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President: Mr. Juan I. COOKE (Argentina).

Present:

The representatives of the following countries: Argentina, Australia, Belgium, China, Cuba, Czechoslovakia, Ecuador, Egypt, France, India, Norway, Pakistan, Turkey, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela, Yugoslavia.

Observers from the following countries: Chile, Netherlands.

The representatives of the following specialized agencies: International Labour Organisation, World Health Organization.

Forced labour: reports of the *Ad Hoc* Committee on Forced Labour (E/2153, E/2276, E/2341, E/2431 and Add.1 to 8, E/L.588/Rev.1)

[Agenda item 14]

GENERAL DEBATE

Mr. MEADE (United Kingdom) said that the reaffirmation of faith in the dignity and worth of the human person in the United Nations Charter and the Universal Declaration of Human Rights were not mere empty phrases. They were solemn pledges, with which forced labour practices were utterly incompatible. It was therefore deeply shocking that in both the Economic and Social Council and the General Assembly, session after session, there had been charges and countercharges alleging the existence of such practices in member States.

That was the situation with which the Council had been faced at its twelfth session. In view of its particular responsibility for promoting observance of human rights it had not been able to ignore the problem. It had been essential to attempt to produce a clear and objective picture of the facts and, where charges had been levelled, to give governments the opportunity to reply.

The Council also had a special responsibility for coordinating the activities of the specialized agencies; in that case ILO was most concerned. The International Labour Organisation had been striving for twenty-five years to bring about the abolition of all forced labour practices. It had therefore been essential that the Council should co-operate with ILO.

Those were the considerations which had led to the adoption of resolution 350 (XII), in which the Council had invited the co-operation of ILO in the earliest possible establishment of an *ad hoc* committee on forced

labour. The *Ad Hoc* Committee's terms of reference were set out in paragraph 1 (a) of the resolution.

5. The Council now had before it the Committee's report (E/2431 and Add.1 to 8), which was as thorough as could be expected in view of the failure of some governments to co-operate to the same extent as others. The Committee had done its best to support its conclusions with evidence, and, where sufficient evidence was not available, it had frankly refrained from drawing conclusions. It had found that there existed in the world systems of forced labour which were employed as a means of political coercion or punishment for holding or expressing political views and which were on such a scale as to constitute an important element in the economy of a given country. That situation was a dreadful indictment of modern society and incompatible with the principles of the United Nations Charter and the Universal Declaration of Human Rights.

6. Forced labour practices were wholly condemned in the United Kingdom and were completely foreign to its way of life. The rights of the individual in democratic countries were protected by law. It was not the letter of the law which counted, but the spirit that lay behind it and the fairness and justice with which it was executed. What were required were not simply laws that had a specious appearance, but practices that were fundamentally just. It was not enough to say that forced labour was corrective or re-educational. Cramped quarters, serious under-nourishment, utterly inadequate medical care and monotonous, endless work—often beyond the limits of human endurance and in dreadful climatic conditions—constituted a poor sort of education.

7. The United Kingdom believed that its laws were just and that they were executed fairly and humanely.

8. Nevertheless, charges had been made against it concerning practices in prisons, in the colonies and in other protected territories and were dealt with in the Committee's report. His Government had considered those charges matters of the gravest importance and in every case a complete reply had been provided. The Committee had concluded that the allegations were quite unfounded.

9. From a practical point of view, it could not be claimed that either the Committee's work or the Council's debates had achieved or would achieve any substantial change in the general situation. The report had placed on record the picture of a great evil and had caused all countries to search their consciences. It might perhaps be hoped that, even where systems of forced labour continued to exist, conditions might show some slight improvement. But, without the co-operation of governments, the Council could not ensure the release of a single person from a forced labour camp. The Council should therefore acknowledge that the *Ad Hoc* Committee had done its task, and if it felt that discussion of the problem of forced labour had any useful effect, it should take steps to ensure such discussion from time to time, when necessary. Finally, it should invite

the competent agency—which was clearly ILO—to deal with the problem.

