protect the freedom of person and democratic rights of all law-abiding citizens. Thorough implementation of these regulations will further strengthen and improve the revolutionary legal system of our country, consolidate the people's democratic dictatorship in our country and ensure the smooth progress of socialist construction.

In his On People's Democratic Dictatorship, Comrade Mao Tse-tung instructed us long ago: "We will never adopt a benevolent policy to the reactionary acts of reactionaries and reactionary class". These instructions were resolutely carried out by us in earlier years. Throughout the country we launched a great campaign for the suppression of counter-revolutionaries and punished criminals of all kinds in accordance with the law, thereby rapidly consolidating the revolutionary order and social security and ensuring the rehabilitation of the national economy.

During the period of planned socialist construction, class struggle within the country becomes more acute and complicated. Counter-revolutionaries who escaped the law and special agents newly despatched by the enemy are intensifying their sabotage activities by more secret methods. This situation demands of us ceaseless intensification of the suppression of the enemy and more strict organization of the legal system of our country so as to enable us to smash the enemy's sabotage activities more effectively in order more effectively to ensure the construction of our country and to safeguard the life, property, democratic rights and freedom of person of our people.

In response to this situation, the "Regulations Governing Arrest and Detention" sum up past experience in suppressing counter-revolutionary activities and safeguarding the people's democratic rights and embody this experience in legislation, providing the state organs with a unified basis for placing offenders under arrest and detention and enabling the masses to exercise better supervision over and give better support to the action of state organs in this sphere. This circumstance will substantially assist the consolidation of the people's democratic dictatorship and the safeguarding of socialist construction. All the provisions of these Regulations are aimed at the more effective protection of state interests, the maintenance

of public order and the safeguarding of the democratic rights of citizens. Without these provisions, free rein would certainly be given to the enemy and to law-breakers and the security of the State and the people would be deprived of a safeguard.

Is it justifiable to arrest or detain a person in the act of preparing to commit a crime before his criminal aim has been attained? Is it justifiable to search his person and belongings and the person and belongings of other persons concerned? Is it justifiable to detain his mails and telegrams when it is necessary to do so? It is fully justifiable. Does this involve encroachment upon freedom of the person and the people's democratic rights? Of course not. The view that the arrest or detention of persons in the act of preparing to commit crimes involves encroachment upon human rights is completely erroneous and extremely dangerous. For according to this way of thinking, no action should be taken against counter-revolutionaries or other undesirable elements who are in the act of preparing to commit crimes; on the contrary they should be allowed to achieve their criminal aim without difficulty and to endanger the interests of the State and the people. Can this be tolerated by the state laws and the masses of the people? Antonio Riva and other American spies who plotted to shell Tienanmen on National Day and who were sentenced by the Military Tribunal of the Peking Military Control Committee in 1951 were arrested by the public security organ before they took action. Had the public security organ not arrested and searched them before their criminal aim was attained, the criminal plan of the enemy would have been carried out and the officials of our Party and the State and the parading masses would have been injured. Of course such a situation cannot be tolerated. It should be understood that when we safeguard freedom of the person we safeguard the freedom of person of all law-abiding citizens, not the freedom of person of counter-revolutionaries and other undesirable elements. American imperialism and the traitorous Chiang Kai-shek group very much want to have freedom of crimes in our country, but the Chinese people, who are not fools, will not give freedom to counter-revolutionaries, will certainly arrest and sternly deal with those who have committed crimes, and will also properly deal with those in the act of preparing to commit crimes.

It is completely necessary for the public security organs to search and arrest offenders directly in an emergency without the approval of the people's procurators' offices. The view that this would encroach upon freedom of the person and the people's democratic rights is also entirely erroneous and pernicious. If, for instance, an act of arson or dynamiting is suddenly committed and the public security personnel rushing to the scene do not instantly take emergency measures temporarily to forbid the removal of persons and belongings in a given sector while at the same time conducting the necessary interrogation and searching and detaining persons suspected of the crime, it is highly probable that the criminals will escape or that tampering



with the evidence will add to the difficulty of solving the case. Therefore, in such exceptional cases, restrictions temporarily imposed on the movement of some persons should not be construed as encroachment upon freedom of the person and the people's democratic rights. Such emergency measures are in fact intended to protect the interests of the State and the life and property of the people.

The freedom of the person and democratic rights of law-abiding citizens in our country must on no account be impaired. This is a firm principle. Our Party has repeatedly taught public security and judicial personnel to work in a practical and seriously responsible spirit; they must not allow one people's enemy to evade justice nor are they to do wrong to an innocent person. It is in that spirit that the public security and judicial personnel do their work. In arresting and detaining offenders in past years, they generally conducted thorough investigations and discovered conclusive evidence of the crime before hand with the help of the masses or, in the case of important criminal suspects, obtained approval in accordance with prescribed procedures before placing them under detention. If it was later discovered that a person had been wrongfully arrested, corrective measures were taken. The Regulations of the People's Republic of China Governing Arrest and Detention, which sum up the experience of past years, lay down more complete provisions concerning the arrest and detention of offenders, the authorities responsible for arrest and detention and their prescribed powers, and other relevant matters. The Regulations, permeated with the spirit of the revolutionary legal system, stipulate that the arrest and detention of offenders must be carried out strictly in accordance with the provisions of the law. Power to order the arrest and detention of offenders is vested in the people's courts and people's procurators' offices; the public security organs must seek the approval of the people's procurators' offices before arresting a culprit. If an offender is under arrest in an emergency, the public security organ must, within 24 hours of the arrest, notify the people's procurators' office of the circumstances of and reasons for the detention and the people's procurators' office must, within 48 hours of receipt of the notification, approve the arrest or otherwise; the public security organ must at once release an arrested person whose arrest is not approved. Legal procedures to be observed by organs responsible for arrest and detention are also laid down in regard to the arrest of offenders, searches to discover evidence, and interrogations following arrest and detention.

These regulations indicate that except for the people's courts, the people's procurators' offices and the public security organs, no organs or persons have the power to arrest and detain offenders and that unauthorized arrest or detention contrary to the provisions of the regulations is an illegal act encroaching upon the freedom of the person. The Regulations also indicate that even the public security and judicial organs themselves must act strictly in accordance with the legal provisions and may not arbitrarily

arrest and detain persons in violation of those provisions. To ensure strict observance of these provisions, the Regulations expressly stipulate that the people's procurators' offices shall investigate cases of the unlawful arrest and detention of citizens and should discover the guilty parties if such illegal acts result from frame-up, retaliation, graft or other personal aims. This provision is very important for it ensures that no organs or persons can abuse their functions and power and prevents breaches of the law and of discipline. It will thus successfully prevent wrongful arrest and detention and ensure timely corrective measures in the unlikely event of the occurrence of such illegal acts.

To implement these Regulations, the people's courts, the people's procurators' offices and the people's public security organs must considerably intensify legal education among their personnel to ensure that all properly appreciate that the strengthening of the revolutionary legal system is aimed at the more effective suppression of the enemy and protection of the people; all must grasp these two aspects to ensure that they do not encroach upon the people in the course of eliminating the enemy or allow the enemy to escape in their desire to protect the people. Both the proper procedures for arrest and detention and the right to take emergency measures when necessary are required to attain this unified aim. Persons who have power to take emergency measures and who carelessly carry out arrests can not in any circumstances be tolerated and will be brought to trial if the circumstances of the case are serious. Such acts would encroach upon the people's democratic rights and freedom of the person, cause miscarriages of justice and affect the relations between the state organs and the people. On the other hand, it would be equally intolerable if some persons, considering the legal procedures prescribed in the Regulations too troublesome, became reluctant to carry out their duties and would not arrest criminals who should be brought to trial, with the result that the enemy, counter-revolutionaries and law-breaking criminal elements were allowed to remain at large. This would deprive the interests of the State and the life and property of the people of protection. While it is difficult for us to safeguard ourselves absolutely against any errors in concrete work, mistakes can be avoided if these erroneous ideas are thoroughly criticized and attacked.

The leading Party and Government organs in general and public security and judicial organs in particular should, in co-ordination with their every-day work, conduct extensive propaganda among the people regarding the provisions of these Regulations and their benefits to the State and the people, mobilize the people to supervise the state organs with a view to ensuring proper implementation of these Regulations and to give aid and help to state organs by denouncing counter-revolutionaries and law-breaking criminal elements and helping the public security and judicial organs to apprehend criminals.

C. SUMMARIES OF AFFIDAVITS AND DEPOSITIONS

Affidavit No. 1 of which a summary is given below, was submitted by the Government of the United States of America under cover of a note dated 1 July 1955. Depositions 2 to 7 were submitted by the International Commission Against Concentration Camp Practices with its memorandum of 28 March 1955. Summaries of these Depositions, prepared by the International Commission, are also reproduced below.

Summary of affidavit No. 1:

The deponent describes how Chee-Loo University, where he was a professor, was affected by the communist occupation of Hangchow in 1949. The staff of the University, which had been moved to Hangchow, were carefully watched and their freedom restricted. He began to exhort the students and staff to "save" the University and was appointed a "representative of the alumni", with the task of enlisting support for the replacement of the new communist-appointed President of the University, who had accused the deponent of being a "criminal of war". At one time the situation became too critical and he fled, but later returned and was requested by the Governor to make better use of the University's facilities for the benefit of the people. He later organized a group of "deputies", including professors, students and labourers, who hoped to oust the new President of the University. His activities came to the attention of the communists, and as they branded him an "enemy of the people", he decided to escape. Reaching the coast, he contacted a black market broker who, he alleges, was to have provided him with passage. However, falling into the hands of informers and spies, he was lured into a trap at the Dah Hwa Customs Broker's Building at Woosung Bar where he was questioned, searched and asked to admit that he was a Nationalist spy. His interrogators imprisoned him and ordered him to write his autobiography in which he was encouraged to include the names of all his old friends and to brand himself a Nationalist spy. He was interrogated at great length, whipped with a rubber rod, and forced to stand at attention for hours.

His captors, secret service men, were not satisfied however and transferred him to the Woosung Bar Sub-Station, Public Safety Bureau at Shanghai. There he was locked in a tiny cell which contained five other prisoners and in which movement was impossible. A few days later he was placed in the overcrowded

"inner jail" all the inmates of which had been arrested as "nationalist spies" and, although they had committed no political crime, were called "political prisoners" and as such were tortured. The food was quite inadequate and almost all the prisoners suffered from dysentery. The deponent states that he went on a hunger strike in order to bring his case to the attention of the authorities, as a result of which he was again questioned at length but informed that only the Military Control Committee could order the release of any prisoner. He adds that the prison was guarded by members of the "Liberation Army" under the control of the Communist Secret Service Section.

Subsequently he was escorted to his former home in Shanghai where his rooms were ransacked and where two persons who recognized and greeted him were arrested. He was then transferred to a small steel cell in the "Ward" at Yu Yuen Road, where he was handcuffed for long periods. He was again subjected to intensive interrogation by the Communist Secret Service and tortured in various ways. Attempts were made to gain his confidence and he was given the alternative of confessing or being executed. At this point he was accused of having joined an American spy organization and his interrogators attempted to prove that he had been in contact with American imperialists. The inmates of the "Ward" included priests charged with "isolating New China from the people", French nuns accused of "maltreating infants" and British clergymen charged with opposing the "reformation of Christianity".

Finally he was transferred to "the slave labourers' camp" a Tsaohoching near Shanghai. It had been built around the former Children's Refugee Institution, which had been greatly expanded, surrounded by electrified wire nets, and its outer limits enclosed by barbed wire. It was closely guarded and anyone approaching the "closed area" was accused of being a nationalist spy. The 30,000 political prisoners, whose average age was 30, lived in barracks which they themselves had had to build. The camp was filthy, prisoners slept on planks, had to get up at 5 a.m. and received a daily ration of one catty of rice, one gramme of oil, one oil of salt, half a catty of fuel and two ounces of vegetables.

They were supposedly paid about one cent (United States currency) a day, but under the regulations 90 per cent of wages were "voluntarily" contributed to the government, and the other 10 per cent were used to improve the prisoners' living conditions. However, even this 10 per cent was confiscated by the Camp Steward.

The inmates were not taught any technical skills, but were simply worked like draught animals. They all had to take turns at the various types of work performed in the camp; a work detail comprised from forty to fifty men, each ten prisoners being guarded by one armed soldier. In order to prevent escapes the Communist secret service men had arranged a system of mutual guarantee and mutual punishment so that no prisoner dared to escape for fear of making his fellows suffer. They were marched to work under strict discipline and were beaten if they infringed any rules.

Prisoners were engaged in general farm work, the most arduous of which was ploughing; each plough was drawn by four to six men and laggards were whipped. The "most felonious criminals" were loaded with irons to prevent them escaping.

One day the deponent was assigned to the work party dredging sand near the Lannitu Ferry on the Whangpoo River. The work was completely unmechanized and the sand had to be dug with spades and carried in baskets attached to a bamboo pole slung over the shoulder. Prisoners were beaten if they slackened in their efforts and many fainted and drowned.

Prisoners were constantly on the brink of starvation and every fortnight or month a surprise midnight search was carried out by Communist agents. No weapons of any kind were ever discovered.

Prisoners had to attend the "labour brain-washing education" classes given by the "Cultural Teacher". The topics discussed were American imperialism and the gifts sent by Russia to starving negroes in the United States. Emphasis was placed on the "Fight against America and help to Korea" topic on American encirclement of China.

Once or twice a week a "struggle meeting" was held at which prisoners were encouraged to confess their sins, indulge in self-criticism, denounce anti-Communists and praise Communist leaders. New prisoners were deluded into

confessing by the apparently spontaneous confessions made by the informers and spies among the inmates. At times a "model of labourer production hero" was selected and rewarded for his work; however the only candidates for this title were nominated by the disguised counter-espionage agents in the camp.

The prisoners represented almost all social classes and included scholars, peasants, boys, old women and capitalists. All were accused of being "Nationalist spies" and many had not even been questioned. None of them had been convicted by judges in court, and many said that they did not know what crime they had committed and that they had been indiscriminately confined.

The camp, called the "East China Farm" was administered by a camp Chief, appointed by the "East China Military Committee, Public Safety Department", a government organization but he was actually under the orders of the "East China Social Ministry", a branch of the Communist Party. The camp was subdivided into administrative sections, such as the Control Section, which made work assignments, the Political Section, responsible for propaganda and the Guard Section, which prevented riots and guarded the camp.

Punishment consisted of confinement in the "torture cells" (exposure to the elements in a small iron cage on a starvation diet), the "wire cage" (a tiny barbed wire enclosure where a prisoner had sufficient room only to remain standing and was at the mercy of vermin and insects) and the "water cell" (a pool in which prisoners were placed to be frozen by cold water or scalded by boiling water). Other tortures included exposure in the sun and the snow, starvation, burial alive, etc.

Prisoners became very weak from starvation, lack of sleep and overwork. They succumbed to paralysis, fever, dysentery, tuberculosis, hernia, etc. They were given no medical attention and seriously ill prisoners were buried alive. Those who were disposed of in this way were said to have been shot and a prefabricated reason for the execution was given to the public.

The deponent states that he took advantage of the confusion caused by the influx of large numbers of new prisoners, tunneled out under the electrified wire net and fled to Hong Kong.

The deponent, born in China, lived with his grandfather, a peasant farming his land with the help of his family.

They were driven out of their home and the grandfather was arrested in 1949 by soldiers of the public security authority.

Two months later the family heard that he had been sentenced to five years' detention and sent to the "reform through labour" camp at the town of Hui-Min.

Four months later, the deponent, on learning of the death of his grandfather, went to the camp to fetch the body. He found it lying in a ditch, covered with blood and the feet shackled.

"This reform camp", says the deponent, "lies to the east of the town of Hui-Min, in the province of Shantung. The inmates occupy cells about fifteen feet long, each cell containing about sixty-five persons. They sleep on the ground. The cells are surrounded by armed guards. The camp is divided into main groups, medium groups, small groups, sections and teams. There are seven main groups in all, each of about 1,500 persons. The leaders of the main and the medium groups are communist agents; the leaders of the small groups, sections and teams are prisoners. Their accent suggests that most of the communist agents come from the Sub-Prefectures of Po-Hsing and Kuang-Jao, in Shantung province.

"The food consists of sorghum flour mixed with cotton-seed. There are two meals a day, at which every person receives two small loaves of sorghum flour and cotton-seed, each weighing about five ounces. No vegetables are served, only a little salt water being added to the food. Meals are always served in the open, winter and summer. The inmates wear summer clothes. The trousers are blue on the left half and white on the right; while the jackets are white on the left and blue on the right. The back of the jacket bears the characters 'Fan Jen' (prisoner) cut out of red cloth. There are no sanitary facilities. The workers' hair is about eight inches long and their heads and bodies are infested with fleas. No conversation is allowed, not even during rest periods or meals. Anyone who breaks the rule of silence must work overtime for eight hours. The prisoners get up at 5.30 a.m., have their first meal at 9 and eat again at 3 in the afternoon. Apart from interruptions for meals they work practically all day - until 8 p.m. From 8 till 9 there is a meeting for self-criticism at

which the prisoners must say frankly whether they have worked well or badly. They go to bed at 9. Sunday is a normal working day. The work consists of such tasks as clearing ground, making bricks, hauling stones and putting up houses and walls. Those regarded by the communist agents as the worst offenders wear chains around their ankles from which the blood flows as they work. The flesh of some of them is so lacerated that one can see the bare bone. A large number of prisoners die every day; the corpses are thrown into the river. If any faint while working they are flogged or beaten like beasts of burden by the communist soldiers. Even prisoners who are seriously ill have to work."

The deponent adds: "In the 'reform through labour' camps there are also many women, relatives of those whom the communists describe as 'reactionary elements'. They live under the same conditions as the men, the only difference being in the kind of work they do: spinning, weaving and making canvas shoes, stockings, etc."

"The women have to complete the day's task set for them by the communist agents. There are about 1,500 of them in the camp, enough to form a main group. The women's group includes both elderly women and girls. In fact, in 1950, there was a young woman aged eighteen in the camp, whose husband had been sentenced to death for serving in the Nationalist Army - a very beautiful girl whom the camp commander forced into marriage."

"... In 1951, I was forcibly recruited to the army to serve as cannon fodder for the Russian aggressors. I was sent to Korea the same year, where I seized the opportunity of surrendering to the Allied Army and regaining freedom."

Summary of deposition No. 3

The second witness is twenty-seven years of age. His family consisted of nine persons farming a holding of 20 mou.

In 1949, he became a people's primary school teacher. He was arrested in 1951 for lukewarmness towards the "Support the Government, Love the People" campaign. He was taken to the prison of the Military Committee where life was extremely hard. The prisoners wore chains. In the narrow cells in which they were locked up at night, they could sleep only in a squatting position. They had no blankets.



The meals consisted of an inadequate quantity of rice or rice gruel twice a day.

Their work was to haul stones for road repairs from 8 a.m. to 7 p.m. The prisoners, who were roped together, had to walk with their heads lowered, fearing which they were struck with a rifle-butt by the armed guards.

From the end of work until 10 p.m., the prisoners attended a meeting for self-criticism, at which the section leader was in the chair. Prisoners were often fetched during the night for questioning.

In the words of the deponent: "Those who were beaten to death or shot were lucky, because those who survived the beating had to work next day, and no greater torture can be imagined.

"Ten of my companions suffered such treatment. Although covered with wounds, they still had to drag loads of stones. At every effort, drops of blood as large as beans ran down their hands and feet."

The deponent was sent to a reform camp attached to the Military School of South-West China in which about 20,000 alleged counter-revolutionaries of both sexes were imprisoned. Conditions in the camp were roughly the same as in the prison but the work consisted mainly of various land-clearing operations, was more varied, and livened up by a system of competition among the prisoners. The deponent describes several scenes of torture. For instance an old fellow-prisoner when carrying a load of night-soil over a small stream, slipped and fell into the water and broke his arm. One of the guards not only forbade him to go and get treatment, but ordered him to carry a load of night-soil on the other shoulder and stay on his feet until he collapsed.

In addition to clearing the land and carrying water and night-soil, the prisoners carried food over a distance of 100 li both ways in three days.

Eight months later, the deponent was sent, as a member of a "shock troop", to work on the Chengtu-Chungking railway. The troop, consisting of 310 men, had to complete two kilometres of track in one week. Instead of the promised wages and abundant food, the prisoners received only green lentils and rice gruel with hardly any vegetables or seasoning.

Working hours were from 8 a.m. to 6 p.m., but, after a "Challenge to Struggle" campaign, were extended to 7 a.m. to 7 p.m. Then, after the third section had

set the example of working from 6 a.m. to 8 p.m., two other sections had the working hours extended from 5 a.m. to 10 p.m. "to thank the people for having given us so glorious a task".

The work was extremely hard. Twenty-six to twenty-seven men had to level 160-171 metres of ground in seven days. The minimum weight of the baskets of earth that they had to carry was 120 pounds, but to carry less than 150 pounds was to run the risk of being ill-treated. Whoever wanted a drink of water had to find time while working as the meal break lasted only ten minutes.

The deponent was enrolled for fighting in Korea, where, after being taken prisoner, he opted for National China.

#### Summary of deposition No. 4

The deponent, a former tradesman, now set up again in business, was arrested during the "Five Anti" campaign and sentenced to six months' imprisonment and reform through labour.

He was taken, manacled, to a camp at Canton, where he was assigned to a team, given a number and a red vest with his team number on the back.

The dormitory was surrounded by a triple iron chain and the camp ringed round by watch-towers. It was forbidden to get up during the night, even to relieve oneself, and also to speak, except during indoctrination meetings.

Indoctrination meetings were held in the courtyard from 7 to 9 p.m., after which the prisoners had to go to bed with chains around their ankles.

Work went on from dawn till dusk, with a forty-minute break for a mid-day meal.

There were more than 5,000 prisoners in the camp; one of the teams consisted of some 300 women who either grew vegetables or did carpentry or masonry work. The men broke stones and cleared the ground.

While in transit near Yen T'ang, the deponent saw a group of 200 men engaged on dangerous work for the army. They were a special group of prisoners under suspended sentence of death and they worked with chains around their ankles. There were three meals a day, consisting of rice gruel with a few vegetables grown by the prisoners.

The prisoners received money from their families. Those who were seriously ill stayed in the dormitory and every other day a doctor gave them aspirin. If the section leader was satisfied with a prisoner's work, the team leader, on expiry of the prisoner's sentence, would submit an application for his release to the main group leader who would pass it on for approval of the body which had imposed the sentence. In consequence of this procedure, the deponent spent altogether ten months in a "reform through labour" camp.

