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President: Mr. Hans ENGEN (Norway).

Present:

The representatives of the following countries: Argentina, Brazil, Canada, China, Czechoslovakia, Dominican Republic, Ecuador, Egypt, France, Greece, Indonesia, Netherlands, Norway, Pakistan, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Yugoslavia.

Observers from the following countries: Australia, Bulgaria, Chile, Hungary, Israel, Mexico, Philippines, Poland, Portugal, Romania.

The representative of the following specialized agency: International Labour Organisation.

AGENDA ITEM 12

Slavery (E/2824, E/L.710 and Add.1 and 2)
(*continued*)

GENERAL DEBATE (*continued*)

1. Mr. OLIVIERI (Argentina) said that his country was not directly affected by the problem of slavery, which was prohibited under its Constitution. Though not a party to the International Slavery Convention of 1926,¹ it could not remain indifferent to any international effort directed at the abolition of slavery in all its forms.

2. The Argentine delegation had therefore closely studied the draft supplementary convention (E/2824, annex I), which it considered a praiseworthy effort. However, it could readily understand the misgivings expressed by a number of representatives with respect to some of the provisions of the draft. As a whole, the draft should be amended both in substance and in style.

3. The work of revision which that would entail could, in the Argentine delegation's view, best be undertaken by an international conference of plenipotentiaries, as proposed in the joint draft resolution before the Council (E/L.710 and Add.1). The advantage of that course over the course suggested in the Egyptian amendment (E/L.711), namely, that the draft supplementary convention should first be dis-

cussed in the General Assembly, lay in the fact that a conference could work more expeditiously than a Committee of the General Assembly.

4. For the reasons given, the Argentine delegation would vote in favour of the joint draft resolution. However, in view of the weighty arguments adduced by those representatives who favoured a preliminary discussion of the draft supplementary convention in the General Assembly, it would not vote against the amendments proposed by Egypt.

5. Mr. DE MEIRA PENNA (Brazil) said that Brazil, which considered that slavery, servitude and similar practices no longer existed in America, generally favoured the measures advocated in the draft supplementary convention for overcoming those social evils. However, that did not mean that Brazil would necessarily participate in a conference convened to consider the draft. His delegation had certain reservations with respect to article 2, which raised questions of civil law, and felt that several other provisions contained political implications. It therefore favoured the course of action proposed in the joint draft resolution, which would enable every State Member of the United Nations to participate in the final drafting of the supplementary convention.

6. The Brazilian delegation felt that the draft should not be submitted to the General Assembly first. The Third Committee had taken some two years to consider two out of eighty articles of the draft International Covenants on Human Rights. Moreover, the draft Convention on the Nationality of Married Women had been submitted to both the Third Committee and the Sixth Committee at the tenth session of the General Assembly. The Third Committee had decided to submit the final clauses of the draft convention to the Sixth Committee. The latter had subsequently decided not to consider the matter. Two Main Committees of the General Assembly had therefore arrived at completely different decisions with respect to the draft convention. That might well happen again. Political emotions and political opportunism, which often played a part in the discussions of Committees of the General Assembly, should not be allowed to influence the consideration of so serious a subject as slavery.

7. Miss BERNARDINO (Dominican Republic) said that her delegation would vote in favour of the joint draft resolution (E/L.710 and Add.1). While she shared some of the misgivings expressed by the Egyptian representative at the preceding meeting, she could not support the Egyptian amendment providing for a prior discussion of the draft in the General Assembly. The Third Committee had a particularly heavy agenda. The Sixth Committee, on the other hand, had been the scene of manoeuvres aimed at preventing discussion of the final draft of the Convention on the Nationality of Married Women. The draft supplementary convention on slavery might suffer the same fate.

¹ The text of the International Slavery Convention of 1926 is contained in League of Nations document C.586.M.223.1926.VI.

8. For the reasons given, the delegation of the Dominican Republic would support the proposal that the draft should be referred to a conference of plenipotentiaries.