10. The International Labour Organisation had already considered the Committee's report and its Governing Body had affirmed the organization's willingness to continue and intensify its efforts towards the abolition of forced labour practices of an economic character, including practices not envisaged when existing conventions had been adopted. An appeal had already been addressed to governments which had not ratified those conventions to give prompt consideration to the possibility of doing so, and to those governments with responsibilities for Non-Self-Governing Territories to consider applying the conventions to the territories without modification, in so far as they had not already done so. Moreover, the Governing Body was to consider the possibility of further action to suppress forced labour in all its forms, either without any further recourse to or with some further limitation of the transitional exceptions allowed by the existing Forced Labour Convention (No. 29). The Council should look to ILO for practical international achievement.

11. The preamble and paragraph 1 of the draft resolution (E/L.588/Rev.1) which his delegation was co-sponsoring were self-explanatory. Paragraph 2 dealt with the work of ILO. He hoped that all governments subscribed to paragraph 3. The language in it had been taken directly from the *Ad Hoc* Committee's terms of reference. The sponsors had not thought it wise to introduce new and possibly controversial language. Paragraph 4 contained the appeal recommended by the Committee. Paragraph 5 provided for discussion of the problem of forced labour in a year's time and was intended to ensure that at that time the Council would have some fresh material on which to base its discussion. Lastly, paragraph 6 would ensure that the whole problem was considered by the General Assembly at its next session.

12. He appreciated that the Cuban representative's amendment (E/L.590) was based on his anxiety to see the Council take positive action. Undoubtedly the joint draft resolution would be found disappointing in some quarters. He hoped, however, that he had shown that any substantial practical action to eradicate the evil of forced labour had to depend upon the co-operation of governments, which was, unfortunately, not forthcoming. It would certainly be advantageous to discuss the problem from time to time and machinery must exist for receiving additional information. On the other hand, rapporteurs or *ad hoc* committees should only be appointed in special circumstances or when it was inappropriate or undesirable for the Secretariat to fulfil the function required. In the case in point the machinery provided by the Secretariat and ILO should prove adequate.

13. His delegation would therefore vote against the Cuban amendment.

14. Mr. HOTCHKIS (United States of America) said that forced labour was an anachronism in the twentieth century. In its most pervasive form it was a throwback to the slavery of the Dark Ages, employed by totalitarian governments and Communist dictators to liquidate opposition.

15. In resolution 740 (VIII) the General Assembly, roused by the findings in the *Ad Hoc* Committee's report (E/2431), had expressed its strong condemnation of forced labour as a direct contravention of the solemn obligations embodied in the United Nations Charter.

The General Assembly's action had been taken with only five negative votes, cast by the five countries representing the so-called "workers' paradises" promised by Lenin.

16. Outside the Soviet world the charges had been reviewed seriously, and governments had co-operated. It was significant that the Committee's blackest findings related to the very countries which had refused to co-operate with it in any way. An utter disregard and contempt for the standards of human dignity and freedom which the United Nations represented was clearly shown by the replies of Czechoslovakia and the USSR to the Committee's inquiries and by their continued refusal to co-operate, even after the General Assembly had requested such co-operation in resolution 740 (VIII). The delegations of the USSR, Poland and Czechoslovakia, in notifying the Secretary-General of their continued refusal to co-operate, had reiterated their charges that the report was "slandereous" and "provocative". Those replies were a brazen effort to use the technique of the "big lie" to combat a series of established facts that had shocked the civilized world.

17. The *Ad Hoc* Committee had applied, as a basic standard of justice, the principle that an accused person is innocent until proved guilty; it had applied that principle even to allegations against countries that did not accord such rights to their own citizens. It had been hampered at every turn by the refusals of the Soviet countries to co-operate. The only comments received from those countries had been those made during earlier discussions in the Council. Even taking them into account, the Committee had been forced to conclude that forced labour in its most reprehensible form was a significant part of the structure of the Soviet Union and the satellite countries. It had found that forced labour was being used as a political weapon to throttle freedom and that the majority of the forced labourers were political prisoners rather than ordinary criminals. The Committee had also found a second form of forced labour—compulsion to work for the State as the State commanded without freedom to choose a job or freedom of movement. By that means, the Soviet dictatorships extracted concentrated and cheap labour which they could not otherwise obtain.