In an abortive uprising in one of the dormitories, thirty-eight prisoners were shot down and twenty-five wounded. Several prisoners regarded as the ring-leaders of the riot were executed the same day.

On release, the deponent signed a declaration by which he undertook not to commit any more errors and, what is more, not to reveal anything of what had occurred in the camp.

#### Summary of deposition No. 5

The deponent, H. Earnshaw, is a British trade union leader who went to China with the Labour Party delegation led by Mr. Attlee.

He was allowed to go over a prison at Peking, but forbidden to converse directly with any prisoners who could speak English.

He could obtain no information regarding the number of prisoners in the prison and learned only the reason for their being there. They were described as "collaborators of the Chiang Kai-shek clique, despot landlords, reactionaries and persons who had attempted to undermine the new institutions". Their sentences varied from six months to life sentences. Some of the prisoners had been sentenced to death but had received a suspended sentence to enable them to redeem themselves through labour. They were to be executed, however, if their work did not give satisfaction.

The deponent was informed that, during the first few weeks of detention, prisoners were subjected to a course of re-education to show them that it was better to be a useful citizen.

The prisoners were engaged in printing, weaving, textile manufacture, agricultural work, and other occupations.

The deponent states: "In all these workshops, the prisoners were working at full stretch for nine hours a day. In fact, we had never seen human beings working at such a pace. It could be described as a kind of forced labour"....

Although assured of the contrary, the deponent doubts whether all the prisoners had stood trial.

There were both men and women in the prison, allotted in varying numbers to small cells.

In a word, the deponent had the impression that the emphasis was on making the prisoners serve the nation's needs and help to increase production.

#### Summary of deposition No. 6

Father Sohier, a Belgian missionary, was held in the Ts'ao-lan-tze Hutung prison at Peking until 5 November 1954.

There he often heard the labour camp of Ts'ing-ho referred to as the place to which prisoners were usually sent. He also saw the camp newspaper, which went under the name of "The Garden of Regeneration".

This labour camp, set up a few months after the People's Army had taken power in Peking, is under the jurisdiction of the public security authority of Peking.

Its main feature is an agricultural settlement of more than 20,000 hectares, on what was formerly waste land saturated with salt. It had been cleared by prisoners with pick and shovel. The main crop is rice.

There are various workshops attached to the camp: a hosiery manufacturing plant, a printing press, a metal workshop, and others; in addition a large number of teams of construction workers are employed.

The prisoners' output is expected to be higher than that of ordinary workers. Work teams would leave the prison at about 7 a.m., for instance, and not return until nearly 6 p.m. Prisoners are also required to study political doctrine for an hour and a half to two hours and to attend meetings for criticism and self-criticism.

The food is said to be better at the camp than at the prison, meat being served once or twice a week.

There is a highly complex system of competition to obtain the maximum output from the prisoners.

Some of the prisoners are political offenders, others ordinary criminals: some have been convicted, others are awaiting trial. Disciplinary penalties include solitary confinement and extension of the term of detention.

Summary of deposition No. 7

On arrival at Hongkong after his release on 5 November 1954, Father Sohier, the author of deposition No. 6 wrote a long letter to Mr. Chou En-lai. This is the letter summarized below.

The object of the deponent's letter was to inform the President of the Government Administrative Council how cruelly he had been tortured (in fact, his spinal column was fractured) by those who wished to extract a confession to absurd crimes.

Beaten by guards and by other prisoners and prevented from sleeping, he was forced under torture to write or sign spurious self-incriminating letters which were to serve as the basis of a conviction for espionage and sabotage.

The deponent says that, as he wishes to continue to serve China, he is sorry that his case could be used by the enemies of the New China, but his object in writing is to help the Chinese State to build up a more progressive and more humane judicial system.

From his arrest on 25 July 1951 till his release on 5 November 1954, the deponent was never brought before a court or informed of the charge against him. The examining magistrates before whom he appeared did nothing but try to induce him to sign false confessions.

One method of making him admit to alleged espionage activities was that of tying his hands behind his back and forcing him to rest his weight on them.

On 23 August 1951, by order of the examining magistrate, six policemen beat him all night long, leaving him with a fractured spinal column and paralyzed in the lower part of his body and both legs. He received practically no treatment and not until eighteen months after the torture was he able to start walking again.

When he left Ts'ao-lan-tze prison, the examining magistrate and the administrator, Ts'ai, said to him: "We admit that we have been somewhat at fault in our treatment of you here. We hope you will make it clear that we have changed our methods and have already made some improvement." "But," the deponent adds, "the wrongs committed were not committed against me alone. All that can be said is that the wrong done to me was the least easy to conceal."

D. COMMENTS OF THE GOVERNMENT OF THE REPUBLIC OF CHINA

By a letter dated 14 June 1955, the Government of the Republic of China submitted comments on that part of the material concerning the Mainland of China which the Secretariat had received by 21 March 1955 57/. The text of this letter is as follows:

"... I have the honour to inform you that the Chinese Government has carefully examined the communications concerning forced labour on the mainland of China transmitted to the United Nations by the International Confederation of Free Trade Unions on 5 October 1954, the Commission Internationale contre le Régime Concentrationnaire on 31 December 1954 and the Representative of the United States of America on 15 February 1955, and wishes to make the following comments:

1. The information and material transmitted by the two above-mentioned non-governmental organizations and the Representative of the United States of America are either identical with or complementary to the information transmitted by my Government on 10 February 1955 and it wishes to take this opportunity to express its appreciation to the two organizations and to the Government of the United States for bringing the truthful information to the attention of the United Nations.
2. Such information and material reveal the fact that forced labour does exist on the mainland of China, both in law and in practice, under the Communist regime. The Chinese Government feels strongly that the United Nations and the International Labour Organisation should give serious consideration to this matter and effective measures should be taken to eliminate this evil practice."

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57/ Material received after 21 March 1955 was also transmitted to the Government of the Republic of China for comment. Such comments have not yet been received.

#### IV. CZECHOSLOVAKIA<sup>1/</sup>

By notes dated 15 February and 1 July 1955 the Government of the United States of America submitted twenty-three affidavits by private individuals relating to Czechoslovakia. Summaries of these affidavits are reproduced below:

##### Summary of Affidavit No. 1:

The deponent states that he spent a year in labour camps in various places. He first served at Tisnov, in the Slany district, where the work was unpaid and the hours were from 7 a.m. to 6 p.m., with one hour off for lunch. The work was of various kinds, including heavy construction work and ditch-digging; working conditions were difficult.

The deponent proceeds to describe the hard working conditions in an armament works where he went to work of his own accord on his release from the labour camps, but where he was obliged to remain, for fear of being sent to another camp. At that works, measures for the protection of workers were neglected and anyone who failed to work for three days had to work without pay for three months.

##### Summary of Affidavit No. 2:

The author, a middle-aged married man, states that he volunteered for a labour brigade in order to escape worse punishment for delay in answering a summons to report to a military labour unit.

He was assigned to a brigade about 1,000 strong doing building construction in the Moravská Ostravá region, where he was put on excavation work. Failure to reach the target of eight cubic metres of excavation in an eight hour day entailed deductions from his wages or the stoppage of food cards. He earned 150 crowns a day, which was insufficient to pay for his food and support his family.

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<sup>1/</sup> Certain references to Czechoslovakia were also made in the "Statement on Forced Labour" submitted by the International League for the Rights of Man. The formulation of this Statement makes it impracticable to extract these references and reproduce them under the present heading, but see pages below.

Summary of Affidavit No. 3:

The deponent states that he was found guilty of high treason at a public trial under Law No. 1 of the Republic, Defence Act No. 231/48, for participating in an illegal organization. Over a period of about three and a half years, he was in seven different labour camps and describes conditions there as follows:

1. Vikmanov, in the Jachymov area

There were about 2,000 prisoners in the camp, which had sleeping accommodation for 1,200. The camp was for new arrivals, including political prisoners, criminals and ethnic Germans, and for convalescents; most of the prisoners were unemployed, except for occasional compulsory brigade work; the food was bad and insufficient; 200 grammes of bread a day were provided. No mail was allowed.

2. Elias, in the Jachymov area

The number of prisoners in the camp was approximately 1,400, while the capacity was 1,700. The prisoners were employed in the Jirina uranium mine and in the uranium ore sorting section; they were obliged to work eight hours a day for pay and occasionally to do "voluntary" unpaid brigade work for four hours in addition. The work quotas were determined individually according to the type of work and the hardness of the stone in the shaft. Payment depended on the type of work, which was classified in seven categories. In the seventh category, representing the hardest work, the wage was approximately 14 crowns an hour, with an additional ore premium, which depended on the quality of the ore produced. Pay was cut if the quota was not fulfilled and was proportionally increased if the quota was exceeded. Issue of food was determined by labour output. Prisoners who failed to achieve the quota were given about one-third of the normal civilian ration; those who regularly exceeded the quota by 50 per cent or more received the normal ration; prisoners who regularly achieved the quota or exceeded it by less than 50 per cent were given a ration midway between the other two categories. The bread ration for the second group was 250 grammes a day and about 25 grammes of meat two or three times a week, in addition to thin soup, dumplings and potatoes. These prisoners were also given half a litre of



equalized milk every day. Wages were paid with discount for food and lodging, so that the author had about 120 crowns a month to spend at the camp canteen. He earned about 1,200 crowns for work for which a civilian received 4,000.

The main penalty for under-production, attempts to smuggle uncensored letters, insubordination etc., was so-called "correction", which consisted of imprisonment for 24 hours or for a night in a cellar where it was impossible to lie down.

3. Prokop, in the Horni Slavkov area

The camp contained about 3,000 prisoners, although there was room for 4,000. If the prisoners failed to fulfil the quota in eight working hours, they were obliged to remain at work without food for sixteen hours; after supper, they had to do brigade work, sometimes for four to six hours. These prisoners worked in uranium mines and their work quotas and food and work categories were the same as in camp Elias. The punishments were harder, however, and correctional imprisonment was sometimes imposed for one month. The premises were not heated and the food was inadequate.

4. Camp No. 12, in the Horni Slavkov area

The camp, which had 2,600 inmates, was constructed for prisoners working in uranium mines Nos. 11 and 14 and on State constructional enterprises. The prisoners working in the mines had to work eight hours a day and to do additional brigade work. Work quotas were determined individually for various types of work and the wages differed correspondingly. Although the food was somewhat better than in the camps previously described, 25 grammes of meat being issued every day, it was inadequate for the type of work done.

The deponent's wages were 2,500 crowns, of which he received 500 crowns. However, his family's health insurance was paid from his wages and 400 crowns were sent to his son. Civilians received 5,000 crowns for the same work. The penalties were similar to those in other camps; the correctional prison was unheated and had no windows.

5. Svatopluk, in the Horni Slavkov area

The 1,600 inmates of the camp worked at the Svatopluk and Barbara No. 4 uranium mines. The working conditions were approximately the same as in the

camps previously described; however, some 65 prisoners, including the author, were not assigned to work and received special ration cards entitling them to no meat or sugar and to only 200 grammes of bread a day, although they had to do brigade work. The food for the mine workers was better than in the other camps; there were only two food categories, one for those who failed to fulfil the quota and the other for those who exceeded it. The canteen was well supplied and the prisoners who fulfilled the quota were given a bonus of 1 kg of sausage and 1 kg of pork fat per month. Those prisoners also received 300 grammes of bread a day and 150 grammes of sugar every ten days without deduction from their wages. Penalties were seldom imposed in that camp.

6. Nikolaj, in the Jachymov area

The camp had been set up for prisoners working in the Eduard uranium mine and had a capacity accommodation for 800, although 900 prisoners were quartered there. Working conditions were similar to those of the other camps, but the food was very bad, consisting only of black coffee, dumpling in gravy and potatoes. The criminal elements were instigated by the camp command to ill-treat political prisoners. No cigarettes were allowed. The prisoners assigned to work in the mines received from 50 to 100 crowns a month and were made to work 16 hours a day or were sent to the correctional prison if they failed to fulfil the quota.

7. Bytiz, in the Pribram area

The camp was prepared for prisoners working in uranium mines Nos. 10 and 11. There was room for about 1,500 inmates. The deponent was employed in the ore selection section and was obliged to handle the ore with bare hands eight hours a day. The work quota was packing one railway truck a day, containing 198 boxes weighing 38 kg each, prepared by eight persons. The wage in that category was 1,260 crowns for exceeding the quota by 50 per cent and an ore premium, depending on the output was also given. There were three food categories; the third category for workers exceeding their quota consisted of 300 grammes of bread a day, meat once a week, dumplings, noodles and potatoes. The quality of the food was very bad. The first category received no cigarettes, the second was given fifty a month and the third one hundred a month. Punishments were severe; prisoners were sent to correctional prison for minor infringements of the rules and were often given no food for four days on those occasions.

Summary of Affidavit No. 4:

The deponent states that he was sentenced to one year's detention in the Kladno Duby forced labour camp for attempting to cross the border illegally.

The 450 residents of the camp lived under crowded conditions and were poorly fed. He was assigned to a coal-mining brigade working an eight hour daily shift. If a worker did not fulfil his daily quota, he had to work on Sundays. The prisoners received wages, but there were deductions for food, clothing, etc.; if the wages did not cover the expenses, the balance had to be repaid after release. There was no censorship of mail and visits were allowed, but only for prisoners who had fulfilled their work quotas and completed at least half of their sentences. Infringements of the regulations were punished by solitary confinement.

Summary of Affidavit No. 5:

The deponent states that he was sentenced to two years' forced labour and sent to the Kladno camp, attached to a large smelting plant.

The prisoners worked in eight-hour shifts with no rest on Sundays. He was put to work unloading ore from freight cars, the daily quota for two men being six freight cars holding twenty tons each. If they fulfilled their quota, they received 5 per cent of a civil worker's salary and they could earn small additional amounts or extra food rations by production in excess of the quota. Non-fulfilment of the quota entailed the stoppage of wages, reduction of food rations and solitary confinement.

The prisoners were housed in barracks surrounded by a barbed wire fence patrolled by sentries. They were marched to and from the smelting plant under guard and were forced to attend political indoctrination classes twice a week. The diet consisted largely of vegetables, with meat three times a week.

The deponent was later transferred to the Pribram camp, near Prague, where he was assigned to a team reinforcing galleries in the uranium mines. There were about 600 prisoners in the camp, all working in the uranium mines. They earned 5 to 15 per cent of a civil worker's pay according to the amount they produced. The author received 250 crowns a month. The quota varied with the type of geological formation being worked. The food was slightly better than at

Kladno. The camp and the mine were in one compound surrounded by a double barbed wire fence with watchtowers, lights and machine guns.

He finished his sentence at the Handlova camp in Slovakia, where conditions were easier: no quota was imposed and all prisoners were paid pocket money.

On release, he was to sign an undertaking to work for three years in a coal mine.

Summary of Affidavit No. 6:

The deponent states that he spent eight months in the Vaclav Nosek forced labour camp at Brno-Oslavany, where he worked in the coal mine. He was sentenced on an unproved charge of guiding people illegally across the frontier.

The 280 residents of the camp lived in barracks where 22 men were crowded into one small room. They worked in eight-hour shifts, without pay, and had to fulfil prescribed quotas. If they failed to do so, they were assigned to the worst type of work. Mail was censored and visits were allowed only once a week.

Before being released, he was summoned to the court, where he had to sign a declaration obliging him to join a "workers' brigade" for one year.

Summary of Affidavit No. 7:

The deponent, a Roman Catholic priest, states that he was sentenced at a public trial, under Act No. 231/48, for high treason and espionage and spent approximately two and a half years in prisons and in the Zeliv forced labour camp, a former monastery where priests and members of various Catholic orders were interned. In the prisons, he was forced to perform unpaid work, repairing sacks at Dacice, packing buttons at Jihlava and making rubber bags at Novy Jicin.

At the labour camp, the 200 to 300 priests and monks all had to work, in the vegetable and flower garden, the constructional area at Jihlava, the forests, the State farms at Zeliv and Temechov, the railway station at Humpolec, the ice depot at Humpolec, selecting, loading and transporting potatoes for the Humpolec agricultural co-operative, at the Zelivka power plant, at the brickyard at Vitice, at the Humpolec quarry, constructing the laundry for the Zeliv agricultural co-operative and other seasonal work in the vicinity.

Punishments for failure to report for work, insubordination etc., consisted of food cuts, stopping of mail, solitary confinement and correctional imprisonment. The camp chapel was also closed whenever a "serious" offence was committed. Attempts were made at political indoctrination through lectures and propaganda films. An agent-provocateur was placed in the camp and caused the arrest and imprisonment of several inmates. Medical treatment was inadequate and primitive.

Summary of Affidavit No. 8:

The deponent, a Slovak woman, states that she was assigned by the district people's labour committee to Barbora Mine II, Ostrava, where she spent about seven months. The food consisted of soup or gravy, black coffee, vegetables and 300 grammes of bread a day. The prisoners worked in the mine from 6 a.m. to 3 p.m. A quota was established for the whole group and was always fulfilled, for fear of punishment. The pay was 2,400 crowns a month. Mail and visits were prohibited. The prisoners had to buy their own clothes and to pay for their food. Punishment for failing to report for work was imprisonment. The work was supervised by police. Everyone had to work in the mine for at least one year; exemption was by medical certificate only.

Summary of Affidavit No. 9:

The deponent states that he was forced to do agricultural work with about one hundred others on the episcopal estate at Vcderady, which had been confiscated by the Government. The food and the daily wage were inadequate and the prisoners were supervised by guards from the Leopold prison.

He also worked at the brickyard at Trnava, digging clay. The work was very hard, the wages were low and the food was wretched. The prisoners were supervised by guards and gendarmes.

He was then transferred to the Sucany brickyard, where he loaded bricks on trucks and shovelled coal in the boiler-room. The work was very hard and very badly paid and the food was poor. The prisoners were watched by guards and police. Loiterers were immediately reprimanded and threatened. The pay was only credited to the prisoners. It was impossible to choose one's work, or to refuse to work. Violation of the work rules was punished by food cuts and stopping mail and

parcels; some violations were punished by imprisonment. It was physically impossible to fulfil the established work quotas. Indoctrination lectures were given. There were approximately 250 forced labourers at the brickyard.

Summary of Affidavit No. 10:

The deponent states that he was confined in several labour camps because he had been a monk. He was imprisoned in the camps of Kostolna, Podolinec and Puchov. At the two first-named camps, the work was light, but a considerable amount of indoctrination was given to the prisoners, but at the third, the work was heavy and the prisoners were engaged in the construction of a new hydro-electric plant. There were 5,000 prisoners in the camp. The food was poor, but the deponent refers to breakfast, dinner and supper, and states that when he suffered an accident at work, he was confined to his bed for a week. The guards were members of the Security Police, called in only in emergencies, and of the CSM (Youth Movement), and there were about thirty of them for the whole camp. The working day lasted from 6 a.m. till noon, dinner was at 1 p.m., and prisoners were then free until 3 p.m. From 3 till 5 p.m., prisoners had to attend instruction classes or to do gymnastic exercises, and at 9 p.m., the camp leader gave a talk to the assembled prisoners, censuring those who had failed to do their full quota of work and announcing who had produced more than was required. Prisoners were paid a small monthly wage (200 crowns) and given a shirt apiece. The second month, however, for some reason, the prisoners did not work for the whole month, and not only did not receive any wage, but had their shirts taken away from them. Prisoners were allowed to receive mail and packages, but the mail was censored. Production standards varied, but if members of groups produced less than the required amount, they could be credited with some of the amount produced by other members of the same group who had exceeded the quota. The deponent was released when he proved impossible to re-educate.

Summary of Affidavit No. 11:

The deponent, a monk of about thirty years of age, states that he was seized by the communist militia with the other monks of his institution and taken to Camp Sastin, whence he was transferred to Camp Podolinec and later to the Kostolna political re-education camp. He was excused from work at Podolinec on

the grounds of ill health and transferred to hospital from Kostolna. He was entitled to special treatment at a thermal station but escaped before he could be sent there.

The prisoners at Podolinec were given light work in the camp. They were at first forbidden to receive mail but were later allowed censored mail. They received little food, and no payment for their work. They were guarded by the communist militia and the security police.

At Kostoline there were daily indoctrination courses consisting of reading and discussion. Monks were told that they could not be released unless they renounced their vocation.

Summary of Affidavit No. 12:

The deponent, a monk, states that, after the dissolution of the monasteries in Czechoslovakia, he was sent to a camp at Kostolna for political re-education. After two months, he was transferred to Puchov, where there were about 250 monks and 5,000 members of the Czechoslovak Communist Youth employed on the construction of a hydro-electric plant. Political re-education meetings were held. The deponent's work consisted of digging canals for the power plant.

He was then transferred to Novy Jicin, where about 350 monks forced into correctional military service were lodged in a prison. They were subsequently joined by about 150 political prisoners. The prisoners worked on the construction of a tank factory; the author carried building materials by hand.

At Bruntal, where the author was transferred, the prisoners were obliged to dig trenches for regular soldiers stationed in the district for manoeuvres. The monks were quartered in abandoned houses and had to walk between eight and twelve kilometres to and from work every day. They had no heating in their quarters and had to work two kilometres for water.

The author was then sent to Prerov, where 130 monks and 190 political prisoners were employed building roads in the area of the airport and constructing barracks for officers.

When the deponent was transferred to Novy Jicin for the second time, the prisoners had to build barracks for officers and roads; they were quartered in isolated barracks surrounded with barbed wire.

Finally, the deponent was sent back to Prerov, where the work was much the same as it had been before. He had to carry reinforced concrete and other road-building materials by hand.

In all the camps, the monks were forbidden to practise or propagate their religion. Food was inadequate and very bad. Letters and parcels could be received only from their immediate families and were examined by the camp command. The prisoners were constantly guarded and were forbidden to leave their quarters. During the second year of their internment, some of the inmates who exceeded the work quota were allowed to go on leave. Reading of communist newspapers was compulsory and political re-education classes were given twice a week. The pay was ten crowns and three cigarettes a day. The monks received lower pay than the other prisoners as a punishment for having refused to sing a communist hymn. Punishment for refusal to work was solitary confinement by night and work without food during the day. One work quota was for five or six men to unload a railway truck full of cement and gravel in half an hour; another was for one man to dig a trench two metres long, one metre wide and two metres deep in rocky soil in eight hours. Under-production was punished by confinement to quarters and scrubbing floors. About 30 per cent of the inmates fell ill and some were returned to their homes, but not until their health had been ruined. Prisoners were excused from work only on production of a medical certificate, but the medical officers very seldom issued those documents.