9. The PRESIDENT declared the general debate on item 12 closed.

DRAFT RESOLUTION SUBMITTED BY ECUADOR, FRANCE, THE NETHERLANDS, PAKISTAN AND THE UNITED KINGDOM (E/L.710 AND ADD.1 AND 2)

10. The PRESIDENT drew attention to the financial implications (E/L.710/Add.2) of the draft resolution before the Council (E/L.710 and Add.1).

11. He invited comments on the draft resolution and on the amendments submitted by Egypt (E/L.711).

12. Mr. BOZOVIC (Yugoslavia) asked for an estimate of the cost of the proposed conference if held at Headquarters instead of Geneva.

13. Mr. VAKIL (Secretary of the Council) said that the cost would depend upon the date of the conference. If held at Headquarters when no other meetings were scheduled, the only cost would be that of printing the convention in the five official languages.

14. The PRESIDENT put to the vote the Egyptian amendments (E/L.711) to the joint draft resolution (E/L.710 and Add.1).

Point 1 was rejected by 9 votes to 6, with 3 abstentions.

Point 2 was rejected by 9 votes to 6, with 3 abstentions.

Point 3 was rejected by 10 votes to 6, with 2 abstentions.

15. Mr. ABDEL-GHANI (Egypt) pointed out that, in view of the rejection of the first three points, a vote on the remaining amendments was unnecessary.

16. Mr. BOZOVIC (Yugoslavia) wondered whether the Council might not vote tentatively on the draft resolution pending the receipt of information from the Secretariat as to whether the proposed conference could be held at Headquarters.

17. The PRESIDENT felt that the proposed procedure would place the Secretary-General in a difficult position.

18. Mr. SCOTT FOX (United Kingdom) agreed. The best course would be to hold the conference at Geneva soon after the twenty-second session of the Council. Members attending the session would be able to participate in the conference.

19. The PRESIDENT put the joint draft resolution (E/L.710 and Add.1) to the vote.

The draft resolution was adopted by 12 votes to 1, with 5 abstentions.

20. Mr. BOZOVIC (Yugoslavia) said that he had voted in favour of the draft resolution because his delegation supported the proposed conference. He had merely raised a question as to the site of the conference.

AGENDA ITEM 11

Forced labour (E/2699 and Add.1, E/2807, E/2815 and Add.1 to 5, E/L.705)

GENERAL DEBATE

21. Mr. CHENG (China) said that forced labour was not only a gross violation of human rights but also

a threat to international peace and security. Modern systems of forced labour, especially in the Communist countries, had become the normal way of mobilizing labour for the economic and expansionist plans of the State.

22. Reviewing the work already accomplished on forced labour by the United Nations and the International Labour Organisation (ILO), he recalled that the Council, in its resolution 195 (VIII), had requested the Secretary-General to co-operate with the ILO in ascertaining the readiness of all Governments to conduct an impartial inquiry into the extent of forced labour in their countries. As a result of that co-operation, it had been established that systems of forced labour did exist in many parts of the world, principally in the Communist countries, and such systems had been condemned by the General Assembly.

23. Turning to the report on Forced Labour (E/2815) prepared jointly by the United Nations Secretariat and the ILO pursuant to Council resolution 524 (XVII), he observed that more than two-thirds of that comprehensive document dealt with conditions on the mainland of China. It was significant that it contained the texts of numerous laws, regulations and official statements issued by the Chinese Communist régime, which were in themselves ample evidence that forced labour was a deliberate policy of the present rulers. Ironically, certain regulations quoted in the report had been adopted in August 1954—four months after the Council had solemnly condemned forced labour; and a spokesman of the Communist régime had openly admitted that they had been drawn up with the technical assistance of Soviet legal experts.