18. In the Third Committee of the General Assembly the Soviet Union representative had criticized the Committee's procedure as part of the secretive "slandereous" and "provocative" attack on the USSR.¹ He wondered whether the USSR would really like the record of the Committee's hearings made public in all its shocking details. That record would show not only forced labour but other violations of human rights and decent standards, the tragic breaking up of homes, the use of brutality and the imposition of unreasonable and arduous tasks on women and children.

19. A summary of the actual experiences of 13 former inmates of the Soviet Union forced labour camps showed that in most instances the victims were taken from their homes at night and permitted to take with them only the clothes they wore. They were subjected to lengthy and repeated interrogation, often accompanied by psychological coercion or physical violence. They were usually, though not always, subjected to some kind of rigged trial. There appeared to be no right as to whether the victim had a right to defend himself or to obtain legal defence; sometimes defence counsel

¹ See *Official Records of the General Assembly, Eighth Session, Third Committee, 535th meeting.*

ere provided, sometimes not. The forced labour camps were usually enclosed by barbed or electrified wire, guarded by watch-towers and patrolled by dogs and armed guards. In many of the camps there were women prisoners, who received treatment substantially the same that meted out to men. Food was frequently rationed according to whether the victim fulfilled his work quota. The clothing issued was inadequate. The death-rate was high. The most common causes of death were exhaustion and malnutrition, exposure to extreme climatic conditions, accidents at work and occasional epidemics. Refusal to work was severely punished. In one case, 10 prisoners had struck for work closer to their specialties, for an eight-hour day and for separation from criminals. They had starved for from fifteen to forty days. All had been shot. Solitary confinement, additional terms of imprisonment and reduced rations were other types of punishment.

There had been rumors that improvements had been made as a result of the *Ad Hoc* Committee's work and there had been some so-called amnesties. The USSR had granted an amnesty a year before and the countries in the Soviet sphere of influence had followed it. Under all the amnesties the release of political prisoners was carefully avoided. If there had in fact been any improvement in the official use of forced labour, the world should be informed of the situation by the countries which stood accused.

In the case of Albania and Communist China, the committee had been unable to pursue its inquiry to a conclusion, but it should be noted that it had not dismissed the allegations against those Governments as it did in the cases where it had found no evidence. Stringent censorship had been imposed to prevent the outside world from learning about the internal affairs of Albania, including forced labour conditions. Nevertheless a report printed in the Albanian newspaper *Bashkimi* on 23 May 1952, containing the speech made by Bilbil Doshi, Minister of Justice, in presenting a new penal code to Parliament, showed that the Hoxha régime was committed to a policy of forced labour. The testimony of 300 Albanians who had fled was typical of the doleful recited by almost all the countless men, women and children who had undergone Communist "educational" labour. It was a harrowing story of the rap on the ear at midnight, the accusation and the inevitable sentence.

With regard to Communist China, an article by the Minister of Public Security, published in the Peiping *Min Jih Pao*, acknowledged that forced labour was used to liquidate and reform counter-revolutionaries and that it was of great economic as well as political significance. The article admitted that many people had been sentenced to prison terms and subjected to compulsory reform through labour. Chinese Communist ideology of forced labour went back to the very beginning of the régime, at which time Mao Tse-tung had explicitly stated that he intended to "re-educate the reactionary classes anew through work", and that, if they were unwilling to work, the people's State would compel them to work. A statement by the Prime Minister, Mr. Chou En-lai, at the third session of the National Political Consultative Conference clearly indicated that the death threat was to be used to exact forced labour to the utmost. That forced labour had been used was proved by a report on the work of Kwangtung Provincial People's Government for a one-month period. That report stated that 1,571 cases of counter-revolutionary attempts had been exposed in-

volving the arrest of nearly 90,000 persons of whom 28,000 had been shot and the remainder had been sentenced to reform through hard labour. He also cited an eye-witness account of forced labour on the Yangtse River Valley Project by Brajkishore Shastri, who had visited Communist China the previous May and whose observations, which he quoted, had been set forth in *Janata*, the Praja Socialist Party weekly. He cautioned against yielding to the temptation of calling those charges old information. He pointed out that forced labour was "a monster whelped in our time", "nurtured to dragon proportions". It was a monster in the image of the Kremlin, set loose anew in each enslaved land, and awaiting licence to roam Indo-China.