Political prisoners and monks were released after signing statements that they supported the Communist Government and were immediately assigned to new jobs by a labour board; in the event of refusal, they were returned to camps or prisons. Civilians working in mines and factories were forced to attend indoctrination courses and their work was done for them on holidays by unpaid political and religious prisoners.

Summary of Affidavit No. 13:

The deponent, a Czechoslovak national, states that he was confined in the camps of Podolinec, Kostolna and Puchov for the purpose of re-educating him, as he had been a religious. He describes Puchov as a compulsory labour camp organized by the CSM (Czechoslovak Youth Movement) for the specific purpose of



building a hydro-electric plant. He states that there were five camps in Puchov round the work area, containing in all 2,000 young people. Three hundred of the prisoners were religious, while the rest were students whose schools organized them to work during the summer vacations. If the students refused to work, they were not allowed to take their final examinations or were expelled from their schools. The work was regarded as voluntary, so that none of the workers received any pay. There were two shifts, the first from 6 a.m. to 2 p.m. and the second from 2 p.m. to 8 p.m. The first shift was obliged to get up at 4.30 a.m. to clean the dormitories, kitchens, etc. Work quotas were high, and prisoners failing to complete them were assigned to peeling potatoes or similar work as a punishment.

The deponent was later released from the forced labour camp at Puchov, but after some months was called up for military service. As a religious, he was considered hostile to the Government, and was accordingly transferred to the Work Concentration Camps Company (FTP). That Company sent him to the Mesto-Libava camp for two months and he was then sent to Nowy-Jicin. At that camp there were 150 men, about 70 of them being assigned to work on a tank factory and the remaining 80 to construction work on the barracks around the camp and to less important work. Both women and regular soldiers were also employed at the camp, the women being hired through the Office of the State Chamber of Labour and being liable to sentence from a military tribunal if they revealed where they worked. The regular soldiers were strictly forbidden to talk with the persons engaged in forced labour. Uniforms were worn, and the camp was guarded, but the workers received the same pay as ordinary workers, with deductions for board, lodging and clothes, and the sick fund. Work quotas were high, but 100 per cent production or higher was rewarded by permission to go home on leave. Working hours were long. The deponent states that he usually worked an eight-hour day, but that groups of men were often organized to work more than eight hours a day, and also to work on Sunday. The deponent mentions one occasion on which he worked for 22 consecutive hours. Discrimination was practised against priests among the prisoners, and they received no reward for exceeding their production quotas. There was no freedom of movement or choice of work, and failure to work meant imprisonment in a prison two kilometres from the camp. In more serious

cases, the offenders were transferred to Mesto-Libava, where they might even be beaten. At Mesto-Libava was the general headquarters of FTP 53, responsible for classifying the persons sentenced to "re-education", and assigning them to the various forced labour camps.

The deponent states that each person was supposed to be released after two years, and that towards the end of that period a political commissar would come to the camp and describe the opportunities open for further work on mining, construction, etc. In the camp where the deponent was, the prisoners were kept for three and a half years. The deponent succeeded in escaping before his release.

Summary of Affidavit No. 14:

The deponent, a Czechoslovak national, states that he was arrested when the religious institution of which he was a member was closed down. He states that he was confined, first in a concentration camp at Podolinec and later at Puchov. At that camp there were about 5,000 persons, including monks and male and female students. The students were sent to the camp to work for a month in the summer vacation, and if they failed to appear at the camp, were not allowed to continue their classes in the following year. The workers at the camp, who were engaged on the construction of a hydro-electric plant, were organized in groups, and competition between the groups was stimulated by the award of a pennant to that which produced the most. The work was heavy, and all done by hand. The deponent states that he considered it dangerous owing to the absence of skilled supervision. The workers received no pay, and there was no choice of work or possibility of refusal. Workers all wore the same uniform and there was no cessation of work on account of bad weather. There was one free hour after the day's work, but workers were not allowed to leave the camp and there was no contact with the outside world.

The deponent states that those living in the camp were from 16 to 20 years of age. At 21 they could be called up for military service. The monks remained in the camp indefinitely, but if they were able to pass an examination and prove that they were satisfactorily re-educated, they might be released, only to be called up for correctional military service, involving forced labour, later.

The deponent escaped from the country after he had succeeded in passing out of another camp at Kostolna, where he had been sent for further re-education without forced labour.

Summary of Affidavit No. 15:

The deponent states that he was arrested when all the religious were taken from the convents in Czechoslovakia and placed in various camps. He refers to the camps of Jasov, Podolinec and Pezinok, and states that that particular form of forced labour was designed to separate the religious from other persons and to prevent them from influencing others by their religion. Work was considered necessary in order to prevent the prisoners having any time for study or for other thoughts.

At the beginning of his period of imprisonment there were about 600 religious at Podolinec. Later, about 120 of the younger ones were transferred to Puchov, to work on a hydro-electric power plant.

The deponent was transferred from one camp to another, but states that he always worked in all camps, though the work varied. The food was inadequate, and the prisoners were not well treated. Sick prisoners were forced to work, even when they were dying, and only when there were many cases of sickness was a doctor called in from outside. The deponent states that more than half the persons confined in the forced labour camps had lung trouble. Camps were fenced in, with watch-towers at intervals along the fences. The watch-towers had been built by the prisoners. The deponent states that conditions in the camps varied according to the disposition of the camp commander. The working day was from 8 to 9 hours, and all had to work. The deponent was to be released at the end of the period assigned for the re-education to which all religious were subjected, but was to be assigned to another forced labour camp later. He escaped before he had been reassigned.

Summary of Affidavit No. 16:

The deponent and a priest, states that he was convicted by a court of five judges, some of them elected by the people, on charges of maintaining continuous relations with the Vatican and acts contrary to the interests of the Government.

He was allowed personal counsel, but no personal contact with his lawyer. He was sentenced to corrective labour in a re-education camp.

At first, the deponent was confined in the Leopoldov prison and sent from there to work in a nearby agricultural camp. Later he was released, and then ordered by the police to report, and on his failure to appear, picked up by them and taken to the Novaki forced labour camp. That was a large area subdivided into three minor camps. The prisoners were housed in barracks, and one of the camps was for women. Those women, like the men prisoners, had been convicted, some of political offences and others of crimes. With the older or weaker men, they were employed in the lighter work of the camp, such as cleaning, road-building and working in the fields. There were about 400 women and 1,000 to 2,000 men at the camp, although the numbers varied.

The deponent was given some consideration on account of ill-health, in that he was at first assigned only to light work and later to clerical duties in one of the administrative offices. Some of the prisoners in the camp worked in mines, and received some pay, although the deponent makes it clear that the pay was miserably inadequate, and that the men were worked to exhaustion. The groups assigned to lighter tasks or to work in the fields received no pay at all. Even those workers who received pay had part of it deducted for room, board and clothing. Work was assigned by a special official, together with a physician, and no choice was allowed. One hundred per cent production was rewarded by permission to leave the camp once a month, but those convicted of political offences were not allowed that privilege.

The camp was guarded by State police, and there was one guard to every ten men. There was also a complicated system of informers within the camp itself. Civilian workers were responsible for judging the output of the prisoners, and the camp authorities decided who deserved punishment and who should be rewarded on the basis of their reports. Failure to produce meant that the prisoner would be locked up in the camp jail, without food, pay or contact with the other inmates. Prisoners might be released on amnesties, but there was only one amnesty during the deponent's period of confinement in the camp, and only some very sick priests, old persons and a number of peasants, benefited by it.

Conditions in the camps might vary according to the character of the camp commander. In addition to the forced labour at the Novaki camp, the prisoners were subjected to continuous indoctrination.

The deponent was to be transferred to the Laverro camp, to work in the mines, as a punishment for alleged conspiracy, but instead he was transferred first to the Ilava prison and then to the Mucenik (later renamed Sladeckovce) camp for the re-education of the clergy. That camp was also guarded by the State police. The work was light, but the prisoners were subjected to continuous indoctrination. From that camp the deponent succeeded in escaping.

Summary of Affidavit No. 17:

The deponent states that he was arrested at an airport while attempting to cross the border and taken to a prison while his fate was decided, and then transferred with others in a similar position, to the forced labour camp at Nowaky, which he describes as a huge coal mine.

At that camp, the prisoners were divided into three groups, engaged respectively in mining, agriculture and lighter tasks. The camp was divided into three parts separated by barbed wire and protected by guards. The food was distributed out of doors, and was quite inadequate, consisting of one piece of bread for the whole day, given out in the morning together with coffee made of roasted beans, and tomato and potato soup at 2 p.m. and 7 p.m. Drinking water was rationed. There were about 1,300 people in the camp, and all were forced to work. About one-third of the prisoners were women. Some of the prisoners had been convicted on political charges and others on civil charges, occasionally of a rather fantastic nature. Prisoners endured considerable hardship in the camp, although they were at first allowed to receive packages from outside, and could be visited by members of their families. They received no pay for their work, despite a promise that the mineworkers would do so. Refusal to work entailed imprisonment in the camp jail, where they were deprived of food. Those who produced 100 per cent were allowed to leave the camp once a month. The mine-workers were expected to fill very heavy work quotas.

The camp was guarded by what were known as People's Security Guards. Prisoners were never released immediately upon completion of their sentence, but were retained in the camp on some pretext. There were no amnesties during the

deponent's period of confinement in the camp. Prisoners were subjected to continuous indoctrination and political lectures.

The prisoners were occasionally taken under guard to a nearby town for a physical examination, and on one of those journeys the deponent succeeded in escaping.

Summary of Affidavit No. 18:

The deponent describes his experiences in various forced labour camps in what he calls the "uranium region of Czechoslovakia". He states that he worked in the following camps: Horni Slavkov, (camp XII), where there were 2,800 prisoners, 60 per cent of them political, Camp Bratrstvi, Camp Barbora, Bytiz, at Pribram, Nikolaj, and Rovnost.

Conditions at all the camps were bad, particularly at Nikolaj and Rovnost. Prisoners were very heavily guarded by armed guards, and forced to try to fill very high work quotas. Food was distributed in quantities varying with the output of the recipients, who were divided into three categories, those who produced more than their quota (red cards), those who produced the full quota (grey cards), and those who produced under the required amount (green cards). Cards were issued monthly, on the basis of the work done in the previous month. Pay and privileges were also granted on the same basis. The more privileged prisoners were allowed to write letters and to receive visits, but those who had earned such privileges by over production were denied them if the indoctrination officer considered their attitude undesirable. In principle, the prisoners received the same pay as the civilian workers, but it was subject to heavy deductions.

Prisoners were subjected to brutal punishments, although the worst punishments were discontinued after 1951, but there was also a system of lighter penalties, including fines. There were special penalties for failure to produce full quotas. Prisoners guilty of that offence were confined in a special camp within the camp, and completely isolated from the other prisoners. Release was not usually granted unless the prisoner had someone outside to take up his case for him.

The deponent mentions that Camp Nikolaj accommodated 750 productively employed prisoners, in addition to 350 convicts for whom there was temporarily

no work. The latter were slowly perishing on starvation rations. In Camp Rovnost there were 1,300 prisoners, most of them political. At Camp Bytiz there were 1,373 prisoners in July 1954. The deponent states that during the Warsaw-Prague-Berlin bicycle race, that camp was camouflaged to prevent its being recognized by passers-by as what he calls a "convict camp".

The deponent states that an amnesty issued in May 1954 did not apply to political prisoners. He succeeded in escaping after three years in various camps.

Summary of Affidavit No. 19:

The deponent describes his experiences in the military labour camp at Libochovany at Usti nad Labem, where there were about 70 prisoners who had committed either political or serious military offences. Prisoners were guarded by 40 guards, and employed in a neighbouring quarry, supposed to be one of the largest in the Republic. They were awakened at 5 a.m., and given a piece of bread for breakfast, with black coffee when they reached the quarry. Work began at 7 a.m., and the prisoners had to continue until they had completed their quota for the day. On his first day in the quarry the deponent had to work until 10 p.m. in order to complete his quota, even though he was on the point of collapse. Privileges were granted to those who exceeded the production quota. Those privileges took the form of permission to write home more than once a month, supplementary food, permission to bathe in the Elbe river after work or to play football, or even the possibility of earlier release. The prisoners were paid wages, but the camp commandant kept the money and it was doled out to them in the form of pocket-money. Prisoners were not allowed to leave the camp. Severe punishments were inflicted, prisoners being locked up in solitary confinement, and fed on bread and water. They were chained to an iron ball, and if they attempted to escape, their hands were chained too. A prisoner who had asked for more food for all prisoners was considered mutinous and brutally beaten. When anyone was released from the camp, he was told that everything which he had seen or heard was to be considered a military secret, and that betrayal of the secret would entail punishment double the one which he had just undergone. Amnesties were only granted to prisoners whose political views were acceptable. There was a political education attached to the camp.

Summary of Affidavit No. 20:

The deponent states that he was arrested because he was considered guilty of helping some of his fellow countrymen escape from Czechoslovakia. He was ordered to report to the re-education and forced labour camp for young persons 15 to 20 years of age in Stalingrad, Karvina (Mor. Ostrava), which was intended to re-educate young people politically and to make them work for the country's economy. The prisoners were employed on mining and the aim was to produce unusually large quantities on pay much lower than that of the regular workers. When the camp was organized in its final form, the inmates were placed under police surveillance and confined behind barbed wire fences. At first there were 200 youths in the camp, but the number later increased to 1,400. They were all political prisoners, the persons convicted of civil or criminal offences being kept in a separate camp.

Prisoners were allowed to leave the camp once a week, usually on Saturdays or Sundays, but were always accompanied by guards, one to every four prisoners. Visitors were not allowed and mail and parcels were censored. The food was bad and insufficient. The small wages paid to the prisoners were handed over by the administration of the mine where they worked to the camp administration, and given out in small quantities as pocket money when the prisoners were allowed out. There was no choice of work, and the assigned tasks had to be completed. The deponent saw no case of anyone refusing to work during his time at the camp. The standards set were higher than those for the regular workers. There were no possibilities of release: if a prisoner was considered politically re-educated, he was transferred to another place of work, taking his position among the regular workers, but always under police surveillance. Prisoners in the camp were subjected to continuous indoctrination. The deponent eventually escaped.

Summary of Affidavit No. 21:

The deponent, apparently a German national, states that she was imprisoned in the Labour Camp at Minkovice, near Jablonec nad Nisou, one of the branches of the women's prison at Pardubice. There were 150 women at the camp, both Czech and German, most of the former being accused of collaboration. Six secret police were assigned to supervise the women, & 1 were changed every six months to prevent them from becoming too friendly. In the factory where the women were quartered,



they were guarded by eight militiamen. The factory manufactured glass beads, and the quota of 90 machining jobs every day was hard for the women who were not used to the work. In summer the women worked from 5 a.m. to 2 p.m., and in winter from 6.30 a.m. to 5.30 p.m. The food was relatively good. Fulfilment of production quotas entitled the women to certain privileges, such as the receipt of pocket money.

Otherwise, privileges, such as the receipt of packages and visits, depended to a large extent on the length of the sentence. Unsatisfactory behaviour was punished by sending the offender back to the prison at Pardubice. In January 1953, all the women prisoners with sentences of over ten years were removed from the Pardubice prison, and in that year, too, all the German women prisoners who were not allowed to return to Germany were sent to a women's camp at Ostrava. An amnesty issued during the deponent's term of imprisonment applied only to three prisoners who had already served six or eight years of their sentences.

The women received wages for their work, but the money was kept for them until their release. While they were well treated at Minkovice, at Pardubice they were sometimes brutally beaten. The women were kept under constant supervision. The deponent was discharged at the end of her term of imprisonment, and made to sign an undertaking to the effect that she would move farther into the interior of the country and report each week to the State Security Police, and would not reveal anything that she had seen or heard during her imprisonment.

Summary of Affidavit No. 22:

The deponent states that he was held for four years in various penal camps belonging to the Jachimsthal uranium ore mining. The greater part of the four years was spent in Horni Slavkov, first in Leznice, then in the "Svatopluk" pit and finally in Camp XII, known as the death camp. He gives the following figures for camp sizes: for the years 1951-1953, 600 to 800 workers in Leznice; 1,200 to 1,600 at "Svatopluk", and for the last two years, 1,500 to 2,000 at Camp XII.

The prisoners were granted certain privileges, all in proportion to the amount of work which they had done. Those who had not produced their full quota were given less food, while those who had produced their full quota, or more than their full quota, received more food in proportion to their output. They were also allowed certain privileges in respect of the receipt of packages and permission to

write letters. There were also different categories of pay, depending not only on the amount produced, but on the nature of the work done. Only a small amount of the money earned was paid to the prisoner as pocket-money, while some went to his family and a large part was deducted for food and clothing. The highest category of workers also had certain privileges in the purchase of goods in the canteen. But the highest category in fact consisted only of prisoners acting as spies for the security police.

Prisoners were subjected to brutal punishments, and a group attempting to escape was shot down in cold blood and their bodies exhibited as an example to the other prisoners. A system of a so-called penal camp, where recalcitrant prisoners had to work double shifts and were kept apart behind barbed wire, living on short rations, was also tried, but discontinued, as it did not lead to increased production.

All guards belonged to the State Security Service.

Amnesties were not granted to political prisoners, but only to those convicted of criminal offences. The deponent did not go through the normal release procedure via the main camp near Ostrov, as he succeeded in escaping.

Summary of Affidavit No. 23:

The deponent states that he was in the forced labour camp of Most-Záluží in the coal district of northwestern Bohemia. He alleges that there were 1,800 to 2,000 prisoners in this camp of which 65 per cent were political prisoners and the rest criminals. Only those who had up to 9 years to serve were kept in Záluží. The prisoners had to work in the large factory of the "Stalin Works" in Most, the largest chemical plant in the Republic, which processes coal from 13 surrounding pits, as well as margarine and oil, among other things. The deponent states that he had to work in a department where there was always great heat and the waste gases attacked the lungs.

He declares that the camp was surrounded by a high electrified barbed-wire fence, further protected by searchlights, machine guns and a uniformed guard force. The prisoners were taken to work at the factory by the guards where they were then turned over to the plant militia who were also armed. No prisoner was allowed to leave his place of work in the factory, and if he crossed the prescribed boundaries, the militia could shoot.

The deponent describes several incidents in which he or fellow prisoners were subjected to disciplinary punishments or brutal treatment for "sport reasons". Privileges depended on work performance - additional or better food was given to prisoners who exceeded their work norms, whereas those who did not fulfil the norms received poorer food.

He states that from time to time "STB men" handled the political indoctrination, every other sentence of which was "you are not here for punishment but for reorientation in the work camp". Criminals could get leave passes for 3 or 4 days if they worked hard but, as far as the deponent knew, political prisoners did not receive any leave.

Upon release, prisoners were called to the office where accounts were settled. The deponent earned an average of 800 crowns a month, but when the expenses - board, clothing and room - had been deducted he still owed 4,300 crowns. An arrangement was made for him to pay this debt within 5 weeks after he returned to his old place of work. When he was released, he was told that he was not permitted to say anything about his work or about anything he had seen or heard in the camp. He was to say that it was not a concentration camp but a reorientation camp.

## V. HUNGARY

By notes dated 15 February and 7 April 1955, the Government of the United States of America submitted thirteen affidavits by private individuals relating to Hungary. Certain references to Hungary were also made in the "Statement on Forced Labour" submitted by the International League for the Rights of Man. 1/

The Hungarian Government commented on these statements and denied the existence of any system of forced labour. 2/

### A. SUMMARIES OF AFFIDAVITS

#### Summary of affidavit No. 1:

The deponent states that he was placed under surveillance by the police after applying for permission to leave Hungary. He was also fined 1,200 forints with a promise that on payment of this fine he would be granted an exit permit, but this promise was not carried out.

After being under surveillance for several years, he was ordered to do forced labour at the Matyas Rakosi Works, manufacturing cranes for Russia. He was escorted to and from work by a policeman as he continued to live at home. The normal work day was eight hours, but the deponent generally had to work ten or twelve hours. His weight dropped from about 74 kg. to 46 kg. during the thirty-four weeks he was employed on forced labour. The food consisted mostly of thin soup and badly prepared vegetables, meat being a rarity. The deponent did not incur any punishment, as he fulfilled the output quotas.

He was eventually allowed to leave Hungary, being accompanied to the border by a Security Police lieutenant, who sat in the same compartment.

#### Summary of affidavit No. 2:

The deponent states that while serving with the Hungarian Border Guard he was sentenced to three weeks confinement for missing indoctrination classes. He described his experience in a military prison, but makes no reference to forced labour.

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1/ See Section XI below.

2/ The comments of the Hungarian Government will be found in section B, pp.303-320.

Summary of affidavit No. 3:

The deponent states that he was sentenced to four and one half years in prison and ten years suspension of political rights for attempting to cross the border illegally. After serving part of his term in prison, he was taken to MEZOTUR in chains to work on a military barracks construction project. There were about 800 political prisoners in the camp. The food was poor, consisting mainly of soups and watery vegetables. Detainees worked as helpers to the construction workers. The work day was eight hours for both.

There was no pay, and work quotas were hard to meet. Non-fulfilment was punished by loss of the right to receive letters, extra food, parcels or visits. The camp management kept informers among the detainees. The poor clothing supplied offered insufficient protection against inclement weather. There was no contact with the outside world after working hours, and prisoners were escorted to and from work by policemen. When the water supply broke down, as it frequently did, there was no washing or drinking water for days. Treatment was harsh, and during thirteen weeks ten men attempted to escape. Five were recaptured and badly beaten up, after which they were exhibited in shackles to the others as a warning. They were then sent back to work, their terms being increased by three or four years.

The deponent spent a further four months in similar conditions in the penitentiary in Szolnok and a further two months in Veszprem, where he worked with 300 fellow-prisoners on the construction of a technical school, conditions again resembling those described above. Finally, he succeeded in escaping.

Summary of affidavit No. 4:

The deponent states that he was arrested on a charge of armed conspiracy and sentenced by a county court to five years in prison. After serving part of his sentence in prison, he spent thirty-three months in the forced labour camps of Miskolc and Oroszlany. At Miskolc he worked together with 700 or 800 political prisoners in a building brigade, which hauled building materials for the construction of a technical school. Of the total pay, which was 700 to 800 forints a month, 30 per cent was deducted for the cost of the administration of justice,

10 forints daily for meals and 150 forints a month as a "guarding fee" for keeping the prisoners detained. The camp was fenced in and guarded. The working week consisted of forty-eight hours, overtime, which was done mainly on Saturdays and Sundays, not being compensated at all. Non-fulfilment of the task assigned was punished by loss of correspondence or visiting privileges.