24. Up to February 1955, it had been estimated that the total number of forced labourers in Communist China was 25 million persons, including one and a half million sent to the USSR, Poland and Czechoslovakia as commodities in a barter for military supplies. But, large though that total was, the mainland of China was not the only sufferer. The ILO *Ad Hoc* Committee on Forced Labour had found forced labour to exist in many other countries as a means of political coercion or education and as a regular means of carrying out State plans for economic development. It had often been strenuously claimed that exploitation did not exist in the Communist countries, yet the truth was that the exploitation of man by man was practically confined to those countries.

25. The question was to determine what effective international measures should be taken to abolish forced labour. From inquiries conducted by the ILO among its member States, there appeared to be a widespread feeling of the need for a new international convention, especially as the Forced Labour Convention of 1930 specifically excluded certain forms of forced labour and such exclusions might be used by some countries to justify their modern forced labour systems. However, the Chinese Government, while gratified to see so much general interest in finding a solution, had serious doubts as to the possible effectiveness of a new convention. Although it was abundantly clear that forced labour existed mainly in the Communist countries, including the Soviet Union, the attitude of the Government of the USSR appeared to be that there was no forced labour in its own country, that the practice existed in different forms in many other parts of the world, and that there should be a new convention to cover all forms of forced labour. The Soviet Govern-

ment also implied that if it adhered to such a convention, it would not be because it had any need to suppress such systems in its own territory, and that alternatively, if it were not a signatory, the reason would be that the convention was not broad enough and radical enough to cover all forms of forced labour.

26. Faced with sophistries of that kind, the Council could hardly believe that a new convention would help solve the problem. Unless the convention contained implementation machinery, it was unlikely to succeed in its purpose.

27. During earlier discussions of the subject in the Council, it had been suggested that the question of forced labour should in future be dealt with by the ILO rather than the Council. While the responsibility of the ILO was clear, his delegation believed that the problem was a common concern of the ILO and the United Nations. The fullest possible co-operation between the two bodies would continue to be essential; and one of the most effective means at their disposal was the moral force of enlightened public opinion, which would gradually and firmly convince the totalitarian States of the dignity and worth of the human person. That was an educational task which would require the concerted efforts of all the United Nations organs, the specialized agencies and non-governmental organizations.

28. Mr. UL-ISLAM (Pakistan) said that his country abhorred slave labour, and deplored the practice followed by certain countries of using forced labour on a large scale to fulfil their economic plans and to enforce political orthodoxy. His delegation would therefore vote for the joint draft resolution before the Council (E/L.705).

29. Mr. BAKER (United States of America) said that forced labour existed on so extensive a scale that the United Nations could not ignore the problem. New incontrovertible facts on the subject were to be found in the report before the Council (E/2815). They had already been investigated by the ILO *Ad Hoc* Committee on Forced Labour, which had come to the conclusion that there existed in the world today definite systems of forced labour as a means of political coercion or education, and as a regular and normal means of carrying out State plans and projects for economic development. In addition to confirming earlier findings, the report conclusively established that the system existed under Communist régimes in mainland China and in Albania. Much of the information cited had come from the official organs of those two areas.

30. The Albanian Penal Code made elaborate provisions for "corrective labour" and banishment to concentration and labour camps. Over the past ten years, some 16,000 persons had perished in some forty prisons and camps—a shocking figure when the small size of the population of Albania was taken into account. The only crime many of them had committed had been to be born into a social group considered hostile by the Communist government. Upon examining the facts, the ILO *Ad Hoc* Committee on Forced Labour had concluded that a system of forced labour for economic purposes existed and that the legislation in force was such as to constitute a basis for a system of forced labour for political purposes.