23. The Council should adopt the most efficient means to present the facts of forced labour to the world. The *Ad Hoc* Committee's work had laid a solid foundation. The United States of America was prepared to support a proposal that the Committee's terms of reference should be prolonged. In his delegation's view, it was essential that there should be an expert mechanism to evaluate evidence on the existence of forced labour placed before the United Nations. At an appropriate later date the United States Government might introduce proposals to that effect. For the moment, however, the continuation of the exploration that had been begun, on the basis of the solid principles established by the Committee, could well be entrusted to the Secretary-General of the United Nations and the Director-General of the International Labour Office, acting jointly. Paragraph 5(b) of the joint draft resolution (E/L.588/Rev. 1) provided for the submission of new information, of any type whatsoever, on systems of forced labour, whether *de jure* or *de facto*. It allowed information to be submitted by responsible sources, governments of States Members, specialized agencies and non-governmental organizations in consultative status. Governments were given an opportunity to comment on information submitted. The resolution further provided for the inclusion of the information and any comments received in a report to the Council at its nineteenth session. The language of the draft resolution had been carefully chosen. It envisaged a report based on new information and would exclude a re-presentation of the material contained in the *Ad Hoc* Committee's report. The report was to be based on information and not on unsupported allegations, and it was to deal with systems of forced labour as defined and elaborated by the *Ad Hoc* Committee. The draft resolution did not envisage a report including information on a great many other matters and it did not authorize the inclusion of "slandorous and provocative" irrelevancies similar to those which the *Ad Hoc* Committee had dismissed.

24. The draft resolution also called for the co-operation of governments which had not replied to the Committee's questionnaire. That was an important step in the gathering of further information and was in accordance with General Assembly resolution 740 (VIII). Such information would also be included in the proposed report.

25. While the facts were further explored, the Council must not weaken in its condemnation of the inhuman practices which had been so forcefully brought to its attention. The draft resolution unequivocally condemned forced labour and appealed to governments to re-examine their laws and administrative practices.

26. Mr. SAKSIN (Union of Soviet Socialist Republics) said that he intended to make a statement later on

the substance of the matter, but wished to reply at once to the United States representative's remarks.

27. Owing to United States opposition, the People's Republic of China had not yet been admitted to the United Nations, and the United States representative had taken advantage of that fact to attack that country's leader, who had delivered its people from foreign imperialist slavery and oppression.

28. The United States representative had also attacked Lenin, the organizer of the revolution and creator of the Soviet State, who had freed the Russian people from the oppression of the Czarist régime. In 1918 the United States of America and fourteen other imperialistic States had tried to strangle the young Soviet Republic and restore the régime of slavery and imperialism, but Lenin had led the workers and peasants to victory. In 1941, when the Hitlerite hordes had overrun Europe, the Soviet workers and peasants had defended not only their own freedom, but that of all the countries that had been crushed by fascism.

29. The United States representative had distorted the facts when he had stated that the collection of forgeries and fabrications known as the report of the *Ad Hoc* Committee on Forced Labour had been adopted almost unanimously by the General Assembly. In fact the resolution on the report had been adopted by only 39 votes.

30. Ever since the beginning of the current session the United States delegation had pursued a policy of obstruction. The question before the Council had been placed on the agenda at the insistence of the United States for the purpose of poisoning international relations and slandering the peoples of the USSR and the peoples' democracies, with the object of fomenting a new war. That aim would not be achieved, however, because the 800 million people of those countries were struggling for freedom, independence and peace. No anti-Soviet statements on forced labour could disguise that fact.

31. Mr. NUÑEZ PORTUONDO (Cuba) said that the Cuban delegation had already explained its ideas on the subject of forced labour during the debate in the Third Committee of the General Assembly at its eighth session² and would not expound them again.