Summary of affidavit No. 5:

The deponent states that he was deported to Tarnalelesz, Heves for being a "class alien" and "politically unreliable". He had to leave all his possessions behind. Conditions in the crowded deportation train were such that several of the older people died.

In Tarnalelesz, about 200 families were accommodated in stables and sheds. There were restrictions on movement, and after a time, the sending of relief parcels was forbidden. After a few months, an order was issued directing every able-bodied man below seventy and every able-bodied woman below sixty to spring work on the farms. Workers received no pay, and only a bowl of watery soup and thinly-spread vegetables at noon. Working hours were from 5 a.m. to 6 p.m. with one hour for lunch. Police with fixed bayonets forced anybody who slackened to continue working. Several men had lung haemorrhages during the harvesting work.

After an interval of about two months the men of the camp were taken by forced marches to a saw-mill at Felnemeti, about thirty-six km. away. There they had to load large tree trunks onto railway trucks and unload them. They slept during the day and worked at night, from 8 p.m. to 5 a.m. There was no pay; the meal, at 2 a.m., consisted of soup and fried pumpkin. The work was very damaging to health, and as far as the deponent remembers, twenty or twenty-five men died as a result of accidents caused by falling tree trunks, or from exhaustion and lack of medical care.

After a few weeks' work, the deponent was sent back to Tarnalelesz, having lost fifteen kg. in weight. He was also suffering from chronic tonsil and throat infection and goitre. Of the internees left at Tarnalelesz, several had in the meantime died of appendicitis, exhaustion and simple tooth infections. Two brothers had been sent to an insane asylum. One girl had been arrested for going to Pétervásár to buy medicine and was never heard of again. A whole family cut their arteries.

It was difficult to buy food, because internees were not allowed to queue for what little was available in the shops. Two years after being deported, the deponent was allowed to leave the camp, but directed to engage in heavy manual labour only. Even such work, however, he could not obtain. Police surveillance continued, and he was not allowed to live in Budapest or any of the ten large cities of the country. His flat, furniture and possessions were not returned to him. Eventually he succeeded in escaping across the border.

Summary of affidavit No. 6:

The deponent states that he was arrested while trying to cross the border and held in various prisons for thirteen months. During this period, he was tried and sentenced to three years' imprisonment, which was later reduced to two years. He served the rest of his sentence in forced labour camps, i.e. five months at Miskolc and six months at Tolapa.

The camp at Miskolc was in the Miskolc College town constructional area, and prisoners were employed on building work. Their number increased from about 250 to 500 while the deponent was there.

Food at Miskolc was much better than it had been in the prisons. There was meat (100-150 grammes) every day, the bread ration was 800 grammes and there were soups, vegetables and gravies.

Prisoners had the same output norms as civilians, despite their weakened condition, and they were assigned to most difficult tasks, such as unloading materials from trucks, digging, transporting bricks for masons, breaking stones etc. The deponent was fortunate, because being a skilled electrician, he was employed on electrical fittings for newly built houses.

Pay rates for prisoners were the same as for other workers, but prisoners could not check amounts and were often deceived. Output norms were too high for most prisoners. It was possible to earn between 400 and 600 forints a month, but after deductions for food, quartering, clothing and for the Ministry of Justice, more than twenty-thirty forints a month was rarely credited to the prisoner's account. Pay was not handed over, but a prisoner attaining the full output norm could apply in writing for articles of food or daily use to be purchased

for him by the camp administration. Prisoners failing to attain the norm could not buy anything, those who achieved 100 per cent of the norm could spend twenty forints a month, those with over 110 output to their credit: fifty forints, and those with over 130: 150 forints.

A truck load of gravel had to be unloaded within two hours by four men, a norm which was rarely fulfilled; on a rainy day, output reached about 50-60 per cent of the norm. As an electrician, the deponent used to achieve 130 per cent output or more, and was credited with something like 400 forints a month after deductions.

Uniformed prison guards carrying sub-machine guns guarded the camp and the work place, and civilian workers supervised prisoners at work. The construction area was about 3,000 by 600 metres and was surrounded by a wire fence reinforced by barbed wire at the top, with a guard tower every fifty metres. The camp inside the area was similarly fortified.

Prisoners were punished for such offences as attempting to send letters or packages, talking to civilian workers or insubordination. Punishment consisted in binding the prisoner hand and foot, or confining him to a cell for the night.

A carefully graded system rewarded output at visiting time, which was once a month. Those not attaining 100 per cent could speak to the visitor only for five minutes over the barbed fence, those with an output record of 100 to 110 per cent could speak to the visitor for half an hour in a room, with the visitor sitting down and themselves standing. Those attaining over 110 per cent could sit down and talk for one hour, while those who exceeded 130 per cent of the norm were allowed to kiss their visitor.

Medical treatment was provided by a prisoner who was a doctor by profession. The first-aid post (with four beds) accommodated those seriously ill, and in very exceptional cases patients were transferred to the hospital at Miscolc.

After the deponent was found to have maintained illegal contact with relatives he was transferred to Tolapa.

There were about 400 prisoners in the camp at Tolapa during the period the deponent was there. The camp was surrounded by barbed wire and there were eight guard towers. Prisoners worked in the coal mine in the vicinity.



Here, too, the deponent worked as an electrician, often for sixteen hours a day, and his pay amounted to between 1,000 and 1,400 forints a month, which included overtime. Those employed on mining work seldom earned 1,000 forints. In the absence of proper security arrangements, accidents were frequent. Rooms were heated, but inadequately. Punishment was the same as in Miskolc, but the binding of feet and hands was abandoned, because it rendered prisoners unfit for work. Food was good, but discipline was very strict, minor offences being punished by a withdrawal of mail and visiting privileges or by confining the prisoner to a dark room.

Prisoners suffered great hardship in winter when returning from the mines. There was only one lift to take the eighty or ninety persons working on one shift to the surface, and everybody had to wait until the whole shift was assembled. This meant waiting about forty-five minutes, during which period the wet mining clothes often froze. Two Sundays a month were free, but work had to be done in the camp instead of in the mine.

When the deponent's sentence expired, he was transferred to a prison, held there for one day and subsequently released. The money owing to him for work done in the forced labour camps was paid to him, but according to his calculations, he was paid 3,000 forints less than was due to him, i.e. 2,000 instead of 5,000 forints.

Summary of affidavit No. 7:

The deponent states that he served a two-year sentence in the penitentiary of Sopron-Köhida for attempting to cross the border illegally. During transport he was chained hand and foot and shackled to fellow-prisoners. The Sopron-Köhida penitentiary is a large stone building surrounded by a wall with watch towers every thirty to forty metres, in which prison guards, armed with tommy guns and machine guns, are posted. The prison accommodates 2,000 to 3,000 convicts, of whom, at the time of the deponent's stay, about 150 were political prisoners. The deponent was assigned work as an apprentice tailor.

Treatment under Captain Udvardi was tolerable, but deteriorated under Major Toth, his successor. Toth banned smoking and supplementary diets and had men put in irons for making small mistakes in their work, which were inevitable,

because one man had four to eight machines to tend. The working day was twelve hours and prisoners lived on a diet of boiled carrots and boiled spinach.

After an outbreak of dysentery in the prison, Varavasovski, the medical officer, resigned in protest against conditions, and especially the inadequate diet. Attempts at suicide were frequent. If a man tried to cut his arteries, Major Toth had him put in irons after his recovery. A prisoner trying to escape had to wear ball and chain, weighing fifteen to twenty kg. for eight to twelve months as a punishment, and his food allowance was reduced. Monthly pay was eighty forints, from which deductions were made for the cost of imprisonment. Prisoners were allowed to write one letter every three months and receive one parcel. When released, the deponent weighed fifty-seven kg. and was in bad health.

Summary of affidavit No. 8:

The deponent states that he is an Italian citizen and that he was sentenced to four years' imprisonment with forced labour and to expulsion from Hungary for espionage in the service of the Vatican. He served his sentence in the Gyüjtö Foghoz Prison in Budapest. Following an amnesty, he was released after about two years.

The deponent was employed on various kinds of work: scraping off deposits inside boilers, construction work as a mason's helper and carrying building materials, polishing furniture for a factory. For about twelve months he did not work, but was kept in a cell.

Prisoners worked a forty-eight-hour week and lived on a diet of a thin broth, beans, lentils, peas, other vegetables and bread, with meat or paste twice a week. When employed on construction work, the ration was doubled, but was still felt to be quite inadequate. Neither correspondence nor visitors were permitted, and in two years' imprisonment the deponent was taken out for exercise to the prison yard five or six times. Prisoners were forbidden to pray.

For every month they worked, prisoners were allowed the equivalent of thirty forints worth of cigarettes and food, subject to satisfactory output.

If a cell was not kept tidy or a prisoner talked during exercise or at work, he was punished by solitary confinement.

Norms of production were: polishing thirty chair backs in an eight-hour working day, or building a concrete wall twenty square metres in area and three or four centimetres thick.

The deponent was treated slightly better than other prisoners because he was an Italian citizen.

Summary of affidavit No. 9:

The deponent states that he was manager of a factory when he was deported from Budapest to Mezzo Tarkank as a person dangerous to the Communist regime. He travelled with about 150 to 200 men and women, all of them professional people, in a truck. Each deportee was allowed to take a bed and one trunk.

Deportees were accommodated in small farm-houses, four to a room, which was furnished merely with their beds. There was no heating, and water had to be fetched from a nearby well.

Deportees could choose their work, but all had to do some form of manual labour connected with the maintenance of the farms in the area. The deponent worked as a wood cutter and farm labourer. There were no restrictions and only four or five policemen in the area; nobody was allowed to go beyond a radius of six kilometres from the village. Payment was on a piece-work basis. Those who did not work were left to starve. There were no production norms.

After spending several months at Mezzo Tarkank, the deponent succeeded in escaping.

Summary of affidavit No. 10:

The deponent states that she was sentenced to two years' imprisonment on a charge of sabotaging the five-year plan. She spent roughly eighteen months in Szeged prison doing forced labour, six months of her sentence being remitted for good conduct and a good production record.

The prison was connected by an underground passage with a factory producing wooden ammunition boxes. Women worked as cooks, as seamstresses, mending clothes and liner, and as farm labourers. The men, who numbered between 1,000 and 1,200 were mostly employed in the wooden-box factory.

Food was scarce, and prisoners were allowed to receive only one letter and one visitor a month. They were guarded by armed police-women. A prisoner refusing to work was put in a special cell, his hands being tied to his feet so that he could not move.

Output norms for seamstresses were: mending 18 shirts, or 16 articles of underwear or 13 sheets irrespective of the size of the article or the number of holes (the deponent does not say whether this was the daily norm). Failure to fulfil the norm was punished by a reduction in diet and pay and a withdrawal of correspondence privileges.

Indoctrination of prisoners were tried, but later abandoned. There were between 80 and 200 cases of sickness every day and many suicides.

Summary of affidavit No. 11:

The deponent states that he was arrested when trying to cross the Hungarian border and spent almost five years in various prisons and forced-labour camps.

Partly on the basis of his own experience and partly on information obtained from other ex-internees, the deponent states that there were two kinds of forced-labour camps in Hungary. In camps of the first type there was no contact with the outer world, the only news which could reach the prisoner being a certificate showing that he was divorced from his wife. Such camps were at Kazincbarcika, Tiszalok and Recsk. In the second type of camp, internees could write and receive letters, have visitors and read newspapers. They were paid on the same scale as civilians, although most of their pay was set against such items as food and lodging, a Ministry of Justice administration fee, an unmarried persons' tax, and old age insurance. Violation of camp discipline was punished by the abolition of mail and visiting privileges, transfer to harder work and imprisonment in a dark cell. Food was relatively adequate: 800 grammes of bread per day and meat three times a week. Camps of this type existed at Isaszeg, Dora Major, Inota and Kistarcsa. All the above-mentioned camps were closed following an amnesty proclaimed in July 1953.

The deponent spent almost three years in the forced-labour camp at Recsk, which accommodated some 1,300 prisoners, about half of whom were held because of their political convictions, while the other had violated some government order. On the outside, the camp was guarded by military personnel, on the inside by

members of the AVH. In May 1952, the Ministry of Justice took over the camp administration from the AVH, but in practice the only change in which this resulted was the appointment of a new camp commander, Toth, who treated prisoners relatively well.

The camp was surrounded by a triple wire fence with observation towers every 50 metres in three of which machine guns were posted. The guards at first treated the prisoners very harshly, insulting and punching prisoners purely for their own amusement. When their behaviour improved, they were sent on one- or two-week indoctrination courses.

Prisoners slept on plank beds (no more than 40 centimetres wide) in wooden huts which were only partially covered.

For two years prisoners did the preparatory work for the opening of a quarry on Zergo hill, felling trees, burning brush wood and clearing stones. At the beginning there were no output norms, but inefficient workers had their cigarette ration cut. Later norms were established to which everybody had to conform, irrespective of his age or health. At one time, stones had to be broken into pieces of 4 to 6 cm. in length, for which the output norm was fixed at 1 cubic metre a day. This was later increased to 2 1/2 cubic metres. In view of the many above-mentioned deductions, a prisoner would receive pay only if he over-fulfilled the norm. Prisoners could not buy articles direct for their pay, but had to ask the camp administration to obtain them, which often resulted in their getting something they had not ordered or something of inferior quality obtained at a very high price. Savings were paid out on release.

Work began at sunrise and ended at sunset, but later, prisoners were officially allowed twelve hours rest out of every twenty-four. Frequently, however, they had to do so-called "voluntary" work during their rest hours.

Prisoners who did not fulfil the norm or infringed discipline, were punished (1) by a reduction of their food ration, (2) by being made to sleep in a dark cell and work during the day, (3) by being imprisoned day and night in a cell too small for sitting or standing, (4) by "Gusbakotes". This meant binding hands and feet, with the legs being placed between the arms. Victims were thrown on one side and left in this position from 4 to 6 hours. After 4 hours many lost consciousness. Many sustained injuries or suffered from disturbed circulation of the blood as a

result of this punishment. One man had his hands placed so near a hot stove that three fingers were burned and had to be amputated. Another variant of this punishment was experienced by the deponent himself. A stick was put between his knees and elbows, and the two ends of the stick were suspended from two desks, so that he hung on the stick without touching the floor. Such punishment would be applied during the night, with the prisoner being sent back to work during the day. The deponent was twice punished in this manner, and for ten nights in succession each time. On the first occasion, his offence had been to put coal in the barrack stove during the night, which was forbidden; on the second, he had attempted to make a false return of his output for the sake of obtaining some money, which, as has been explained earlier, was possible only if the prisoner produced more than the norm required. As a "slacker", the prisoner was twice transferred to a "Penal Brigade", where discipline was harsher, food worse and output norms higher.

The deponent heard about only two cases of escape. One was that of a captain of the gendarmerie, whose father and brother-in-law were arrested as a reprisal. On the captain being captured, the father was released, while the brother-in-law was kept in camp and died there a year later. In the other case, the escape of several prisoners led to severe cross-examination of internees and outside friends suspected of helping the fugitives. One suspect was so badly beaten that he lost his sense of balance, and several were tried and sentenced to terms of imprisonment ranging from two to three years. Recaptured prisoners received sentences of five to eight years.

Food was so inadequate that prisoners supplemented their rations with salamanders, uncooked mushrooms, snails, squirrels and, on one occasion, with a stolen dog. When the Ministry of Justice took the camp over from AVH, rations improved.

Four prisoners, who were themselves physicians, provided medical care. When declaring a man unfit for work, however, they were often overruled by a member of AVH. During the deponent's stay in the camp, some 150 prisoners died, about 60 per cent of that number from general exhaustion, and the remainder as a result of accidents, which were frequent, because no security precautions were applied in the quarry.

Eventually, the deponent was tried before a court of summary jurisdiction and sentenced to four years and eleven months imprisonment. The time he had served in labour camps was counted against his sentence, so that he spent a further three months in the Marko Utca prison in Budapest before his release.

The Marko Utca was badly overcrowded: twenty-five to thirty prisoners were accommodated in a room with two beds, with a few mattresses on the floor. Apart from those who were found to be too old to work, prisoners had to work either in agriculture or in a coal mine.

In a final chapter of his deposition, the deponent gives an account of interrogation methods based partly on his own experience and partly on that of other prisoners.

Summary of affidavit No. 12:

The deponent states that he was sentenced to a term of imprisonment by "the Peoples Judges" for political reasons and spent an unspecified number of years in prisons and camps doing forced labour.

He worked for about six months in Albertfalva with some 1,200 other prisoners convicted for either political or other offences. About 1,000 prisoners, including the deponent, were employed in the production of concrete blocks, while 200 worked in a nearby factory which produced agricultural machinery. The deponent was allowed to receive one letter a month, which had to be from a close relative, and movement was severely restricted.

The deponent also spent approximately eighteen months in Szged prison, where everybody except himself was employed to make wooden ammunition boxes. He himself was kept in a cell, and his relatives were allowed to visit him once a month. While in Szged prison, he was continually being questioned by the police.

Both at Albertfalva and at Szged, prisoners refusing to work were confined to a small cell without food, with their hands tied to their feet by means of iron chains.

When the deponent's term of imprisonment expired, he was asked to report to the Budapest police, who assigned him to work in the forced labour camp at Stalin, from where he succeeded in escaping. In the Stalin camp, he was employed to dig foundations for new buildings.

The camp at Stalin was closely guarded by both regular and AVO police, and there were frequent acts of sabotage. Informers used to notify the police of remarks or actions hostile to the regime.

Up to the time of his arrival at Stalin, the deponent never knew what his income was, because after deductions from his pay for food, accommodation, clothing, and a tax payable to the Ministry of Justice, no money was paid to him at all. In Stalin he was paid 450 forints a month.

The output norm in the Stalin camp was one cubic metre of ground in four hours for each man. The work was very hard, especially in cold or rainy weather. Also, the ground was very damp, so that prisoners frequently had to stand in mud. The work had to be finished by a certain date, and alleged slackers were threatened that they would be reported to the police as saboteurs. Refusal to work was in any case considered and treated as sabotage. Those whose output exceeded 100 per cent were sometimes rewarded by having three months of their sentence remitted, but released ex-convicts had to report to the police every week.

Indoctrination lectures were received with laughter by the prisoners, and the attempt was abandoned after a time.

#### Summary of affidavit No. 13:

The deponent states that he spend about one month in the forced-labour camp at Badacsonytomaj, working in a quarry. There were 200 political prisoners in that camp, sleeping in large halls, with a straw mattress and one blanket per man. The building was surrounded by barbed wire, and supervisors armed with sub-machine guns and carbines escorted the prisoners to work. Most of the convicts were intellectuals unused to manual work, so that they found it very hard to fulfil the output norm. Also, accidents were frequent: heavy stones used to drop from the prisoners' hands, causing foot injuries. Injured persons were taken to a prison, where treatment was particularly harsh and the food worse than in the camp.

Work in the camp was done in two shifts: from 3 a.m. to 1 p.m. and from 1 p.m. to 10 p.m. The norm was 30 truck-loads of stones, each load weighing one ton, to be produced by two men in one shift. At 2 a.m., before leaving for work, prisoners were given half a kilogramme of bread for the day, a half a litre of coffee and 50 grammes of marmalade. Dinner at 1 p.m. consisted of watery vegetable soup cooked with meat bones. The evening meal at 6 p.m. also generally consisted of vegetable soup.



Only those who fulfilled the norm could be sure of receiving their pay, usually 20 forints a week, which was not handed over, but could be used to have purchases made in the nearby village.

The deponent succeeded in escaping from the camp. He points out that prisoners had to report any attempted escape, otherwise they risked having the sentence of the escaped prisoner added to their own.

B. COMMENTS OF THE GOVERNMENT OF THE HUNGARIAN PEOPLE'S REPUBLIC

The Secretary-General received the following observations of the Government of the Hungarian People's Republic on the affidavits transmitted by the Government of the United States of America and on the statement of the International League for the Rights of Man. 3/

I. General remarks

The documents annexed to letter No. SOA 320/07 of 19 October 1955 from the Secretary-General of the United Nations were as follows:

1. "Material" furnished by the International League for the Rights of Man, and a supplement thereto.
2. The "affidavits" of thirteen unnamed persons supplied by the United States representative to the United Nations.

With regard to the assertions and conclusions in the "material" referred to in paragraph 1 above, the Hungarian Government must state emphatically that they are based, not on concrete facts, but on slanderous and untrue allegations, founded on non-existent statutory provisions or on deliberately distorted interpretations of the statutes at present in force.

The International League for the Rights of Man refers to the report of the United Nations Ad Hoc Committee on Forced Labour, dated 24 June 1953. So far as the activities of this Committee are concerned, it should be noted that the Committee's very composition gave no reason to suppose that the question was considered objectively and with due knowledge of the facts, since the trade unions, the agencies designed to defend the interests of the workers, were not represented on it. The Committee confined itself to examining the situation in socialist countries and failed to consider working conditions in capitalist and colonial countries. The paucity of the "evidence" at the Committee's disposal is shown by the fact that, in the conclusions summarized in paragraph 213 of its report, it is compelled to state, with some caution, that the provisions referred to in the report "might constitute"

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3/ The observations of the Government of the Hungarian People's Republic are followed by nine annexes, containing the texts of the Constitution of the Hungarian People's Republic and of various laws and regulations referred to in the observations. The annexes are not reproduced in this report but are available to the members of the Council.

the basis of a system of forced labour and is obliged to admit that it was unable to come to any definite conclusions on the allegations concerning forced labour camps.

The "material" submitted by the International League for the Rights of Man, which is largely based on the Committee's report, is an attempt to adduce new "evidence" in support of its slander. To bolster its arguments, it cites hardly a single statutory provision which is in force or which could possibly seem relevant. Thus, in an attempt to prove that the jurisdiction of the courts in Hungary is not independent, Act No. 60 of 1949 is referred to in the annex to the "material" (appendix to the supplement, page 36). Apart from the fact that Hungarian Acts bear Roman numerals, no Act or legislative decree bearing that number was enacted in 1949. Among other apparently irrelevant statutory provisions, the "material" refers to Decree No. 4181/1949 of the Minister of Justice, establishing an Academy of Judges and State Prosecutors, which relates only to the training of judges and has nothing to do with their independence. To accept the League's argument would mean that the establishment of any law faculty at any university may be charged with impairing the independence of the judiciary. Moreover, the said Decree was revoked by Decree No. 50/1954 of the Council of Ministers, abolishing the Academy of Judges and State Prosecutors. Decree No. 71,000/1949 of the Minister of Justice, also mentioned in the "material", regulates the issue of copies of trade registers, a question which can scarcely be regarded as germane to that of the independence of the judiciary. Decree No. 1008/1952 of the Council of Ministers, referred to on page 35 of the appendix to the supplement, is no longer in force. Aside from these few random examples, the League's "material" bears constant witness to the fact that its authors are not familiar either with the purpose of certain Hungarian legal institutions or with the arrangements for applying their provisions, or are deliberately and maliciously misinterpreting them.