31. The same form of modern slavery had been introduced by the Chinese Communist régime in mainland China. As that régime itself had admitted, the

new forced labour law of 1954 had been prepared with the assistance of Soviet legal experts; there could be no doubt that it was patterned on the experience and practice of the USSR. He cited statements by Chinese Communist leaders and official radio broadcasts which showed plainly that the purpose of the system was, first, to eliminate any shades of opinion and thought which differed from those of the régime, and secondly, to create a compulsory labour force for economic purposes and also that wide segments of the population were regarded as "class enemies" and treated like criminals. The vast extent to which the system was applied was revealed by the production figures cited by Chinese Communist sources and by the fact that the Regulations Governing Reform through Labour—the forced labour code of Communist China—made elaborate provision for various types of forced labour institutions, including camps for over 3,000 forced labourers. The *Peiping People's Daily* had revealed in 1954 that 83 per cent of the persons in confinement in Communist China had been placed at forced labour, and the Minister of Public Security had asserted that forced labour had contributed "significantly" to basic national development.

32. After examining the material on Communist China, the ILO *Ad Hoc* Committee on Forced Labour had concluded, first, that the guiding principle of the Chinese Communist forced labour system was to deprive persons "hostile to the régime" of political rights and compel them to "reform" through labour; secondly, that the legislation set up a highly organized system of forced labour for political coercion; thirdly, that forced labour was used on a "vast scale" for State programmes of economic development and that labour was being conscripted on a large scale; fourthly, that the legislation was not temporary but resulted from a definite policy; fifthly, that forced labour existed on a very large scale and that the number of persons involved represented "a considerable proportion of the population"; and sixthly, that while there were provisions for good treatment of persons in forced labour camps it was doubtful, in view of many reports of abuses, that they were applied in practice.

33. It was tragic that such serious revelations should be made at a time when there had been reports of some improvements in some forced labour camps in the ideological centre of the system, the USSR. It was probable that such relaxation as might have taken place there had been caused, at least in part, by the pressure of world opinion, as expressed through the Economic and Social Council. However, there was no evidence that any steps were being taken in the USSR to abolish the system itself, and the ILO Committee had concluded that there had not been any major advances. The Council must therefore continue its efforts to bring about the complete elimination of the system.

34. Since the ILO was doing practical and effective work with a view to eliminating systems of forced labour wherever they were to be found, his delegation, together with other delegations, had sponsored a draft resolution (E/L.705) designed to facilitate the endeavours of the ILO. As in the past, the draft resolution also condemned forced labour for political or economic purposes. He hoped that international relations had reached a stage at which all the members of the Council would be able to support the draft resolution.

35. Mr. SCHURMANN (Netherlands) said his delegation had always adhered to the position that forced labour, which, next to slavery, was the most degrading negation of human rights, must be eliminated. That conviction had been strengthened by the material presented to the Council (E/2815).

36. His Government felt that the best way of dealing with the situation was by means of an international convention, and would be in favour of adhering to such a convention, provided that its text was acceptable. It would therefore gladly assist the ILO in its efforts to prepare such an instrument.

37. Since the ILO had recently established a Committee on Forced Labour, he was of the opinion that the compilation of factual material could be safely left to the ILO, and that arrangements should be made for periodic reports to be submitted to the Council so that it could review the international situation from time to time.

38. It was in the conviction that forced labour must be eliminated that his delegation had co-sponsored the joint draft resolution, and he was confident that the

Council would signify agreement with the ideas expressed in that text by adopting it by a large majority.

39. Mr. HAUCK (France) said that the subject of forced labour had been thoroughly discussed by the Council and the ILO for several years, and the time had come for practical action. At its forthcoming Conference, the ILO, which had many years of experience in that field, would consider forced labour with a view to adopting a new international convention on the subject. It had carefully worked out procedures ensuring that its conventions should be applied in the countries ratifying the convention, so that the most practical way of inducing States to abandon forced labour practices would be by urging them to adhere to the convention.

40. The joint draft resolution (E/L.705), which his delegation had co-sponsored, was procedural in essence, in that it provided for means of assisting the ILO in an undertaking which, he hoped, would lead to practical results. He urged unanimous adoption of that text.

The meeting rose at 12.45 p.m.