32. Since the eighth session of the General Assembly and the publication of the *Ad Hoc* Committee's report the Cuban delegation had obtained additional information on the subject which he would communicate to the Council in support of his delegation's amendment (E/L.590) to the joint draft resolution (E/L.588/Rev.1).

33. In Lithuania regulations had recently been introduced maintaining the institution of forced labour. In accordance with those regulations an applicant for work had to submit his *curriculum vitae* and a certificate, bearing the seal of the executive committee of the Communist Party, describing his qualifications and political activities. Admission to college was subject to the same formality.

34. Young men continued to be deported from Lithuania to the Soviet Union to perform slave labour, under the guise of voluntary work. Radio Vilna had recently announced that compulsory meetings of young Lithuanians were held in the factories, at which they were compelled to enrol as "voluntary" workers to cultivate the most remote regions of the Soviet Union.

35. Mass deportations from Estonia had taken place on a number of occasions for the purpose of forced labour. In March 1954 the Soviet Union had enacted a decree providing that 100,000 young Estonians should be assigned to forced labour on uncultivated land in various remote parts of the USSR. That was a mere beginning; according to the official Communist youth publication another 60,000 would shortly follow. Radio Tallinn had broadcast information on the subject in February and March 1954.

36. In recent years Hungary had modified a number of laws so as to conceal the fact that forced labour existed in the country. Thus the new penal code omitted the penalty of forced labour established by laws enacted in 1945 and 1946, during the Soviet occupation. The change, however, was more apparent than real; there was no mention of forced labour in the penal code because, according to the Communist conception, any deprivation of liberty would naturally entail forced labour. Under Decree 320/1946 of the Council of Ministers the Minister of Justice could impose forced labour on any prisoner even if it were not provided for in his sentence. Under Decree 1950/39 any prison sentence comprised forced labour. Under the first-mentioned decree any person sentenced to deprivation of liberty was obliged to perform any kind of work assigned to him—an obvious example of forced labour. To those who wished for further information on the subject he recommended a recent study by Mr. Laszlo Vargha called *The Legal Aspect of Forced Labour in Hungary*. The Cuban delegation had also received an interesting document containing comments by jurists in exile from Czechoslovakia on the report of the *Ad Hoc* Committee. The document pointed out that the Czechoslovak Government had failed to reply to the Committee's questionnaire because the Committee had affirmed that there were two classes of forced labour in Czechoslovakia: forced labour used to correct political ideas or to inculcate such ideas, and forced labour for economic purposes. In that connexion they had given some details which would interest the members of the Council.

37. A military forced labour camp at Zbuz, near Plzen, had been converted in 1953 into a re-education centre for civilian prisoners. There were about 40 prisoners there, living in four primitive wooden sheds and compelled to do heavy work in the nearby coal mines. Furthermore, a special correctional forced labour camp had been established, also in 1953, under the administration of the Ostrava-Karvina Mines, which acted in co-operation with the Ministry of National Security. The prisoners were miners guilty of absenteeism, who were sent to the camp by mere decision of the local authorities; those authorities also fixed the period of detention. There was also a new labour camp at Vetrn near Cesky Krumov, where political prisoners were employed in highly dangerous work. Cases of gas and chemical poisoning were very frequent there.

38. There were forced labour units in the army, technically known as "auxiliary battalions". They were largely composed of Roman Catholic priests who had refused to associate with the so-called "patriotic" priests who collaborated with the Communist régime.

39. In the spring of 1953 a number of doctors had been evicted from Bratislava and ordered to settle and practise in various small towns to which they were assigned. They had not been allowed to take their X-ray apparatus or medical and surgical instruments. Other cases of mass deportations had also been reported;

² *Ibid.*, 531st meeting.

the case the persons concerned had been taken to the Soviet Union.

A regulation had been promulgated in May 1953 and adopted in April 1954 imposing compulsory overtime for work classified as urgent and in the public interest. That regulation applied to males from fourteen to sixty years of age and to females from fourteen to thirty. According to a Government decree of May 1952, university graduates could be compelled to work on the State's economic plans for a period of three years. Originally secondary school pupils had been exempt, but later all exemptions were cancelled. Training-school graduates were also liable for forced labour.