With regard to the affidavits mentioned in paragraph 2, it is noteworthy not only that their contents do not correspond to the truth, but also that they are not in any way official documents. They bear neither the names of the authorities or officials before whom they were sworn nor the names or addresses of the persons who made them. There is no State in which civil law accepts as evidence, even in the simplest civil cases, "documents" which fail to meet the most elementary requirements.

The fact that the United Nations pays attention to material utterly lacking in authenticity of form or substance and is publishing this material on the international level is surprising and is open to justifiable objection.

In view of the unfounded nature of the "material" and its hostile and slanderous tone, and the fact that, contrary to the principles set forth in Article 2, paragraph 7, of the United Nations Charter, its object is interference in matters which are essentially within the domestic jurisdiction of the Hungarian People's Republic. The Hungarian Government considers that it is free to disregard such slander. Nevertheless, as the Secretary-General of the United Nations has invited it to comment on the "material" sent to it, the Hungarian Government wishes to show its high regard for the United Nations by furnishing information on the existing provisions of Hungarian law concerning freedom of employment and the personal freedom of Hungarian citizens. Its motive in doing so is to enlighten international public opinion regarding the relevant Hungarian legislation, for it believes that it is sufficient to state the provisions of Hungarian law in the matters raised in order to refute the slanderous allegations made in the "material". The Hungarian Government considers that it would be beneath its dignity to refute the allegations one by one and will confine itself to giving some examples in its review of Hungarian law, in order to expose the crassness and absurdity of the charges.

## II. Guarantee of workers' rights and of the personal freedom of citizens

### (a) Workers' Rights

Before Hungary was liberated in 1945, legislation existed which provided for compulsory labour and restricted the personal freedom of the workers. It may perhaps be useful to give some examples of these provisions.

The labour relations of agricultural workers (who were then characteristically referred to as "servants") were regulated by Act No. XIII of 1876. Under that Act, "servants were forbidden to leave their place of work without permission on holidays, Sundays and, still less, on working days". A servant could not obtain a passport without the consent of his farmer-employer. If an agricultural worker failed to appear at his place of work without an excuse or left it without permission, the authorities were required to make an order - enforceable immediately - for the police to bring the worker back to work. Penalties could be imposed on the delinquent worker.

The Industry Act of 1872 provided that "a factory worker who leaves his work without permission may be brought back to his place of work and compelled to fulfil his obligations by a decision of the competent authority. He shall further be liable to detention for a period not exceeding eight days".

The Hungarian labour law in force before the liberation contained many other provisions prescribing the use of force to compel workers to perform their work. Workers who left their place of work or refused to begin work could be forced by administrative (police) measures to begin or resume work or to complete the work they had undertaken to perform; this applied to industrial workers (see Act No. XVII of 1884), agricultural workers and day labourers etc. (see Act No. II of 1898, Act No. XLII of 1899 and Act No. XLV of 1907), workers and day labourers employed by the waterways authorities and on road construction (see Act No. XLI of 1899), forestry workers and day labourers (see Act No. XVIII of 1900) and workers and day labourers employed in tobacco cultivation (see Act No. XXIX of 1900). Under these Acts, desertion of work and the acts referred to above were generally deemed to be offences.

After the liberation of Hungary in 1945, all provisions of law restricting the personal freedom of workers and fundamental human rights were rescinded. Article 1 of Act No. XIX of 1946, revoking certain provisions which violated the personal freedom, equality before the law and human dignity of workers, reads as follows:

"All provisions whereby administrative action may be taken to compel certain workers to begin or resume employment based on private law contracts or to perform work for which they are responsible under private law contracts are hereby revoked. All provisions whereby a worker who refuses to begin or resume employment based on a private law contract or to perform work accepted under a private law contract or who fails to perform such work satisfactorily is liable to prosecution, are likewise revoked."

In addition to the revoking of those provisions, labour law institutions consistent with the new economic and social system of the Hungarian people's democracy were gradually introduced.

The Hungarian Constitution and the Labour Code constitute the basis of the new regulations. With regard to these regulations, it should be noted, first and foremost, that there is no general obligation to work in the Hungarian People's Republic. No law proclaims that there is a subjective obligation on the part of citizens to participate in the work of society.

Nevertheless, the social system of the Hungarian People's Republic is such that any citizen who is capable of working lives by his own work (it is impossible to live by the work of another); those who are not capable of working are supported by society.

Article 45 of the Hungarian Constitution (Act No. XX of 1949), concerning the rights of citizens, first of all guarantees "the right to work and the right to remuneration in accordance with the quantity and quality of the work done". The most convincing expression of this right is the elimination of unemployment in the Hungarian People's Republic, whereas unemployment before the liberation kept workers in a state of uncertainty from one day to the next. The development of the national economy has been such that there is even a shortage of labour in many branches of industry. Because of the increased labour requirements, the use of the labour force has to be planned and skilled workers systematically trained. All this proves that the Hungarian People's Republic guarantees to each of its citizens who wishes to work employment appropriate to his training and skills.

In order to meet the labour requirements of the various branches of the national economy the recruitment of labour was instituted by Decree No. 40/1951 (II.11) of the Council of Ministers. The existence of such recruitment (the meaning of which is completely distorted by the League "material") is in itself incontestable proof that compulsory work is unknown in the Hungarian People's Republic. To recruit labour means to find persons who freely agree to work: hence the notion excludes the idea of compulsory work. The purpose of labour recruitment is to supply an undertaking with labour on the basis of a bilateral contract freely entered into. The contract giving effect to the recruitment provides the worker with certain material benefits in addition to the agreed wage. Moreover, article 12 of the above Decree makes the exacting of compulsory work a punishable offence.

The Labour Code provides effective guarantees for the enjoyment by the workers of their rights (Legislative Decree No. 7 of 1951 as amended by Legislative Decree No. 25 of 1953).

We support our statement on this subject by indicating the principal provisions of the Labour Code.

In accordance with article 46 of the Hungarian Constitution, article 37 of the Labour Code prescribes the hours of work and articles 44 to 51 and article 77 guarantee rest periods and leave for workers.

The fact that in 1954 194,000 workers spent their leave at trade union rest centres shows that this right, guaranteed by the Constitution, is enjoyed in practice. In addition, thousands of workers spent their annual leave, at very low cost, in the rest homes of many undertakings, administrative services and other institutions.

Pursuant to article 47 of the Hungarian Constitution, articles 81 to 92 of the Labour Code make detailed provision for the protection of labour, protective installations and regular medical examination. In the first nine months of 1955 alone 2,463,000 workers were examined at tuberculosis diagnosis centres, and in the first six months 282,600 were examined at oncological diagnosis centres. The effectiveness of the measures taken to protect the health of the workers is shown by the fact that the tuberculosis mortality rate fell from 14 per 10,000 of the population in 1938 to 3.2 per 10,000 in 1954.

In accordance with article 47 of the Hungarian Constitution, articles 104 to 108 of the Labour Code make provision for the social security of workers and their families. Whereas in 1938 social insurance schemes covered only 31 per cent of the population or 2,800,000 persons, in 1954 the proportion was 60 per cent, or 5,800,000 persons: here again, is proof that these measures are carried into effect.

Articles 93 to 102 of the Labour Code contain special provisions for the protection of women and minor workers.

(The effectiveness of these measures is shown among other things by the number of existing infant nurseries: there are 576, with accommodation for 23 136 infants. The existing nurseries for older children can accommodate 158,570 children.)

Article 4 of the Labour Code likewise guarantees to working women equal pay with men.

Articles 128 to 130 of the Labour Code assure vocational training for the workers.

(The results achieved in this field are shown by the following figures: there are at present 15,583 pupils attending evening classes in secondary schools (workers' schools) and 17,053 taking correspondence courses. There are 2,619 students attending evening courses at the universities and colleges, and 9,268 taking correspondence courses provided by these institutions.)

Article 76 of the Labour Code makes provision for the welfare and cultural needs of the workers.

(Undertakings, administrative services and other institutions spent almost 1,500 million forints for cultural and social purposes in 1954.)

The Labour Code gives the trade unions wide powers to promote the implementation of the workers' rights and the protection of their interests. The workers themselves have the right of control over the whole operation of the undertaking.

Under article 4 (A) of the Labour Code matters connected with conditions of employment, social insurance, housing problems, leave and other rights of the workers are regulated by the organs of the State in conjunction with the Central Trade Union Council and the trade unions.

The Labour Code has made it possible to conclude collective agreements which provide the workers with more extensive rights, enabling them to participate in the regulation of their conditions of employment and in ensuring that such regulations are given effect (article 7 of the Labour Code).

Disputes relating to the terms of employment or their application may be referred by the workers to the conciliation committees of the undertaking; these committees are composed of an equal number of representatives of the employer and the trade union respectively (Labour Code, article 142). The parties may appeal against the decisions of the plant conciliation committees to the local conciliation committee, whose chairman is delegated by the Central Trade Union Council while two members are appointed by the Departmental Trade Union Council and two by the Executive Board of the Departmental Council (article 146 of the Labour Code and article 242 of Decree No. 53/1953 of the Council of Ministers concerning the application of the Labour Code). In addition the courts have extensive powers to protect the rights of the workers.

All these measures show that the labour legislation enacted in Hungary since the liberation effectively guarantees the rights of the workers and reflects the new relations which have grown up between employers and workers.

In view of the foregoing the Hungarian Government would point out that the International League for the Rights of Man, in its campaign of slander against the Hungarian People's Republic, is attacking a State which since its liberation in 1945 has repealed provisions prejudicial to the individual freedom and human dignity of the workers - provisions which were typical of the old Hungary.



Next it may perhaps be not inappropriate to show, by a few examples, how the International League for the Rights of Man has sought to place a false interpretation upon some provisions of labour legislation and, in particular, of the Labour Code.

According to the League "material" there are restrictions on freedom of employment in Hungary.

We must repeat, most emphatically, that there is no general obligation to work in the Hungarian People's Republic; therefore there can be no question of compulsory work as a legal obligation.

Article 139 of the Labour Code provides that a general obligation to work may be created temporarily in the event of a natural disaster or other danger (force majeure). In this connexion it should be noted that the obligation of citizens to work in the event of force majeure is recognized and applied under the law of capitalist countries generally. It is difficult, therefore, to see how such a provision can be taken as proof that there is such a thing as forced labour in the Hungarian legal system.

The League "material" makes several references to Act No. II of 1939 on Home Defence. It should be pointed out that this Act comprises only certain principles of regulation and some provisions empowering the authorities therein specified to take executive action, as indeed is stated in article 235 of the Act. Furthermore no provisions under this Act have been promulgated since the liberation.

The League "material" alleges that absence from the place of work without a good reason is a punishable offence under Hungarian law. It is material to point out in this connexion that capitalist countries too have legal rules to ensure continuity of work in undertakings, and labour discipline. It is true, however, that these measures differ from the Hungarian rules, for in capitalist countries breaches of discipline usually lead to dismissal, which in view of the difficulty of finding employment places the worker's very subsistence in jeopardy. Under the Hungarian legal rules a worker who repeatedly absents himself from work without showing a good reason is liable to a disciplinary penalty, but this rarely goes to the length of dismissal. In the Hungarian People's Republic such a disciplinary penalty can be imposed only as the outcome of a procedure embodying legal safeguards. Any worker on whom a disciplinary penalty is imposed may appeal to the conciliation committee; in the case of a serious disciplinary penalty (reclassification in a lower grade or summary dismissal) he may appeal to the courts to quash the decision (Labour Code, article 118).

The appendix to the supplement to the League "material" refers to "prohibition against leaving one's work".

On this subject it must be stated categorically that there is nothing in Hungarian law which makes it possible to force a worker to remain at his place of work. A worker who leaves his place of work receives at his new place of work the full wages due to him for work performed. There is no legal bar to a change of place of work; after the employment relation has been properly terminated the worker may take new employment of his own choice. As to unilateral termination of the wage-earner's employment relation, this produces only partial and transitory disadvantages (e.g. temporary reduction in the amount of sickness insurance benefits and length of paid leave); it does not, of course, entail any obligation to take up any particular type of work. Termination of employment by the worker must be accepted whenever the wage-earner's vital interests justify it (e.g. if he is entitled to retire, if his spouse has been transferred to another place of work, if he wishes to study for a secondary school or college certificate, etc.).

To make it possible to build up a permanent body of workers in undertakings - which is essential to labour planning - workers who remain at the same place of work for several years receive certain benefits.

The transfer of workers from one place of work to another can never be regarded as a form of compulsion. The possibility of such transfer is allowed for in every system of labour legislation. The worker is not obliged to accept a transfer if it is to his disadvantage. In every case wide avenues of appeal are open to him against the decision to transfer. The costs involved in the transfer are borne by the employer, who is also under a duty to provide the worker with accommodation or pay him an allowance for living apart (Labour Code, article 137).

The "material" collected by the League also alludes to the work book which it characterizes as a means of exercising control over the workers. The absurdity of this allegation must be made plain at this point. The work book is an official document which contains particulars of the worker and his employments but which can never be used as a means of subjecting the worker to control. This is plain from the attached photostat of the work book now in use in Hungary.

Furthermore the use of work books has been instituted in most countries, and covers the vast majority of workers. In Hungary work books are issued, not by the police as in most capitalist countries, but by the Executive Board of the Local

Council (article 216 of Act No. 53/1953 of the Council of Ministers concerning the application of the Labour Code). On termination of the employment relation for any reason whatever the employer is required to return the work book to the worker (Labour Code, article 131). The workers may use the particulars shown in the work book as evidence to protect their interests in any dispute. The League, in its "material", mentions overtime as a form of labour compulsion; but no worker may be required to work more than eight (or in exceptional cases twelve) hours of overtime a month (Labour Code, article 42). Overtime in excess of this amount may be ordered only in the event of a natural disaster or other exceptional circumstances (article 66 of Decree No. 53/1953 of the Council of Ministers concerning the application of the Labour Code). Overtime is paid at the overtime rate (article 69 of Decree No. 53/1953 concerning the application of the Labour Code), which is higher than the normal wage rate. Any breach of or fraud in connexion with the provisions concerning overtime is regarded as an offence (article 153 of the Labour Code).

The League "material" makes several references to the work of the "youth brigades". It should be explained first of all that the employment on any kind of work of any minor under 14 years of age is prohibited (article 99 of the Labour Code). Minor workers, i.e. workers under 18 years of age, may not be employed on work which is injurious to their health or which requires great physical effort (article 101 of the Labour Code). Minors under 16 years of age may in no circumstances be employed on night work. Those between 16 and 18 years of age must be excused from night work wherever possible. Throughout the duration of their employment relation all minor workers are required to undergo annual medical examinations (article 102 of the Labour Code). Minor workers are entitled to supplementary leave and to admittance to rest homes (article 103 of the Labour Code). It is an offence to fail to provide minor workers with the conditions of employment prescribed by law.

The League "material" refers to compulsory practical experience. Practical experience is required only of persons who have completed a course of study at a university, college or vocational school or who have taken a vocational course. The purpose of this training period is to create a corps of specialists and to supplement their theoretical knowledge with practical experience. Such vocational training is also given in capitalist countries, but differs from that provided in

Hungary in that in this country the worker, throughout his training period, is in a normal employment relation with his undertaking, which pays him his full wages without deductions.

The "material" collected by the League indicates at several points that the 1930 Convention concerning Forced Labour adopted by the International Labour Organisation should be amended to take into account new forms of forced labour. The Hungarian Government wishes to state in connexion with this observation that in its view the report of the Ad Hoc Committee on Forced Labour and the League "material" cannot serve as the basis for a new international instrument since, as the foregoing statement shows, their conclusions are founded not on hard facts but upon slander, lies and deliberate misinterpretations, and are therefore valueless as evidence. The Hungarian Government considers that the International Labour Organisation should make further serious efforts to ensure the application of the 1930 Convention concerning Forced Labour. The Hungarian Government, in the reply communicated to the International Labour Office, has nevertheless expressed support for all new regulations designed to protect fundamental human rights. It wishes to point out again, however, that it would be a mistake to attach such importance to any new regulations as to thrust into the background what is the main issue, the application of the 1930 Convention, in view of the fact that this Convention has not yet been fully applied in many countries.

(b) Safeguards of Individual Freedom

Article 57 of the Constitution of the Hungarian People's Republic safeguards individual freedom and the inviolability of the person. The individual freedom of the citizen is also provided with extensive safeguards by the existing provisions of the criminal law. To illustrate the progress achieved in this field since Hungary's liberation it will be sufficient to compare some provisions of the criminal procedure in force before Hungary's liberation (cf. Act No. XXXIII of 1896) with the criminal procedure provisions now in force (for the latter see the consolidated text of Act No. III of 1951 on Criminal Procedure, and Act No. V of 1954 to amend the same).

Under the old criminal procedure the police themselves conducted the investigation and lodged a charge with the prosecutor's office only after the facts had been collected. Today, the investigation is opened on the basis of a written order which must be brought to the prosecutor's attention (unless it was made by him) to enable him to exercise his right to supervise the investigation.

Under the old criminal procedure an accused person had no opportunity to defend himself until the investigation was completed. Today, if sufficient evidence is collected against the accused after the investigation has opened, he must be charged: in other words he must be informed of the suspicion entertained against him, notified of the facts collected and given an opportunity to defend himself and make suggestions for the collection of other facts (article 91 (B)). Until this has been done no restraint may be placed upon the accused and he may not be questioned.

Under the former code of criminal procedure, an accused person was denied any opportunity of submitting observations on the outcome of the investigation, being brought before the court immediately the investigation was completed. Today, he must be informed of the outcome of the investigation (see article 135); he then has an opportunity of submitting observations and such of his observations as are well-founded must be taken into account by the authorities conducting the investigation.

The old code of criminal procedure set no limit on the duration of the investigation. The present code sets a limit of one month (see article 91 (A)). In special cases, this period may be extended by a further month by the prosecutor of the Department (in the case of Budapest, the municipal prosecutor). It can only be extended beyond this time-limit by order of the Public Prosecutor (as an exceptional measure).

The code of criminal procedure previously in force permitted the State prosecutor to extend by fifteen days the period of preliminary detention (initially also fifteen days). In addition to preliminary detention, the previous code also provided for the preventive detention of an accused person which might be prolonged indefinitely until such time as his case had been decided. The existing law substantially reduces the period of preliminary detention and police custody. The police may not detain an accused person for more than twenty-four hours; if they wish to extend the period of detention by forty-eight hours, they must obtain authority to do so from the prosecutor within the first twenty-four hours. Preliminary detention for a period of one month may be ordered by the competent prosecutor and, in special cases, may be extended by one month by the prosecutor of the Department (in the case of Budapest, by the municipal prosecutor). It can only be extended beyond this period of two months by the Public Prosecutor in exceptional cases. The present code of criminal procedure makes no provision for preventive detention.

The provision whereby the courts were empowered in criminal cases to impose and execute a sentence against an accused person without the production of any evidence against him and without his having been interrogated has been eliminated from the Hungarian legislation now in force (see article 52 of Act No. V of 1954).

Under current legislation, the defendant must be present at the trial, if the prosecutor is also present.

Under the procedure at present in force, a case must be heard in a court of first instance within thirty days (see article 146 (A)), and in a court of appeal, within fifteen days (see article 195).

The old code of criminal procedure contained no provisions of this kind, which are designed to expedite legal proceedings.

Under article 2 of the Criminal Procedure Act, the penalty of deprivation of liberty may not be imposed except as prescribed by law. Article 97 of the same Act authorizes preventive detention only in the cases expressly provided for by law.

In the interests of justice and the implementation of the fundamental principles set out in the Constitution, Legislative Decree No. 16 of 1953 revoked the powers of local councils to try and impose penalties of imprisonment in connexion with petty offences. Consequently, the administrative authorities may not impose penalties involving deprivation of liberty. In the interests of safeguarding the individual liberty of citizens, such penalties may be imposed only by the courts.

The individual liberty of the citizens has been further safeguarded by the establishment of a Public Prosecutor's Department in accordance with the principles previously laid down in article 42 of the Hungarian Constitution. Under Legislative Decree No. 13 of 1953, the Public Prosecutor of the Hungarian People's Republic is required to ensure, either personally or through the intermediary of prosecutors acting under his instructions, that the law is observed and the legal interests of the citizens protected. In particular, the Public Prosecutor and the prosecutors under him are required "to take all the necessary steps to ensure that no one is the subject of criminal proceedings or is deprived of his liberty without due cause or in contravention of the law, and to prevent any form of persecution and any illegal restriction on the exercise of a citizen's rights" (see article 12 (b) of the aforementioned Legislative Decree).

The "material" supplied by the League deliberately distorts the meaning of Hungarian penal provisions in order to support the contention that those provisions permit the imposition of forced labour.

In view of these slanderous allegations, it is necessary to stress the following facts.

The penalty of forced labour is unknown to the penal legislation of the Hungarian People's Republic. Although certain legal provisions enacted in 1945 and 1946 permitted the imposition of the penalty of forced labour for war crimes, crimes against the people and crimes aiming at the overthrow of the democratic order and of the Republic, articles 6 and 12 of Legislative Decree No. 39 of 1950 to give effect to the General Part of the Penal Code stipulate that a penalty of imprisonment must henceforth be substituted for one of forced labour and that any penalty of forced labour already imposed must be executed as a penalty of imprisonment.

In regard to the work performed by persons serving a sentence, it should first be pointed out that the performance of work by prisoners is a generally accepted principle of criminal law.

In the Hungarian People's Republic, the purpose of punishment is to correct and educate the offender. Article 50 of the General Part of the Penal Code (Act No. II of 1950) provides that "The penalty must be applied, in the interests and for the protection of the workers, in such a way as to correct and educate the offender and also to produce a general deterrent effect on other members of society".

Article 28 of Legislative Decree No. 39 of 1950 to give effect to the General Part of the Penal Code states that the correction and education of the offender must be promoted by the performance of work in return for the appropriate wages.