Finally, Mr. Antonin Zapotocky, President of the Czechoslovak Republic, had said at Brno on 23 February 1954 that there was a shortage of thousands and tens of thousands of workers in the production centres. As in the past, it would be necessary to again mobilize new labour so that it might be properly distributed. The continuation and even an increase in the use of women in industry would be enforced.

With regard to Poland, there were documents, subsequent to the *Ad Hoc* Committee's report, which showed that there also, those practices were carried on. According to Polish newspapers, people were tried the day after they had been arrested and sent to work the next day. Mr. Korowicz, a Polish representative at the General Assembly, had told the New York Press that he had himself seen forced labour camps in Poland. In a camp at Gronowo, near Lezno, there were over 100 women doing forced labour. There was another forced labour camp at Wilkow, in the Zlotoryja district, where there were thousands of prisoners, about 1,200 of whom were former members of the Communist Party. Officials of the security police who had been subjected to the form of persecution known as "purgas".

In connexion with the assertion by the USSR representative that the Soviet Union had liberated the nations of Europe from fascism, he pointed out that in 1945 a treaty had been signed between Hitlerite Germany and the USSR as a result of which Poland had never been stabbed in the back. In the early part of the Second World War the USSR had been the ally of fascist Germany; only later had they fought each other.

All delegations had received a statement by Mr. Antisek Polak describing the tortures inflicted on him by the Soviet authorities over a period of seven years in various forced labour camps in the USSR. Mr. Polak had been a member of a Czechoslovak unit which had fought against Hitler under Polish command. In 1939 he had been captured by Soviet troops when they had occupied the Western Ukraine by agreement with Hitler. His story should be read by all those who turned a blind eye to accounts of what was happening behind the Iron Curtain.

The President and Secretary-General of the International Union of Peasants, which represented the former peasant and agrarian parties of Albania, Bulgaria, Rumania, Czechoslovakia, Estonia, Hungary, Latvia, Lithuania, Poland and Romania, had stated that the most inhuman measures were practised in those countries, mainly against the rural population, who were strongly opposed to Communist political and economic policies. They had appealed to the Economic and Social Council to continue the activities of the *Ad Hoc* Committee on Forced Labour. Furthermore, a statement by the President and Secretary of the Federation of Chris-

tian Trade Unions of Central Europe affirmed that the system of forced labour was still in existence and appealed for the continuance of measures to abolish it.

46. The General Assembly at its eighth session had adopted resolution 740 (VIII), of which Cuba had been a co-sponsor, by a large majority. Yet governments which had not at that time replied to the *Ad Hoc* Committee had not done so since, and the General Assembly had requested the Council to submit to it at its ninth session a report on forced labour.

47. In his delegation's opinion the six-Power draft resolution (E/L.588/Rev.1) was not realistic. Far from diminishing, the system of forced labour continued to be applied more intensively and more cruelly in many countries. Moreover, the Secretary-General of the United Nations and the Director-General of ILO had already too many responsibilities to be able to give such a task the priority it deserved. The Cuban delegation was therefore submitting an amendment (E/L.590). In doing so it felt it was fulfilling a humanitarian duty. The argument was sometimes used that a draft resolution or an amendment ought not to be submitted because it would not receive a majority. That was not the view of the Cuban delegation. What was important was that a proposal should have a worthy purpose. To accept any other criterion would be to compromise with principle, a course which recent history had shown never produced good results.

48. Mr. BENITES VINUEZA (Ecuador) stated that the allegation by the World Federation of Trade Unions that *huasacamía*, or the obligation to perform compulsory unpaid work for a landowner, was practised in Ecuador was not relevant to the matter before the Council. There was no forced labour of any kind in Ecuador and a large body of legislation expressly forbade any restrictions on the freedom of labour. It was true that work was compulsory in Ecuador, but there was complete freedom in the choice of employment and in bargaining. Unpaid or compulsory services were prohibited, except in cases of the greatest urgency, and no one was obliged to work, except in accordance with a contract guaranteeing appropriate remuneration. The only exception to those principles was compulsory military service.