It is the prisoners themselves who ask for work, which is quite natural, since this is in their own interest. Working in prison gives them an opportunity of earning some money. They are paid the same wages for their work as ordinary workers, only the cost of their maintenance being deducted. They can therefore send their earnings to their families.

It should be pointed out in this connexion that before the Liberation, the wages payable to prisoners were fixed by law at a maximum of 50 per cent of those of ordinary workers (Decree No. 10,600 of 1926 of the Minister of Justice); in practice, their wages were far below that level.

During the period of their detention, all prisoners take part in cultural and educational activities; they receive vocational training or further training in connexion with the work performed in prison, as well as instruction in the subjects taught in the public schools and in subjects of general cultural interest. •

The General Part of the Penal Code prescribes the organization of a system designed exclusively for the correction and education of offenders. This purpose is served by the system of corrective and educative labour which does not involve the deprivation of liberty.

Under article 48 of the General Part of the Penal Code, an offender may be sentenced to corrective and educative labour, if there is reason to believe that the purpose of the punishment may be attained without deprivation of liberty; the term of corrective and educative labour to which an offender may be sentenced by the courts ranges from one month to two years. A person sentenced to such labour must perform it at the place of work to which he is assigned (in the same undertaking in which he was employed at the time of his conviction). Corrective and educative labour can only achieve its purpose if carried out in a community which brings some pressure to improve on persons sentenced to such labour.

It follows from what has been said that corrective and educative labour can in no sense be regarded as forced labour; a person required to perform it is not deprived of his liberty.

In view of the nature of corrective and educative labour, it is obviously impossible for a person sentenced to such labour to receive the same wages as his fellow-workers who have committed no offence. For that reason, a person sentenced to corrective and educative labour receives reduced wages; the amount of the reduction is fixed by the Court, but may not be less than one-tenth or more than one-fourth of the normal rate of pay. Thus, from the standpoint of its financial effects corrective and educative labour may be regarded as a fine payable in instalments.

The assertions made in the "material" supplied by the League regarding the system of corrective and educative labour are accordingly due to a complete misunderstanding or, more correctly, to a deliberate misinterpretation of the purpose of the system.

The "material" supplied by the League refers to certain restrictions on the free choice of the place of residence. It should be emphasized in this connexion



that Hungarian penal law, like that of other countries, provides for the local banishment of an offender as an exceptional preventive measure. An offender may be banished from the locality where the offence was committed or, if he is an alien, from the territory of the country. This measure has, however, no connexion with forced labour and entails no obligation to work.

It is relevant to point out that by Order No. 1034/1953 of the Council of Ministers, sentences of local banishment imposed before the promulgation of the Ordinance (on 26 July 1953) were deferred until 31 October 1953.

In referring to local banishment, the League alleges in the "material" it has submitted that there are restrictions on settlement in certain towns. It is difficult to see what connexion can be drawn between such restrictions and local banishment, much less forced labour. Permission is admittedly required for permanent settlement in the capital and in four other towns, but this restriction involves no discrimination, as it applies to all inhabitants of the country. Its purpose is to prevent the over-crowding of these centres of population. Similar restrictions exist in many countries irrespective of their social and economic systems.

The assertion made in the League "material" that the general amnesty applied only to persons guilty of offences under the ordinary law (and not to political prisoners) is a complete fabrication.

Article 1 of Legislative Decree No. 9 of 1950 amnesties persons convicted of war crimes or of offences committed against the people, the democratic order of the State or the Republic. Article 3 of the Decree prohibits the institution of proceedings against Hungarian nationals who left the country after the conclusion of hostilities but returned before 5 October 1950 in respect of war crimes or offences against the people committed before the Liberation. This time-limit has been extended several times. (These provisions do not apply to major criminals.)

Legislative Decree No. 11 of 1953 proclaimed a general amnesty applicable to all categories of offences, including political offences. The exceptions are set out in article 11 of the Decree and include both political offences in the strict sense and non-political offences. The preamble to Presidential Council Order No. 8 of 1955 concerning the amnesty states that its provisions essentially relate to offences of a political character.

It follows from what has just been said that the amnesty was applicable to a wide range of political offences and that the offences not covered also included offences under the ordinary law.

The "material" supplied by the League contains a number of allegations relating to the independence of judges and the failure to publicize legislation.

The only "evidence" the League gives in support of its allegation that Hungarian courts are not independent is a reference to legal provisions that do not exist or are no longer in force or to provisions that have no bearing on the question.

Earlier in this document it was pointed out that Act No. 60 of 1949, which is mentioned in the "material" submitted by the League, does not exist, that Decree No. 4181/1949 of the Minister of Justice is no longer in force and has no connexion with the question and lastly, that Decree No. 71,000/1949 of the Minister of Justice is also quite irrelevant. The League further mentions Act No. XXII of 1948 concerning the removal of judges and the provisional regulations for the retirement of judges and members of the Public Prosecutor's Office, which again is no longer in force.

Decree No. 91,000/1949 of the Minister of Justice to give effect to Legislative Decree No. 9 of 1949 reorganizing the judicial system, which the League mentions in the same context, must also be regarded as no longer operative.

Decree No. 73/1950 of the Council of Ministers abolishing the National Council of People's Courts has no bearing on the question of the independence of judges. The National Council of People's Courts was abolished because it had outlived its usefulness, legal proceedings against war criminals in the people's courts having been concluded.

Decree No. 107/1950 of the Minister of Justice (also mentioned by the League) concerning disciplinary action against judges was revoked by the promulgation of the Act reorganizing the Hungarian judicial system. It should be emphasized in this connexion that section II of Act No. II of 1954 concerning the judiciary conferred powers of investigation and decision in disciplinary matters affecting judges on a disciplinary board composed of judges.

Decree No. 277/1950 of the Council of Ministers on the qualifications of judges, prosecutors and judge advocates, which is mentioned in the same connexion in the "material" submitted by the League, must be regarded as no longer operative and in any event has no bearing on the question under discussion.

Where the publicity given to legal provisions is concerned, it should be pointed out that Legislative Decree No. 26 of 1955 provides for the public circulation of the Hungarian official gazette entitled "Magyar Közlöny". It should also be mentioned that the Hungarian and Austrian Ministries of Justice regularly exchange the official gazettes and legal reviews of the two countries. Legal enactments promulgated in Hungary are regularly published and commented on by the daily press. The assertions made in the League's "material" regarding the publicity given to legislation do not therefore correspond to the facts.

### III. Conclusions

1. The legislation of the Hungarian People's Republic does not provide for forced labour; on the contrary, any constraint to work is punishable under article 12 of Decree No. 40/1951 of the Council of Ministers concerning the recruitment of manpower.

There is at present only one administrative provision in the Hungarian People's Republic which permits compulsory labour, namely, article 139 of the Labour Code, which permits the temporary introduction of compulsory labour in cases of force majeure. Similar provisions exist in all countries.

No one is compelled to perform forced labour in Hungary.

2. The penalty of forced labour is not known to Hungarian legislation. The work done by offenders in prison is in accordance with the generally recognized principles of penal law. Only the courts are empowered to impose penalties in accordance with the criminal procedure laid down by law.

The corrective and educative labour to which offenders are sentenced by the courts can under no circumstances be regarded as forced labour; such labour does not entail any deprivation or restriction of liberty.

The administrative authorities may not impose penalties involving deprivation of liberty.

There are no forced labour camps in Hungary.

3. Few, if any, of the Hungarian legal provisions cited by the League in its "material" has any bearing on the question under consideration; most of the provisions cited are no longer in force and the meaning of the few which are still in force has been deliberately distorted.

The Hungarian Government is of the opinion that in view of the slanders and baseless allegations which it contains, the "material" submitted is unworthy of consideration by organs of the United Nations.

## VI. POLAND<sup>1/</sup>

By notes dated 15 February and 7 April 1955, the Government of the United States of America submitted three affidavits by private individuals relating to Poland. Summaries of these affidavits are reproduced below:

### Summary of affidavit No. 1:

The deponent, an elderly Pole, states that he was arrested by the UBE on his return to Poland after the War and sent to the Kosciusko military forced labour camp near Hrubieszow.

The inmates were all former Polish soldiers and captains who had fought in Ander's army in England. Higher-ranking officers were transferred to other camps.

He was assigned to work in the administrative office as a draftsman but refused, and as a punishment was placed in the "severity" cell where he was beaten. Subsequently he worked with the other 1,300-1,400 prisoners on the construction of two airfields, an underground passage connecting Russia and Poland, and the preparation of plastic composition imported from Russia to be used for wrapping ammunition.

The food was inadequate, consisting of vegetables and fish, and the barracks, which were overcrowded, were guarded by 240 regular Polish soldiers. Sanitary conditions were bad and only prisoners who were seriously ill were excused from work.

Prisoners were not allowed to receive or send mail, have visitors and could talk together only in their rooms. Disobedience was punished by confinement in a tiny cell where many prisoners died.

Prisoners were unpaid, but were given cigarettes or tobacco if they over-fulfilled the daily 250 kilogramme quota for the preparation of plastic. There were no norms for the other types of work. Inmates had no freedom of movement,

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<sup>1/</sup> Certain references to Poland were also made in the "Statement on Forced Labour" submitted by the International League for the Rights of Man. The formulation of this statement makes it impracticable to extract these references and reproduce them under the present heading, but see pages 336-354 below.

had to attend political indoctrination lectures, listen to Radio Moscow and were forbidden to practise their religious beliefs. Work assignments, which prisoners could not change, were determined by the Camp Commander, a Russian officer. No amnesties were granted.

The deponent escaped with the connivance of two of the guards by tunnelling out of the compound.

Summary of affidavit No. 2:

The deponent, a middle-aged Pole, states that he was sentenced to five years' imprisonment, three months of which he spent working as a bookkeeper in the Kaminsk labour camp in Allenstein. The camp was surrounded by barbed wire and guarded by over 100 Polish UB men armed with machine-guns. Discipline which was at first quite lax became increasingly severe.

Most of the 500 prisoners who were all Poles were engaged in construction work, filling hollow bricks with cement. The operation was mechanized and the norm for each ten prisoners working in three eight-hour shifts was 10,000 bricks.

Extra rations and privileges were received if norms were overfulfilled but the privileges of those who failed to fulfil the quotas were commensurately reduced. Rates of pay were approximately the same as those outside camp and brickmakers received 25 to 40 zloty; those who did not fulfil the norm received only 15 to 20 zloty. However prisoners were given only one-third of that amount, part of which was kept in a savings account, while the other two-thirds was withheld for board and lodging. Habitual loafers and those who consistently failed to fulfil norms were punished, the most severe form of punishment being confinement in the prison where they received little or no food. Prisoners who escaped were brought back to camp and their sentences extended.

An amnesty was declared on the occasion of the new Polish Constitution but its terms were quite elastic and disappointed the inmates. Some prisoners were converted to communism and others worked as informers.

Summary of affidavit No. 3:

The deponent, a young Polish citizen, states that he spent six years in various prisons where he met prisoners from labour camps.

According to the information he received from them, political offenders sentenced to under five years' imprisonment were sent to the Ostrolenka camp which was guarded by the KBU, a sort of political police. Work consisted of dismantling and overhauling vehicles of all kinds and its 3,000 inmates were paid the same rates as civilians. They actually received only 25 per cent of their pay however, 50 per cent being deducted for maintenance expenses and the other 25 per cent retained in an account until they were released. The food was good and supplementary rations could be purchased at the canteen. Additional privileges were given to activists who regularly fulfilled the norms although the privileges of prisoners who did not fulfil their quotas were withdrawn. Severe punishment consisted of confinement in the bunker, a sort of tiny cell.

Two amnesties were granted, one for ordinary criminals but the other, a secret amnesty, also applied to political prisoners.

A new camp with sports fields and eighty barracks that could house 50,000 prisoners was constructed at Jaworzno near Katowice. The number of prisoners in the other two camps near Katowice was increased to 1,500 and 2,000 respectively in order to swell the labour force working in the coal mines.

There were two camps for political prisoners in Posen: the Wronski camp was overcrowded, housed 15,000 prisoners and was guarded by about 560 KBU men. The Rawicz camp was for political prisoners serving sentences up to ten years.

## VII. PORTUGUESE TERRITORIES

In a letter dated 30 August 1955, the Anti-Slavery Society submitted a statement on "Forced Labour in Portuguese Colonies". The Portuguese Government commented on this statement and emphatically denied the existence of any system resembling slavery. 1/ The text of the statement of the Anti-Slavery Society is as follows:

### A. STATEMENT BY THE ANTI-SLAVERY SOCIETY

#### Forced Labour in Portuguese Colonies

I am directed by the Executive Committee of the Anti-Slavery and Aborigine Protection Society to submit to you the following on the subject of forced labour in Portuguese colonies and to ask you if you would use your influence with the Government of Portugal to persuade it to abandon the exaction of forced labour from the African population of the Portuguese colonies in Africa.

Fifty years ago William Cadbury, Joseph Burt and Henry Nevinson, three Englishmen, visited the Portuguese African colonies and the cocoa-producing Portuguese islands of Principe and San Thome and established the existence in them of a system of forced labour which amounted to slavery, although slavery had been abolished by them by law in 1878. This led to other investigations into forced labour in the Congo, in the Putamayo and elsewhere between 1905 and 1912. The general result of these disclosures was that world opinion became convinced that the whole system of labour in the dependent territories needed to be reformed, if possible by International Agreement, owing to the fact that indigenous labour was recruited in some countries under one flag for work in other countries under different flags. This was the background behind the discussions and decisions of the conference of Versailles and later the international conventions prepared by the League of Nations and the International Labour Office.

Among the conventions prepared was the Forced Labour Convention of 1930, and the Recruiting of Indigenous Workers Convention of 1937, neither of which has Portugal ratified and applied to her colonies although Portugal is a member of the council of the International Labour Office.

In 1949, when challenged with this at a session of the International Labour Organisation, the Portuguese delegate stated that Portugal was willing to ratify the Forced Labour Convention and apply it to her colonies, but up to the present time this has not been done.

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1/ The comments of the Portuguese Government will be found in section B, p. 329.

Disclosures spread over the fifty years following the findings of Cadbury, Burt and Nevinson show that Portugal has reasons for not undertaking the obligations of the conventions cited above. Legislation on Labour in the Portuguese colonies is based on the Native Labour Code of 1928, which superseded all previous legislation. One of the International Labour Office publications of 1929, entitled "Forced Labour Report and Draft Questionnaire", stated (para. 142, p. 118): "There are in the Portuguese colonies two types of labour exacted under compulsion. Type 1 is forced labour for general or local purposes or for private employers imposed solely on natives who fail to perform their obligations to labour and who lead a life of idleness." And in paragraph 271 (p. 206) of the same publication it is stated, "Compulsory labour for private employers may be imposed on natives who do not conform to their moral and legal obligations to labour, the principle of which, it will be remembered, was laid down in General Native Labour Regulations". Again, another ILO publication entitled "The Recruiting of Labour in the Colonies in the other Territories with Analogous Labour Conditions, Report IV, published in 1935 says (p. 99) "The 1928 code abandoned the principle of the moral and legal obligation of the native to work which had formerly been the underlying principle of Portuguese native labour law and substituted for it that of the moral obligation to procure the means of subsistence by labour and thereby promote the general interest of mankind". This is in fact a distinction without a difference and is so interpreted by the Portuguese administration in Africa.

The writer has been informed by a British Official in a colony bordering on a Portuguese colony, in a letter dated 16 January 1952, that "An African in a Portuguese colony must give his services for one whole year in every three to the Government."

The United Nations Ad Hoc Committee on Forced Labour found in 1953 (v. Document E/2431 of the United Nations, paras. 287-291) that provision was made in 1926 and 1927 for the recruitment of workers in Angola, Mozambique and Cape Verde, for work in Principe and San Thome for a period of four years through the San Thome and Principe Emigration Co., but that in 1946 this was limited to 5,000 a year and the Government of San Thome was requested to increase the repatriation of workers.



The Committee also found that an agreement was made in 1928 between the Government of Mozambique and the Union of South Africa for the recruitment of 100,000 workers in a year in Mozambique for work in the gold and coal mines of South Africa, at a fee of 55s., for every worker recruited. The Committee's conclusions were (para. 291) that

"(a) forced or compulsory labour is prohibited in principle by Portuguese legislation, but there are certain restrictions and legislation in the form of exceptions which permit the exaction of forced or compulsory labour;

"(b) the provisions protecting indigenous workers against unfair methods of recruitment do not, however, exclude a certain amount of compulsion and it is possible that in practice certain pressure is brought to bear upon workers responsible to officials to induce them to conclude contracts of employment offered by recruiting agents.

"(c) with regard to the recruitment of indigenous workers in Mozambique for the mines in the Union of South Africa conditions of forced labour might be created by the combined application of pressure at the recruiting stage and of the South African legislation governing breaches of labour contracts.

"(d) that the labour of workers in San Thome is of considerable economic importance to the territory and their situation appears to be similar to that of workers under a system of forced labour for economic purposes."

The Committee also commented on the fact that Portugal had not ratified the Forced Labour Convention of 1930 or the Recruitment of Indigenous Workers Convention of 1936.

In 1954 Mr. Basil Davidson toured the Belgian Congo and Portuguese West Africa, (Angola) and wrote a book entitled "The African Awakening" published in 1955 by Jonathan Cape, in which he brings up to date the work of Cadbury, Burt and Nevinson. Before Mr. Davidson left for Angola he consulted the Anti-Slavery Society and was shown all the material collected on this subject over the past fifty years, including the evidence assembled by Sir John Harris, the late Secretary, in 1913, and communications from people residing in the country at the present time.

He found that (p. 195) - "There is much less cruelty than in Nevinson's days, otherwise the system is unchanged, and it is probable that there are now many more slaves in Angola than there were fifty years ago... the files of the Native Affairs Department at Luanda, the Capital, show 379,000 contradados or forced

workers who are really slaves. He says, p. 199 that, "the Constitution of Portugal incorporates article 19 of the Labour Code of 1928" that "all regulations whereby the State may undertake to furnish native labourers for any enterprise working for their own economic development are hereby forbidden" but "these prohibitions are not worth the paper they are written on". "They are for outside consumption just as were King Leopold's humanitarian decrees in the days of the Congo Free State, they in no way reflect what actually happens". And at p. 202 he states "Employers who want forced labour indent for it from the Government."

"Approved demands are sent to local Administrators up and down the country; and the chefe de posto (a Portuguese Official) through his local chiefs and headmen, is then obliged to conscript the number of men required by the indent or indents received. I was able to inspect a number of these indents at the Offices of the Government at Luanda, and also to secure copies of the contracts under which these forced workers are conscripted". In 1947 Senhor Henriques Galva a member of the Portuguese National Assembly, wrote a report in which he laments that, "clandestine emigration is responsible for the extremely grave state of depopulation that one notes in this country (Angola) and he estimated a permanent loss of population in Guinea Mozambique and Angola between 1937 and 1946 at no less than one million people. He found little difference between forced and voluntary labour, except that the first was generally conscripted by the Government and the second by private employers or their paid agents. In Angola he found that the State openly and deliberately acted as recruiting agent for labour on behalf of settlers, who write to the Dept. of Native Affairs for a "supply of workers". He concludes, in some ways the situation is worse than simple slavery. Under slavery the native is bought as an animal and his owner prefers him to remain fit. Yet here the native is not bought; he is hired from the State, although he is called a free man. His employer cares little if he sickens and dies once he is working because when he sickens or dies, his employer will simply ask for another". On p. 210 of his book cited above, Basil Davidson says that "Dr. Periarra of the Native Affairs Dept., told me that the Government allows a theoretical average of thirty-three workers for every hundred hectares (220 acres) of plantation... There is no point in trying to assess the poverty of these people, for their poverty is absolute. They live between starvation and

bare survival. Poll taxes varying between 100 and 280 escudos a year (between 25s and 70s.) may consume most of the cash which an Angolan contract worker will actually receive at the end of his contract. That this is no exaggeration is suggested by the case of a lad I came across who had returned from two years contract labour in the Maritime fisheries of Porto Alexandre; after paying his taxes from the balance of wages which he received at the end of these two years, he had just enough to buy a secondhand pair of trousers and a secondhand jacket. Another lad from these fisheries, after completing four years contract labour had exactly 250 escudos (or £3.2.6.). He found that the Angola Diamond Company had 17,500 workers in 1947 of whom 5,500 were forced workers and in 1952 the forced workers had increased to 7,055.

Portugal is bound by an international convention, ratified by her, namely, the Slavery Convention of 1926, to abolish forced labour in her possessions. By article 5 of that Convention it was agreed that:

- "(1) forced labour shall be exacted only for public purposes;
- "(2) in territories in which compulsory or forced labour for other than public purposes still survives, the High Contracting Parties shall endeavour as soon as possible to put an end to the practice. So long as such forced or compulsory labour exists, this labour shall invariably be of an exceptional character, shall always receive adequate remuneration and shall not involve the removal of the labourers from their usual place of abode."

All that exists today in the Portuguese African colonies under their system of forced labour, and it was prohibited by that article. Can it be said that Portugal has paid any heed to this prohibition? Can it be said that any of the other forty-three High Contracting Parties had done anything to influence Portuguese compliance with this article? The only sanction that has been applied has been applied by the cocoa manufacturers of the United Kingdom (be it said to their credit) who have refused to buy Portuguese cocoa ever since the disclosures of Cadbury, Burt and Nevinson and still do so. But this has been insufficient to make any impression on the Government of Portugal.

The Executive Committee of the Anti-Slavery Society ventures to hope that the United Nations may feel disposed to make strong representations to the Portuguese Government to abandon forced labour and failing that to ventilate the matter at the sessions of the United Nations, or in any other way in which world opinion may be influenced.

Similar letters have been addressed to the Secretaries of State for Foreign Affairs; for the colonies, and for Commonwealth Relations of the United Kingdom, as well as to the Director General of the International Labour Organisation.

B. REPLY BY THE PORTUGUESE GOVERNMENT TO THE ALLEGATIONS CONTAINED  
IN THE STATEMENT OF THE ANTI-SLAVERY SOCIETY

The Secretary-General received the following reply of the Portuguese Government to the statement of the Anti-Slavery Society, transmitted to him with a letter dated 15 December 1955 by the Ambassador of Portugal to the United States of America:

"1. With his note of November 3, 1955, ref. SOA 320/07, the Secretary-General of the United Nations transmitted to the Minister of Foreign Affairs of Portugal a copy of a communication from the Anti-Slavery and Aborigines Protection Society, dated August 30, 1955, concerning 'forced labour in the Portuguese colonies'. And in pursuance of the Economic and Social Council's resolution 524 (XVII), the Secretary-General requested the Portuguese Government to make any comments it might see fit on the said communication.