49. The institution of *huasacamía* itself was a survival of ancient customs which had persisted since colonial days. The Ecuadorian labour code provided that a peon, and his wife and children if they accompanied him, were entitled under a *huasacamía* agreement to transport, board and lodging, whilst the peon was paid the appropriate daily wage for his work. He agreed that the system might well be discontinued throughout Latin America, but it could in no way be considered as forced labour.

50. Another allegation had been made by the Presbyterian Church of the United States of America, though it was not reproduced in the *Ad Hoc* Committee's report. It was alleged that some eight million indigenous inhabitants of Ecuador were living in a state of peonage. Since the 1950 census figures gave the total population of Ecuador as about three and one-half million, he could not understand how the figure of eight million had been calculated. Nor could he understand in what way *huasacamía* could be considered as forced labour within the terms of reference of the *Ad Hoc* Committee on Forced Labour. Those terms of reference expressly referred to "corrective" labour, which could hardly be equated with the undoubted right of a State to rehabili-

tate offenders by suitable training programmes. It obviously meant forced labour as a means of coercing or punishing those who held certain political views. It was expressly stated that systems of forced labour, to be within the terms of reference of the Committee, had to be on such a scale as to constitute an important element in the economy of a given country. The allegations relating to *huasicamia* and similar practices, made by the Soviet Union, Poland and the WFTU, could not be considered as falling within those terms of reference, and had rightly been rejected by the *Ad Hoc* Committee.

51. He recalled that in paragraph 7 of its report on its second session (E/1988) the *Ad Hoc* Committee on Slavery had stated that it would not attempt to study systems of forced or "corrective" labour, since those were within the competence of the *Ad Hoc* Committee on Forced Labour. He did not see, therefore, why the latter Committee should have concerned itself with matters which fell properly under agenda item 15. Some delegations had seemed to be under the impression that the Committee should consider all forms of forced labour, including servitude. Solutions should certainly be found for all the problems arising from the existence of such systems, but it was important not to confuse terminology. The form of servitude which survived as a legacy of colonial days would be dealt with under agenda item 15. The other form, exemplified by the horrors of the concentration camp and other manifestations of the police State, was under consideration by the Council.

52. Forced labour of that kind was clearly a violation of the principles of the Charter of the United Nations and a proper matter for United Nations action, and for that reason, his delegation would support the six-Power draft resolution (E/L.588/Rev.1).

53. Mr. BORIS (France) did not think that any resolution adopted by the Council could put an end to a discussion which seemed to reflect the deepest and most fundamental cleavage in the modern world. If the dispute were eventually to be settled, it would be a sign that a community of thought had arisen under which every kind of co-operation would be possible.

54. Meanwhile, the best course was to explain and endeavour to persuade by peaceful means. In matters of that kind it was very difficult to remain dispassionate in view of the emotional significance to a post-war generation of the words "forced labour", "concentration camps" and "concentration camp practices".

55. His own delegation had always endeavoured to remain objective. In particular, it had considered whether the absolute prohibition of compulsory labour was applicable equally to a collective and to a liberal economy. There was undoubtedly, however, a concept of forced labour which was repugnant to the human conscience and which should be defined as precisely as possible.

56. At its twelfth session the Council had met that requirement by condemning the principle of any system of forced labour employed as a means of political coercion and which constituted an important element in the economy of a given country. Moreover, in accordance with the French delegation's wishes, the Council had considered that its principal task should be to examine the texts of laws and regulations of all States, and that oral testimony should be used only to confirm the analysis of such texts. Nevertheless, the *Ad Hoc* Committee's task had been extremely difficult. Its members had

worked honestly and conscientiously and had endeavoured to make their findings as nearly universal as possible. They might not have been able to do that if they had not interpreted their terms of reference very widely by considering not only those systems which were employed as means of political coercion, but also those which constituted an important element in the economy of a country and not insisting that their competence began only when both conditions were fulfilled. By acting thus, they had placed themselves beyond any reproach of having criticized only one system or one group of countries.