"2. The Portuguese Government sees no objection to conveying to the Secretary-General a number of brief comments on this communication from the Anti-Slavery Society. It does so for the purpose of supplying factual information on matters which it would like to see clearly understood. The Portuguese Government must stress, however, as it has already done in the past, that it does not thereby recognize the right of any outsider to pass judgment on these matters, a judgment to which no sovereign government, it is obvious, could submit. On this understanding, therefore, the Portuguese Government makes the following comments.

"3. The existence of any system resembling slavery is emphatically denied. And Portuguese legislation, in harmony with the spirit of the Forced Labour Convention of 1930 and the Recruiting of Indigenous Workers Convention of 1936, forbids the compulsory recruitment of natives by private employers for their own economic advantage.

"4. In explanation it may be added that the system of recruitment in force is based on the following principles:

"(a) the Portuguese Government is unable to recognize the right of any able-bodied man, African or other, to live in idleness when his labour is essential to the country's progress:

"(b) a man is only considered idle when he cannot show that he is working either on his own account or for an employer, as he may have chosen.

"(c) in the case of work for an employer, no one can be obliged to work for a specified employer, everyone having complete freedom of choice in determining what work he will do, and for whom he will do it.

"5. Having made this clear, the Portuguese Government cannot help observing that the suggestion that the prevailing labour system is equivalent to slavery is based on allegations made 50 years ago and on an 'investigation' alleged to have been made in Angola by a journalist, Mr. Basil Davidson, in 1954. Even admitting, which is not the case, that the situation 50 years ago was as described, this would obviously in no way indicate that it was still the same today. As for Dr. Davidson's allegations, they have been examined and refuted in a publication by the Agencia Geral do Ultramar, a Department of the Portuguese Overseas Ministry, which, it is hoped, will be circulated among the Delegates to the Economic and Social Council when the communication from the Anti-Slavery Society is dealt with. It is necessary to point out here, however, that Mr. Davidson spent less than two weeks in Angola, and this mainly in towns like Luanda and Lobito, and that none of the allegations quoted from his book by the Anti-Slavery Society is based upon his own first-hand experience or observation. The deplorably gratuitous character of allegations resting on such deliberately vague premises will readily be appreciated.

"6. The interest, finally, of the Portuguese Government in the welfare of its native populations is much greater than that of any extraneous organization. The system of recruitment is elaborately controlled and hedged about by many safeguards. Any abuses which are brought to the notice of the authorities are investigated by them and, if proved, meet with the most severe punishment. It is regrettable, therefore, that instead of approaching the competent authorities

and producing evidence of any breaches of the principles of justice or humanity - a course which would have led to the redressing of any wrongs which could have been proved - the Anti-Slavery and Aborigines Protection Society has thought fit to bring before the Economic and Social Council of the United Nations a number of generalized allegations based upon entirely inadequate and unsupported evidence."

### VIII. ROMANIA<sup>1/</sup>

By a note dated 15 February 1955, the Government of the United States of America submitted an affidavit by a private individual relating to Romania. A summary of this affidavit is reproduced below:

#### Summary of affidavit:

The deponent states that after being convicted on political charges he was transferred from an ordinary prison to the forced labour camp at Poarta Alba, Constantza, where a canal was being built to link the Danube with the Black Sea. He stayed in the camp for about fourteen months, during which time the number of prisoners rose from 2,000 to 6,000. Half of the original number were political prisoners, the other half ordinary prisoners. At least 60,000 prisoners were working in the vicinity.

The prisoners were assigned different kinds of work. The deponent first formed a part of a group of 60 to 70 men, a "brigade", which had to cut and prepare stones for a road planned to run through the canal area. He had to split stones with a pickaxe and later to unload earth from hand-pushed carts. All work was performed without machinery. The deponent also worked as a stone-mason, and he was later employed to carry building materials needed for a school-house in the area. His last assignment in the canal project was the making of huge reinforced blocks which were needed for the construction of the harbour.

His pay was 1,000 to 1,200 lei a month, i.e. about 2 dollars at the unofficial exchange rate, or 8 dollars at the official rate. This amount was not paid regularly and was in any case conditional on satisfactory output.

Some 50 older prisoners and a number of others favoured by the camp administration were found fit for light work only, such as kitchen and cleaning

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<sup>1/</sup> Certain references to Romania were also made in the "Statement on Forced Labour" submitted by the International League for the Rights of Man. The formulation of this statement makes it impracticable to extract these references and reproduce them under the present heading, but see pages 336-354 below.

duties. Refusal to do the work assigned led to severe penalties, e.g. standing naked in specially built wooden cases in winter, sometimes two or three men to a case. Food for such prisoners would be cut to a minimum. The camp also had its own prison, where offenders against camp discipline were locked up without food or bed.

On the way to work prisoners were always escorted by five or six guards armed with submachine guns, who had orders to shoot and kill on the spot anybody setting foot outside the prescribed area.

Work was supervised by a "brigade chief", a man sentenced for an ordinary, non-political crime, who owed his promotion to Communist zeal and a good production record. Guards varied in character; the more severe type resorted to beating for low output or other offences. Apart from the above-mentioned punishments, failure to work could also lead to the prisoner not being allowed to contact his family.

The working day varied from eight to eleven hours in the different sections. Those on eight-hour shifts usually had to do "voluntary" work, such as brick-making, unloading merchandise, potato-peeling etc.

Output norms were as follows:

Splitting stones: one cubic metre a day (stones had to be split 30 to 40 metres from where they were needed and taken there by hand).

Unloading earth from carts: eight cubic metres, the earth having to be moved four metres away from the cart track after unloading.

Digging: four cubic metres, the earth having to be moved in hand-pushed carts some 50 to 70 metres away from the ditch. In wet weather, the carts sank in the mud, and when the ground was frozen, digging was very difficult. Rain, snow and bitter cold made no difference to the output norms required.

A promise to shorten the period of detention by one-third in return for the work done by the prisoners was not kept.

Upon his release from the camp, the deponent was re-tried and acquitted and required to register with the police as an ex-convict.

There was no amnesty during the time the deponent stayed in the camp.

Of 6,000 convicts, only 20 or 30 were released shortly before the completion of their terms. Most of these had been convicted for non-political crimes. Others were detained after serving their sentence, because they were considered politically unreliable, efforts at "re-education" having failed.



## IX. UNION OF SOUTH AFRICA

In a letter dated 25 June 1954, the Anti-Slavery Society submitted a statement on "Forced Labour in the Union of South Africa". The text of this statement is as follows:

### FORCED LABOUR IN THE UNION OF SOUTH AFRICA

It will be remembered that the Anti-Slavery Society of the United Kingdom furnished the Ad Hoc Committee on Forced Labour with information on forced labour in the Union of South Africa, which has been quoted at pages 374-376 of the Report (E/2431) of that Committee and was found (para. 369) to be substantiated by legislation in force in the Union of South Africa and by comments and observations of the Government of the Union.

The Society has noted the observations of the Government of the Union of South Africa quoted in document E/2431/Add.5 of 17 March 1954 of the United Nations and feels that these observations should not remain unanswered.

The Government of the Union maintains that "neither the United Nations nor the International Labour Organisation has any right to intervene in the domestic affairs of the Union, except in so far as the International Labour Organisation is entrusted with the duty of ensuring the observance of any convention which the Union may have ratified", and it proceeds to defend the employment of prisoners in private enterprise by pointing out (page 10 of E/2431/Add.5) that prisoners are only so employed by their express wish and that the number so employed are only a fraction of one per cent of the labour potential of the Union.

It is true that the Union of South Africa has never ratified the Forced Labour Convention of 1930, but the Union of South Africa ratified the Slavery Convention of 1926, article 5 of which forbids forced labour from being exacted for any but public purposes.

It is hoped that this will be drawn to the attention of the Government of the Union of South Africa and that, if necessary, steps will be taken to enforce the Convention.

Attention is drawn to page 22 of South African Survey No. 80 of 15 April 1954 published by the Office of the High Commissioner of the Union of South Africa in London.

X. UNION OF SOVIET SOCIALIST REPUBLICS<sup>1/</sup>

By a note dated 15 February 1955, the Government of the United States of America submitted an affidavit by a private individual relating to the Union of Soviet Socialist Republics. A summary of this affidavit is reproduced below:

Summary of affidavit:

The deponent, a German physician, declares that he was arrested in 1949 by the Soviet Secret Police in East Berlin, that he was in Soviet prisons in Berlin for over a year, and after having been sentenced to twenty-five years of labour, was transported to Vorkuta. He was in camp 9/10 and 6 in Vorkuta for more than two years, after which he was released in the Soviet Zone of Germany.

He states that the amnesty for prisoners of Soviet citizenship after Stalin's death only affected seven out of 3500 prisoners and that this percentage is typical for the political prison-camps.

Finally, the deponent declares that the statements made by him in an article "The Strike in Vorkuta", (Der Monat - The Month - No. 66) and in his book "Vorkuta" correspond with the truth, although changes were made to hide the identity of some prisoners who are still in the camp.

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<sup>1/</sup> Certain references to the Union of Soviet Socialist Republics were also made in the "Statement on Forced Labour" submitted by the International League for the Rights of Man. The formulation of this statement makes it impracticable to extract these references and reproduce them under the present heading, but see pages 336-354 below.

## XI. ALLEGATIONS CONCERNING THE EXISTENCE OF FORCED LABOUR IN SEVERAL COUNTRIES

On 28 March 1955, the International League for the Rights of Man transmitted to the Secretary-General a statement alleging practices of forced labour in several countries. The Government of the Federal People's Republic of Yugoslavia which was referred to in the statement of the non-governmental organization, commented on those parts of the statement which related to Yugoslavia and denied the existence of any system of forced labour there. <sup>1/</sup> The text of the report of the International League for the Rights of Man is as follows:

### A. STATEMENT BY THE INTERNATIONAL LEAGUE FOR THE RIGHTS OF MAN

"Pursuant to Resolution 524 (XVII) of the United Nations Economic and Social Council, the International League for the Rights of Man has the honour to present herewith a report on the practice of forced labour in self-governing countries, specifically in the People's Democracies of Albania, Bulgaria, China, Czechoslovakia, Hungary, Poland, Romania and Yugoslavia.<sup>2/</sup>

"Because of its length, the enclosed report is in two parts, a summary Statement and a more detailed Supplement.

"The Statement briefly summarizes the information available to the International League and presents certain recommendations.

"The information in the more detailed Supplement is given from both a legal and factual point of view. After briefly reviewing the situation before 1953, it presents the recent developments in the practice of forced labour. In addition to analysing the pattern of practice of forced labour in all the People's Democracies, the particular cases of Bulgaria, Czechoslovakia, Hungary, Romania, Poland and Yugoslavia are documented separately in an Appendix, with accompanying maps."

Since the Statement "briefly summarizes the information available to the International League", it is reproduced in the present report. Because of the length of the "more detailed Supplement", and the fact that it is available in printed form, it is not reproduced in this report, but is available to members of the Council upon request. The text of the summary Statement is as follows:

### STATEMENT ON FORCED LABOUR

#### Introduction

In addition to its study of the legal codes relating to forced labour, the International League for the Rights of Man is currently analysing over 20,000 pages of testimony dealing directly with the practice of forced labour. This summary of its current findings is intended as an interim report of the United

<sup>1/</sup> The comments of the Yugoslav Government will be found in section B, pages 355 and 356 below.

<sup>2/</sup> The material also contains references to the USSR.

Nations of the evidence it has acquired since its previous presentations on 18 June 1952 in New York and on 5 November 1952 in Geneva before the UN-ILO Ad Hoc Committee on Forced Labour. The International League hopes that this presentation will aid the United Nations to understand recent developments concerning the practice of forced labour as a means of political coercion and economic exploitation and as an institution which has become integrated into the structure of society of some States.

The International League for the Rights of Man is an independent international organization with the official status of a non-governmental organization in consultative status to the United Nations with the Economic and Social Council. Its aim is the nonpartisan defense and advancement of what it considers the inalienable rights of man. It is not attached to any nation or bloc of nations. This report should in no way be considered an attempt to interfere with the right of any nation to choose freely its own government and way of organizing society. However, the International League considers itself obligated to appeal to humanity and whatever international organizations may be of assistance whenever it finds that basic principles relating to the rights of man are endangered.

The International League finds that the new system of forced labour described herein is not an isolated haphazard affair but appears to be an integral and officially recognized practice of the governments of a certain group of nations imbued with a common philosophy and common goal.

#### The Ad Hoc Committee on Forced Labour

The Ad Hoc Committee on Forced Labour was charged with the task of surveying the field of forced labour, taking into account the provisions of International Convention No. 29, and with inquiring particularly into the existence of systems of forced labour employed "as a means of political coercion or which constitute an important element in the economy of a given country".

Reaching its conclusions "by examining the texts of the laws and regulations and their application", the Ad Hoc Committee found that the legal systems of the Union of Soviet Socialist Republics, Bulgaria, Czechoslovakia, Hungary, Poland, and Romania could in each case constitute "the basis of a system of forced labour for the purpose of political coercion", and were even "expressly aimed at the opponents of the established political order".

The Committee also investigated the legal evidence concerning systems of forced labour for economic purposes "on such a scale as to constitute an important element in the economy of a given country". It found that forced labour "is used in the Soviet Union for essential tasks in the interests of the national economy and that the part it plays is of considerable significance". Similar systems of forced labour for economic purposes were also found to exist in Bulgaria, Czechoslovakia, and Poland. In Romania, the Report of the Committee found legislation which "might provide the basis for a system of forced labour for economic purposes". In Hungary, it found that "the restrictions placed on freedom of employment, if rigorously enforced, might constitute the basis of a system of forced and compulsory labour imposed with a view to carrying out the economic plans of the State".

The authoritative and impartial investigation made by the Ad Hoc Committee was world wide, and covered twenty-eight countries (and/or territories under their administration).

Apart from the communist nations, only in Spain did the Committee find legal provisions that permitted political coercion. There, certain offences, judged by military tribunals, are punished with the obligation to work. In no way minimizing possible abuse of this system, the Committee noted, however, that the total of all categories of prisoners convicted by the military judicial authorities was only 3,410 and that "the number of political prisoners appears to have decreased since 1946 and that, recently, conditions in prisons seem to have improved".

The Committee found no evidence to substantiate allegations of forced labour in Argentina, Brazil, Chile, Colombia, Ecuador, France, Paraguay, Peru, the United Kingdom, the United States, and Venezuela, or in any of the territories administered by them. Though indications of varying degrees of compulsory labour were noted in certain colonial areas, such as those in southern and western Africa, the Committee held that these resulted from "the particular status and situation created by special legislation applicable to the indigenous population alone, rather than from direct coercive measures designed to compel them to work". Concerning measures still occasionally applied to indigenous workers, the Committee found them to be on the way out and noted that "progress is commendable inasmuch as many of these practices have either been eliminated or are gradually declining".

While the Report of the Ad Hoc Committee did not itself so state, its findings indicate that forced labour was found to exist as a widespread system of political coercion and economic gain only in the Union of Soviet Socialist Republics and in certain of the People's Democracies.<sup>3/</sup> Contrasting this system with the situation in certain dependent territories, the Committee reported that "the systems of forced labour for economic purposes found to exist in some self-governing countries (where there is no 'indigenous' population) raise new problems and call for action...at the international level".

The Ad Hoc Committee was scrupulously fair in weighing all charges and the Report of the Committee carefully pointed out any flaws in the legal systems of all countries studied which could conceivably be used as an entering wedge for the establishment there of forced labour. In so doing, it rendered honour to the cause of human rights.

The International League finds, however, that the Ad Hoc Committee did not properly evaluate the facts concerning the practice of forced labour in self-governing countries. In the opinion of the International League, the Committee failed in this respect by narrowing the scope of the inquiry from its original conception and by presenting a country-by-country report without comparing or relating the different systems it found.

The Ad Hoc Committee indicated in its Report that it considered itself guided by the "directive 'to study the nature and extent of the problem...by examining the texts of the laws and regulations and their application'. The Committee has therefore directed its attention to the study of such systems of forced or 'corrective' labour as may be revealed either in the texts of laws and regulations, or in their application, or both".

The International League believes that the Committee could well have broadened the scope of its inquiry to encompass the actual conditions under which forced labour is practised, the scale on which it is practised, and the role of forced labour in the social and economic life of each country concerned.

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<sup>3/</sup> The Ad Hoc Committee was not able to complete its study of the allegations relating to Albania and the People's Republic of China because it was not able at that time to obtain documentary material relating thereto (particularly the laws and regulations). Consequently the Report presented no findings concerning these countries.

Abundant testimonies of eyewitnesses and former forced labourers are available. It is unfortunate that the instructions to the Ad Hoc Committee differed so widely from the earlier concept of the proposed inquiry into forced labour - in particular, the Economic and Social Council resolution of 7 March 1949 concerning an impartial investigation into the extent of forced labour in all countries "including the reasons for which persons were made to perform forced labour and the treatment accorded them".

### The Introduction of Forced Labour into the "People's Democracies"

The existence and conditions of forced labour in the Soviet Union are now well documented by the testimony of former forced labourers, by captured secret orders and by published legal codes. After a detailed review of the Soviet criminal and labour legal codes, the United Nations Committee on Forced Labour concluded:

It is evident...that, since about 1930, the work of both political and other prisoners has been used in the Soviet Union for large-scale public works....It is also clear... that during the war and even after, persons sentenced to corrective labour were still used on large-scale projects....All the material the Committee has been able to examine gives the impression that corrective labour plays a relatively large part in the national economy....Corrective labour camps and colonies appear to be scattered over the whole of the Soviet Union.

This modern slavery was first exported from the Soviet Union into Eastern Europe in 1940, when a number of arrests and deportations took place in the Baltic countries even before these countries were incorporated into the Soviet Union. After their incorporation, repeated waves of arrests swept these countries in succeeding years. "Filtering camps" were established through which a large part of the population was screened for their political reliability. Those convicted of "minor" offences were assigned to work locally and "major" offenders were transported to other parts of the Soviet Union, principally to the Ukraine and to central Siberia.

Every communist take over - in Poland, Czechoslovakia, Hungary, Romania, Bulgaria, Yugoslavia, and Albania - was accompanied by mass arrests aimed primarily at the elimination of the opposition. Some prisoners were interned and others were assigned to forced labour.

The inauguration of the East-European Five Year Plans in 1950 and 1951 was followed by reports from each People's Democracy (except Yugoslavia which had split from the Cominform) telling of wholesale arrests and deportations from almost every major city. Shortly thereafter, reports began to arrive describing a steady flow of arrivals at established forced labour camps and the establishment of many new camps. When the "speed-up" of the Plans was announced a year later, the cycle was repeated.

As the International League has shown in its two presentations in 1952 before the Ad Hoc Committee, it rapidly became evident that forced labour in the East European countries was no longer purely a matter of assigning political prisoners to constructive work for the benefit of the communist rulers, but also involved the imprisonment of the citizenry on a vast scale for the purpose of providing an enormous labour pool under the complete control of the State. Not surprisingly, the prisoners of virtually every forced labour camp worked on projects specifically established under the communist development plans. The evidence also shows that no sector of these prime economic targets did not employ forced labour (specifically, political prisoners living and working under armed guard).

As the Report of the Ad Hoc Committee shows in the case of Bulgaria, Czechoslovakia, Hungary, Poland, and Romania, the laws of the People's Democracies are so drawn and interpreted that anyone may be condemned at the regime's pleasure.

#### The Present Situation

Furthermore, when it became clear late in 1952 that the United Nations was going to issue a detailed and documented study of legislation relating to forced labour, the East European People's Democratic regimes began to revise the various laws pertaining to forced labour, and even to conceal all new legislation passed. There is evidence that the situation in many camps improved directly as a result of publicity given the reports of escaped forced labourers. Perhaps the major improvement which has already resulted from the United Nations investigation into forced labour has been the abolishment of legal confinement without trial. Generally speaking, except for minor administrative measures, confinement to forced labour in the European People's Democracies is now after a judicial trial



of one sort or another. The legal basis for a decision against a defendant, however, is still as vague and all-emcompassing as ever. Individuals are still condemned, for instance, under such legal offences as "any act and omission that brings harm to the economic, social and political structure.... The actions which are considered dangerous for society can be punished even when they are not expressly prohibited by law" (Article 1 of the Romanian Criminal Code).

The International League's investigation has established beyond doubt that forced labour has been of significant economic importance in the planning and implementation of the Five-Year Economic Development Plans of the People's Democracies. The very scale of forced labour activities, particularly in the "critical" sectors of the Plans, makes it a vital economic factor. But perhaps more important, as a psychological asset to the regimes, is the role the forced labour camps play in the intimidation and coercion of both "free" and compulsory labour.

As the International League pointed out to the Ad Hoc Committee in 1952, forced labour in camps was grossly inefficient. Not only was the continuing capacity of the labourer to work not husbanded, but for political reasons workers were deliberately shifted from their traditional skills, with urban dwellers sent to the country and peasants assigned to urban construction. The large number of guards and administrators were themselves a drain on the human resources of the State. Above all, the system made no effort to develop initiative on the part of the forced labourers.

It must not be forgotten, however, that the communist authorities used their controlled reservoir of forced labour wherever normal recruitment methods would have failed (a) because of the time needed to induce free labourers to move, and (b) because free labourers would not willingly work for the pay offered and under the conditions required. This manpower could be rigidly controlled and arbitrarily assigned. From the point of view of the regimes, forced labour under total restraint was highly productive in that it was almost invariably allotted to key segments of the development plans and was often the sole means of recruiting new labour. In this sense, the forced labourers are the shock troops of the Five-Year Plans.

Though the "New Course" is generally assigned to the period following Stalin's death in March 1953, the first signs of the tactical retreat began

to appear in mid-1952. The regimes realized that the workers and peasants had been driven nearly to the breaking point. The labour reserve was all but exhausted, and further progress of the ambitious plans could only be achieved by totalitarian methods of control and assignment of all labour and by increasing productivity.

The drive for greater efficiency in 1952 was also reflected in the forced labour camps of the European People's Democracies. Forced labour in the camps began to shift from its transitional phase and emerge into the permanent, well-designed and integrated Soviet form. First in a few camps, and then in almost all, various innovations were tried to induce the co-operation of the forced labourer, not only with the goal of raising output to still higher levels but also to increase the quality of work and output.

Where starvation and brutality had been the prime goads to production in forced labour camps in earlier years, more positive inducements were now gradually applied. Food, though minimally appetizing, became generally sufficient in caloric value to sustain the type of activity performed. Canteens or commissaries were installed in camps, and the privilege of purchase was tied to overproduction of norms. Rumours appeared that forced labourers would have their sentences reduced for good behaviour and fulfilment of norms. Significantly, the introduction of wages became universal and, after customary deductions for "housing" and other expenses, the forced labourer was generally allowed to retain from 10 to 25 per cent of his "wages".

As the authorities progressively courted the goodwill of the people, "amnesties" were announced in every country. A great attempt was made to give the world the impression that internment and forced labour had been abolished, with the "minor" exception of diehard political criminals-against-the-State.

The handling of the amnesties shows the clear intent to erect a shield against further United Nations investigation. The most important step was the apparent abolition of confinement without trial. At the time of the amnesties, judicial teams were sent to each camp to review all sentences. Prisoners who had not been formally tried were now tried and sentenced. Even the sentences of those who had been tried were reviewed. The results were largely dependent on the attitude the prisoner had displayed since his arrest. Some were released,

some had their sentences shortened, and others had their terms extended on the grounds that the original sentence had been "incorrect". In Poland, Czechoslovakia, and Hungary the amnesties were very limited in scope and scarcely affected the basic system of forced labour camps. In general, only common criminals and non-political "economic offenders" who had shown their willingness to co-operate were released. In Romania and overwhelmingly agrarian Bulgaria, where the industrialization drive had been even more unrealistic than in the other nations, the cutback in the forced labour camp population was more emphatic. A number of camps were closed in Romania. In Bulgaria it would appear that nearly all the camps may have been closed, though the evidence is not yet conclusive. The Belene complex of camps definitely does continue however.

It now seems that the ever increasing regimentation of "free" labour suffices for most purposes of the planning authorities and that forced labour camps will continue to exist as a means of supplying manpower for certain projects for which free labour would be unsuitable under the given conditions of work and, more importantly, as a means of eliminating more dangerous political opponents and backstopping the pressure exerted on "free" labourers to break recalcitrance and to spur them to fulfilment of the Stakhanovite norms imposed. Certainly today, the various restrictions imposed by the legal codes of the People's Democracies are so far-reaching that they convert the status of every worker into something which at least resembles that of a forced labourer, and the use of compulsion on workers under threat of penal sanctions constitutes the basis of a system of forced labour of considerable economic importance.

In essence, the communists face the problem of welding the willing, the half-willing, and the unwilling into an efficient and dependable system. The new method is a variation of the system devised by Trotzky in 1918, when he established the Red Army in a number of concentric and gradually widening rings, each from a different social stratum and each representing a different degree of loyalty to the revolution.

In much the same manner, in the new communist control and exploitation of labour, there are different levels, sometimes overlapping, but each related to and integrated with the next, each representing a different degree of loyalty

to the regime. At the bottom level are the concentration camps and prisons for those who, temporarily at least, refuse to co-operate with the regimes. Those who volunteer for correctional labour camps are offered a reduction in their sentence. The second rung of the ladder of co-operation with the regime consists of the forced labour camps, the "hard core" of the forced labour system. The inmates are simply slaves, always under armed guard and under the immediate and complete control of the regimes. These forced labour camps are considered "hospitals for ideological reform". The "re-education" and work is so organized as to trespass on the convictions and ideas of the prisoners by forcing them to change their opinions, convictions, and even mental attitudes to the satisfaction of the communist state. Those who purge themselves by exhibiting the proper attitude during the required political lectures and study courses, and who overfulfil their Stakhanovite norms, are offered a further reduction of sentence. Their wages and privileges are also keyed to overfulfilment of norms. But the "reformed" worker is not freed unconditionally. He is, in effect, paroled and must reside under police surveillance wherever the authorities may send him - always to a municipality or area where the regime has large-scale work projects needing additional manpower. This is his final purgatory. If he satisfies the authorities by the quality of his work, adequately supports the regime by volunteering for unpaid overtime and week-end shifts, and arouses no suspicion as to the "genuineness" of his ideological reform, he is entitled to be admitted into "free" society after a period of time. Any unsatisfactory behaviour during this period automatically leads to his reassignment to a forced labour camp.

But communist "free society", the final rung of the ladder of co-operation with the regime, differs only in degree from the previous steps in the forced labour ladder. The principal differences to the labourer are a greater take-home pay, somewhat better living conditions, and a rather illusory liberty.

Only a small minority of the people in any of the People's Democracies belong to the Communist Party. In order to remain in power and function, the Communist regimes must mobilize the majority of the people. This is done by a resort to terrorism and the employment of rigorous methods of coercion. After examining the principal aspects of labour in the Soviet Union and in the

People's Democracies, the International League finds that labour is enslaved and work is servitude in all of them. The right to work in these countries is not a social and ethical element of a new society, but rather a clause of a penal code. The communist regimes have elevated slavery and penal servitude to a method of labour organization. The "free" labour force is apparently now in the last stages of being integrated into a forced labour system comprising the total population.

The International League for the Rights of Man finds that the practice of forced labour in the People's Democracies falls into four broad and somewhat overlapping categories:

1. Coercion of "free" labour: regimentation of the so-called "free" labour force under a system of administration and regulation involving a definite degree of compulsion and involuntary servitude with severe penalties for any failure to observe either the legislative or administrative labour discipline imposed. Some of the methods and provisions used in this direction and control are:

(a) Obligatory employment for all men and women, occasionally from the age of fourteen up, except the sick, aged, and pregnant. This is the case in Albania, Bulgaria, the People's Republic of China, Czechoslovakia, Hungary, Poland and Romania. This and all following measures regulating forced labour are patterned after Soviet practice.

(b) Legal strictures against absenteeism and shirking of work. These offences are considered "malicious and persistent violation of the labour discipline" in Albania, Bulgaria, the People's Republic of China, Czechoslovakia, Hungary, Poland and Romania.

(c) Prohibition against changing jobs without prior permission of the government labour authorities. Regulations enforcing this prohibition currently exist in Albania, Bulgaria, the People's Republic of China, Czechoslovakia, Hungary, Poland and Romania.

(d) Compulsory transfer of a worker from one job to another or from one locality to another. Legislation providing for such compulsory transfer is enforced in Albania, Bulgaria, the People's Republic of China, Czechoslovakia, Hungary, Poland and Romania.

(e) Control of workers through labour passports or work books which constitute a comprehensive dossier on each worker and without which a worker may not be hired. These labour books are required for every worker in Albania, Bulgaria, Czechoslovakia, Hungary, Poland, Romania, and Yugoslavia.

(f) Occasional measures for mass recruitment of manpower by which, for instance, thousands of civil servants may suddenly be discharged and assigned to fill vacant ranks in industry. Such a measure has been resorted to in Czechoslovakia and Hungary.

(g) So-called "voluntary" overtime and uncompensated week-end work, honour competitions, etc. This compulsory work, for which the worker is selected and assigned by his local supervisor or Party leader, is one of the methods to which an enterprise resorts to fulfil and overfulfil its allotted "plan" without increasing its costs. It is universally resorted to, and in some cases regulated by law, in Albania, Bulgaria, the People's Republic of China, Czechoslovakia, Hungary, Poland, Romania and Yugoslavia.

(h) "Volunteer" youth brigades, largely for summer or other seasonal work. This compulsory work, to which the worker is assigned by his local supervisor or Party leader is the standard method used for the temporary transfer of office and industrial manpower to the agricultural sector whenever the "plan" for harvesting or other agricultural activities is in jeopardy due to maladministration or passive resistance on the part of the peasantry. No office worker or industrial worker dares to refuse such an assignment in Albania, Bulgaria, the People's Republic of China, Czechoslovakia, Hungary, and Romania. In Yugoslavia, construction brigades are occasionally formed, consisting primarily of rural youths.

(i) Assignment of graduating students and technical personnel by the State for periods ranging from two to five years. This form of coercive labour contract is by law the price of obtaining an education in Albania, Bulgaria, Czechoslovakia, Hungary, Poland and Romania. While reports indicate that the same is true in the People's Republic of China, the

International League has not as yet located the appropriate law. In the case of Bulgaria, and Poland, students must also work during their summer and other vacations as a pre-condition for both matriculation in a secondary school and for receiving a secondary school diploma.

(j) Forced labour "on the job" or, in official terminology, "correctional labour without confinement". This is a penal correction administered after trial by which a worker may be ordered to remain at his customary job, or assigned to another with a lower rate of compensation, with a reduction in pay usually of 25 per cent, but occasionally as high as 50 per cent, generally for six months to a year. Legislation enforcing this form of "correction" exists in Albania, Bulgaria, Czechoslovakia, Hungary, Poland and Romania.

2. "Area arrest" or involuntary assignment to a new place of residence under partial restraint with obligation to work in certain job categories. The two principal sub-categories of this form of forced labour are:

(a) Deportees from the cities who are resettled in special "deportee villages" or certain localities and obliged to work on communal farms or certain state projects. This practice is historic in Russia (pre-Soviet and Soviet), and wide use has been made of this form of forced labour in recent years by Albania, Bulgaria, the People's Republic of China, Hungary and Romania. Under the tactical retreat of the New Course, this practice has ceased in Bulgaria, Hungary and Romania, though the laws and decrees have not been repealed.

(b) Released prisoners, internees, and former forced labour camp inmates may be directed to a new place of residence, where they remain under "police surveillance" and are restricted as to the type of employment. This method of assigning persons to new jobs on state projects is currently resorted to on a large scale in Albania, Hungary and Romania. The International League's incomplete study on the People's Republic of China does not permit it to come to any conclusion with regard to that country.

3. Compulsory labour service in semi-permanent labour brigades. Three sub-categories of this form of forced labour are:

(a) Obligatory "Youth Service". At present this labour for all youths between the ages of fourteen and twenty-one has been made obligatory by law only in the case of Czechoslovakia and Poland. The period of service is two years.

(b) Civilian labour mobilization, or labour service under a civilian draft for periods from six months to three years. Such compulsory civilian labour service is practiced under appropriate legislation in Czechoslovakia and Poland. Similar legislation in Bulgaria was repealed in 1950.

(c) Compulsory military labour service for two or three-year periods (often subject to recall for additional two-year periods) in military labour battalions recruited on a "class" or "Politically unreliable" basis. This forced labour under military discipline, often performed under conditions as inhuman and brutal as those in the worst forced labour camps, is practised in Albania, Bulgaria, the People's Republic of China, Czechoslovakia, Hungary, Poland, and Romania.

4. Forced labour under total restraint in forced labour camps. These forced labour camps constitute the backbone of the forced labour system. They not only provide a large pool of totally regimented labour, but the threat of confinement in these camps exerts a tremendous pressure on all workers. Forced labour camps are the ultimate in both political coercion and economic exploitation.

The forced labour camps are called "correctional" or re-educational camps or "communities" in Albania, Bulgaria, Hungary, Poland, Romania and Yugoslavia. Czechoslovakia was the only country which officially employed the term "forced labour camps"; on 30 October 1952, their name was changed to "Transitory Institutions of the Ministry of National Security". In the People's Republic of China they are termed "companies of the Labour Service for Reform Corps".

The investigation conducted by the International League for the Rights of Man shows that the labour performed in these institutions is performed under conditions analogous to slavery. The investigation has revealed that while some of the inmates of these institutions were assigned in punishment for offences generally regarded throughout the world as relating to crimes of



"common criminals" and some for minor infractions of the "socialist discipline of labour", by far the largest portion of the inmates were sentenced for holding political convictions not in accord with the philosophy of the governing regimes or, simply, because of their "class" or social origin. The International League maintains that the selection of these labourers on a political basis, the methods of camps administration, the rental of this manpower to the State mining and construction enterprises with virtually no remuneration to the labourer or only partial remuneration at the discretion of the agencies or authorities responsible for his charge, as well as the evidence indicating that these labourers are in some cases working directly and solely for the benefit of a foreign state and have, in some cases, been transferred across international boundaries to the control of a foreign state, constitute not only forced labour but a new form of slavery.

The International League for the Rights of Man finds that forced labour exists, in somewhat varying forms and degrees of severity, in the so-called People's Democracies of Albania, Bulgaria, the People's Republic of China, Czechoslovakia, Hungary, Poland, Romania and Yugoslavia, as well as in the Union of Soviet Socialist Republics. The stringent rules of labour discipline and restrictions on freedom of employment coupled with severe penalties for any failure to observe them, the compulsory labour and totalitarian labour recruiting, the system of state contracts with penal sanctions for breaches thereof, and the existence of forced labour camps constitute a system of forced labour for economic purposes and a means of political coercion that violate fundamental human rights and subvert the freedom and status of workers not only in contravention of the obligations and provisions of the Charter of the United Nations, which is binding on some of these governments, but also, and more generally, in contravention of what may properly be termed the fundamental Rights of Man.

#### Recommendations

The Ad Hoc Committee on Forced Labour formally found that the new systems of forced labour for economic purposes or as a means of political coercion, which it found to exist in certain self-governing territories, raise

new problems and call for action at the international level. In considering the steps to be taken to implement this conclusion, the International League for the Rights of Man submits that this can be done only by facing forthrightly the circumstances and conditions of existence of this new form of forced labour analogous to slavery. This means facing the fact that this forced labour is not the vanishing vestige of a system of exploitation or coercion which has been condemned in principle even by those governments that still allow its practice in certain of their remote territories, but is a new form of slavery intended as a means of political coercion and economic exploitation which has arisen in our time and is an integral part of a form and philosophy of government which certain totalitarian regimes openly practise on a large scale and seek to extend to other parts of the world.

The plain fact is that the practice of this new slavery on a large scale for purposes of political coercion and economic exploitation exists only in those countries that have adopted, or have been forced to adopt, the so-called Communist form of government exemplified by the Soviet Union and its allied People's Democracies. Moreover, from Czechoslovakia to Communist China, every Communist regime openly proclaims this forced labour to be of the greatest political and economic significance.

This system, the Ad Hoc Committee on Forced Labour reported,

was found to exist in its fullest form and in the form which most endangers human rights where it is expressly directed against people of a particular "class" (or social origin) and even against political "ideas" or "attitudes" in men's minds; where a person may be sentenced to forced labour for the offence of having in some way expressed his ideological opposition to the established political order, or even because he is only suspected of such hostility; when he may be sentenced by procedures which do not afford him full rights of defence, often by a purely administrative order; and when, in addition, the penalty of forced labour to which he is condemned is intended for his political "correction" or "re-education", that is, to alter his political convictions to the satisfaction of the government in power... Apart from the physical suffering and hardship involved, what makes the system most dangerous to human freedom and dignity is that it trespasses on the inner convictions and ideas of persons to the extent of forcing them to change their opinions, convictions, and even mental attitudes to the satisfaction of the State.

This system was found by the Ad Hoc Committee to be,

by its very nature and attributes, a violation of the fundamental rights of the human person as guaranteed by the Charter of the United Nations and proclaimed in the Universal Declaration of Human Rights.

On this basis alone the subject merits the urgent consideration of the United Nations. But the International League equally wishes to emphasize to the United Nations the grave warning of the Ad Hoc Committee that

the possibility of the extension of this system of forced labour as a means of political coercion to other countries or territories where unsettled conditions prevail cannot be ignored.

As the presently existing international conventions on slavery and forced labour are inadequate to identify the new slavery practised by every communist country in the world, and as this new slavery is totally different both in intent and in operation from the slavery and forced labour dealt with in present conventions, the International League for the Rights of Man recommends that the United Nations earnestly and promptly undertake the framing of a new convention on slavery and forced labour as a means of political coercion and economic exploitation in self-governing countries.

As the Governing Body of the International Labour Organisation is aware, the basic issues raised by the Report of the Ad Hoc Committee on Forced Labour are considerably wider than the matters already dealt with by the ILO in the Forced Labour Convention of 1930 and related international instruments. The International League for the Rights of Man is happy to note the commendable efforts currently under way to initiate consideration of the further policy and action of the ILO in a wider approach to the question of forced labour, including the plans for inclusion of the problem in the agenda of the 1956 session of the International Labour Conference. However, while recognizing that the ILO is the competent body in the field of forced labour for purely economic purposes, the International League questions the competency of the ILO with regard to the new system of forced labour condemned by the Ad Hoc Committee and the subject of this interim report. This new system of forced labour under conditions analogous to slavery is not practised solely as a means of economic exploitation but also as a means of managing and directing

the labour force for political purposes and even as a means of outright political coercion. In fact, the Report of the Ad Hoc Committee as well as the subsequent Resolutions of both the General Assembly and the Economic and Social Council condemn the latter aspect of the new system of forced labour more severely than the purely economic aspect.

The direction, control, and exploitation of the workers of the Soviet Union and the People's Democracies are administered primarily to facilitate the transformation of society into the "socialist" state envisioned by the Communist Parties. Thus, while this forced labour violates the freedom and rights of workers in contravention of the obligations and provisions of the Charter of the United Nations, it also, and more importantly, violates the human rights and fundamental freedoms of all citizens presently subject to communist authority.

These violations also contravene the Universal Declaration of Human Rights adopted by the General Assembly of the United Nations which specifies in Article 4 that "No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms", and that every person has the right to "free choice of employment" and to "just and favourable conditions of work" (Article 23).

The International League for the Rights of Man finds that the forced labour practised in the Soviet Union and in the People's Democracies falls within the purview not only of the International Labour Organisation but even more within the purview of the Commission on Human Rights. The International League recommends that both the International Labour Organisation and the Commission on Human Rights be represented among the framers of any new convention to outlaw this new slavery under the guise of forced labour.

The experience of the International League in this investigation has been that it may be misleading merely to examine legal codes; that all the legal codes and related administrative decrees are often not available; and that it is necessary to examine the voluminous eyewitness substantive testimony available, before one can arrive at a true picture of the form, role, and scale of the new system of forced labour and slavery.

Therefore, the International League for the Rights of Man recommends to the United Nations the establishment of a permanent committee on forced labour, to be composed of delegates from the International Labour Organisation and the Commission on Human Rights, which shall periodically report to the General Assembly and the Economic and Social Council on the current status of forced labour and the progress being made toward its abolition. This committee should not be limited to a de jure inquiry, but should conduct a de facto inquiry with full authorization to examine substantively all evidence placed before it in public and private hearings, and should issue a report at least once a year.

#### Supplementary Information

This summary Statement is supplemented by a detailed report covering the development since 1952 of forced labour in the People's Democracies, with special sections on Bulgaria, Czechoslovakia, Hungary, Poland, Romania and Yugoslavia. The information in the Supplement is presented from both a legal and a factual point of view, and indicates how the People's Democracies are adapting and interpreting their legislation so as technically to comply with the provisions of Convention No. 29 on Forced Labour without in any way abandoning their practice of forced labour as a means of political coercion and economic exploitation. The section on Yugoslavia is noteworthy for the evidence of the progress toward abandonment of the practice of forced labour in that country.

#### Source of Information

Except for the information on Yugoslavia (gathered independently from official documents and Yugoslav emigré sources), this report was prepared for the International League for the Rights of Man by the Mid-European Studies Center, under the direction of Dr. Richard K. Carlton, in collaboration with the Mid-European Law Project of the Library of Congress and with the Assembly of Captive European Nations.

F. MEMORIS OF THE GOVERNMENT OF THE FEDERAL PEOPLE'S  
REPUBLIC OF YUGOSLAVIA

The Secretary-General received the following observations of the Government of the Federal People's Republic of Yugoslavia on the Statement of the International League for the Rights of Man.

The Yugoslav Government takes this opportunity to reaffirm its often expressed view that it is the duty of the United Nations to work energetically for the suppression of forced labour in the world. The Yugoslav Government will extend its full support to the degree as it did in the past to all true efforts which may be undertaken in the struggle against forced labour. However, the Yugoslav Government considers it necessary to stress also on this occasion that, if the work of the United Nations to this end is to be successful, it is indispensable that this problem be treated without prejudice and on the universal plan.

Unfortunately, the United Nations to this day has not approached this problem on the universal plan and from the humanitarian point of view. Although it is undisputable that every law, administrative practice, or private measure which prescribes or tolerates no matter what form of forced labour is contrary to the Charter of the United Nations and to the Universal Declaration of Human Rights, the action which limits unilaterally the problem of forced labour to only some of its aspects and which has a decidedly political character is being revived again in the United Nations. This cannot contribute in any way to the efforts to work jointly and methodically for the abolition of forced labour also in those countries in which it exists. On the contrary, such action can only damage the spirit of co-operation and conciliation which has been developed recently in the United Nations and it only serves the purposes of those elements who are openly opposed to the relaxation of the international tension and are against international co-operation. The "Statement on Forced Labour", which has been submitted by the International League for the Rights of Man, leaves no doubt that this Organization and those who stand behind it are among such elements.

The Special Committee of the United Nations for Forced Labour has studied the question of forced labour from 3 October 1951 to 24 May 1953. The Committee has been made acquainted with all the legal provisions and the proffered facts

cited in the section of the pamphlet of the International League for the Rights of Man which refers to the FPRY, since all the provisions in force in Yugoslavia, both federal and local, on the strength of which the International League for the Rights of Man tries to construe certain accusations against the FPRY date from the period 1947 to March 1952. After an extensive inquiry conducted during several months, the Special Committee has mentioned in its report 2 countries and territories in which the existence of forced labour has been established, or in which the legal provisions, the existing conditions or the offered documents have indicated the possibility of certain phenomena of forced labour. The FPRY is not among these countries. The Special Committee did not consider that the legislation or the practice in the FPRY is contrary in no matter what respect to the basic rights of man and to his dignity.

In addition, the International League for the Rights of Man has actively participated in the work of the Special Committee for Forced Labour and on 18 June and 5 November 1952 has presented its elaborate documentation and accusations. The fact that the Special Committee has not found it necessary to mention the FPRY in no matter what context in its extensive report on forced labour clearly shows that all the possible insinuations against Yugoslavia have been unfounded to such extent that they were rejected prima facie.

The endeavours of the International League for the Rights of Man to abuse afresh the platform of the United Nations several years after its attempts to misrepresent the conditions in the FPRY have been discredited, and to construe certain accusations against the FPRY on the strength of the same provisions and practice which an authoritative international forum has examined and evaluated three years ago constitutes a further proof of the unilateral character of the decision so far taken by the United Nations in forced labour and of the arbitrary nature of the methods which the United Nations applies in the consideration of this problem.

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