57. The human conscience was opposed to any system in which political coercion was allied with economic exploitation. The report left no doubt that such systems existed in a number of countries, which appeared to have shown their embarrassment by failing to reply to the Committee's questionnaire and letter. That being so, he wondered whether the Council whilst unreservedly censuring such practices, even if in terms which could only partially reflect the strength of its views, could do more than appeal to such governments to re-examine their laws and administrative practices. Such a review would represent the most striking contribution which they could make to the cause of understanding between nations and universal peace.

58. With regard to systems of forced labour as instruments of political coercion, but without the aggravating circumstances of economic exploitation, his delegation considered that the Committee had done well to obtain the facts in such cases. The coercive measure need not necessarily be forced labour. There was no great difference between inflicting a long term of imprisonment on a man guilty of ideological opposition to the political system of depriving him of liberty by forcing him to work. When membership of a group with an ideology opposed to that of the government or the majority meant transportation to a labour camp or imprisonment, the "cold war" would have been won by the enemies of freedom, which would be eclipsed.

59. The Committee had pointed out that systems of forced labour imposed only for economic purposes constituted an infringement of the Universal Declaration of Human Rights and also a grave threat to fundamental human rights themselves. It might be said that it was in the interests of peoples themselves that there should be strict discipline, including even the obligation to work. That question did arise in under-developed countries and represented a problem for their governments.

60. France had decided in favour of freedom in the territories which it administered, because it considered that the moral force of such a decision would help to teach the populations that voluntary labour would give them the benefit of a better life and full respect for human dignity. It had ratified international Convention No. 29 concerning Forced or Compulsory Labour in overseas territories. Any infringement of the principles of the Convention was punishable under the penal code. Article 2 of the Act of 15 December 1952 instituting a labour code in overseas territories absolutely prohibited forced or compulsory labour.

61. His Government was well aware of the resistance which that legislation might call forth in certain quarters, and the disturbing effect which it might have on sensitive economies. It had accepted the fact that those problems would arise and had considered that it would be able to deal with them. In his Government's view, the guaranteeing of full freedom of labour was an intrinsic

rt of its duty to educate and civilize and to bring
oples which for many years had been backward to a
alization of their human rights and duties.

In view of that position he considered that inter-
national organizations, particularly ILO, should con-
ue to study the problems of compulsory labour, and
e recruitment and deployment of manpower in sover-
n States. The return of former members to ILO
uld be a favourable circumstance.

Reviewing the history of the Council's discussions
forced labour, he recalled that in order to meet the
iversal pressure of world opinion, the Council had
tiated a discussion which had aroused much attention.
t discussion had not been enough; action had been
led for. It was against that background that the *Ad*
oc Committee had carried out its task. Forty-eight
ates had replied to the questionnaire, but 32 had not.
24 countries to which the Committee had notified
egations made against them, 14 had either submitted
reply or had even refused to take note of the docu-
nts. Those figures emphasized the difficulties which
Committee had met even when it had had a solid
is for its inquiry. In the case of Albania and the
ople's Republic of China even that basis had been
ent.

Even so, the Committee's report contained conclu-
ns whose authority was strengthened by their moder-

ation and marked a further step in an advance, which
could not fail to be slow and arduous, towards justice
and freedom.

65. The draft resolution (E/L.588/Rev.1), which was
co-sponsored by France, condemned the principle of
systems of forced labour and carried an appeal to gov-
ernments. Nevertheless, the final word would not have
been said in a discussion of that kind and the draft
resolution therefore requested the Secretary-General,
and invited the Director-General of ILO, to prepare a
further report for the Council's nineteenth session.

66. He was well aware of the inadequacy of the draft
resolution. Naturally, those who suffered and those who
hoped expected more. But those who carried the re-
sponsibility for possible action knew that the most use-
ful and effective course which the United Nations could
take was to enlist the support of world opinion and so
to exert a moral pressure which alone could carry such
a cause to peaceful victory. It was permissible to think
that that moral pressure had already begun to make
itself felt. If the Council had taken the first step to
relieve the suffering of so many men and women, it
might well believe that it had not acted in vain and
would find reason to hope that it could do more in
future.

The meeting rose at 1 p.m.