



## ECONOMIC AND SOCIAL COUNCIL

Friday, 28 July 1972

at 10.35 a.m.

FIFTY-THIRD SESSION

OFFICIAL RECORDS

PALAIS DES NATIONS, GENEVA

President: Mr. SZARKA (Hungary)

## AGENDA ITEM 2

General discussion of international economic  
and social policy (*continued*)\*

EXPLOITATION OF LABOUR THROUGH ILLICIT AND  
CLANDESTINE TRAFFICKING: DRAFT RESOL-  
UTION SUBMITTED BY THE WORKING GROUP  
(E/L.1514)

1. Miss LIM (Malaysia) introduced the draft resolution on exploitation of labour through illicit and clandestine trafficking (E/L.1514) on behalf of the Working Group which had submitted it.

2. In order to take account of various suggestions which had been made to the Working Group, the following amendments should be made to the text. In the third preambular paragraph, the words "organized or undertaken by criminal elements" should be inserted after the word "transportation", and the words "which constitute an extreme outrage to the human person" should be added at the end of the paragraph. A sixth preambular paragraph should be inserted, to read:

"Noting the prompt action taken by some Governments in bringing to light such trafficking".

In operative paragraph 2, the words "or to intensify their efforts" should be inserted after the word "action".

3. Mr. ODERO-JOWI (Kenya) said that his delegation fully supported the draft resolution before the Committee. Wide publicity had been given to the malpractices to which it referred, and more information was now available. Thus, it was reported in the *Neue Zürcher Zeitung* of 27 July 1972 that the key figure in the illegal transportation of Africans through Italy to France was a young Sardinian who received the equivalent of 650 Swiss francs for each African to reach France; that person had been arrested but subsequently released, and was now in hiding. The clandestine trafficking had been discovered when 59 persons from Mali and Ghana had been found by French police hidden in a lorry which had broken down. Subsequently, it had been discovered that 38 Africans had been illegally transported in railway sleeping cars, and more persons from Mali had been stopped at the Italian-French border.

4. His delegation wished to express its gratitude to the Governments and police authorities of France and Italy for

the action which they had taken, and also to the world press and other information media for giving widespread publicity to the situation. What was now needed was action to stop such illicit and clandestine trafficking in human beings. The problem would only really be solved when unemployment, poverty and ignorance were eliminated in the countries of origin, since it was their existence which had made it possible to lure Africans from their homes, families and freedom. The international community could not pass over the odious crimes now being committed; vigorous action must be taken by Governments, organizations and individuals of goodwill in a concerted effort to bring the criminals concerned to justice and to rescue the unfortunate persons being enslaved.

5. Mr. DRISS (Tunisia) said that his delegation would vote in favour of the draft resolution before the Committee. Nevertheless, the problem of exploitation of labour through illicit and clandestine trafficking was only one aspect of the broader question of migrant workers. His delegation would therefore like the following additional operative paragraph to be considered at a later stage by the Commission on Human Rights or the General Assembly:

"Requests Governments of host countries of migrant workers to ensure that they are given decent living and housing conditions without discrimination, in order to prevent them from being exploited through illegal and dishonest trafficking".

6. Mr. FERNAND-LAURENT (France) said that his Government was very much aware of the attraction which in the present state of world employment, the industrialized countries had for the under-employed workers in the developing countries. For that reason, the French Government had concluded a number of agreements with the Governments of countries of origin in order to ensure decent labour and housing conditions for such workers, and was trying to cut down illegal immigration. The French Government shared the feelings of horror which had been expressed at the odious trafficking of which immigrant workers were sometimes the victims and was vigorously pursuing the ruthless criminals involved. It was very difficult to eliminate such practices without restricting the free flow of tourist traffic, but his delegation fully agreed that efforts to do so must be strengthened and expanded.

7. The French delegation fully endorsed the substance of the draft resolution before the Committee, but wished to express a reservation concerning the terminology used. The terms "slavery" and "forced labour" were very clearly defined in international law, and use of those terms to describe the situation to which the draft resolution referred might appear inappropriate to international legal experts.

\* Resumed from the 1834th meeting.

8. Mr. SMOQUINA (Italy) said that the Italian authorities were taking all necessary measures to stop the tragic exploitation of labour through illicit and clandestine trafficking and to bring the criminals responsible to justice. The Italian police had recently stopped groups of 14 and 11 Africans at the French border; the first urgent need had been to feed them, since they had been without food for three days. The entire group had then received full hospitality and diplomatic contacts had been made with the countries of origin. There were, however, a number of delicate aspects to the problem. For example, the persons concerned had arrived in Italy under perfectly normal conditions: they had been in possession of regular passports and visas, and had arrived in the normal way at an Italian airport. The French representative had already referred to the dangers of infringing on the freedom of tourist traffic, and a further essential was to ensure that the human and national dignity of travellers was fully protected. It would be quite wrong to enquire into the situation of travellers on the suspicion that they might be victims of exploitation merely because they were citizens of a particular country.

9. His Government was doing everything possible to protect migrant workers in Italy, and would take all necessary measures to eliminate clandestine transfer and prevent malpractices in the future. His delegation wholeheartedly supported the draft resolution before the Council.

10. Mr. CARANICAS (Greece) said that his delegation, too, fully supported the draft resolution. Nevertheless, a number of points might have been improved if there had been more time for drafting. He agreed with the representative of France that the terminology of the draft resolution did not correspond exactly to the situation to which it referred. Furthermore, the question of exploitation of labour through illicit and clandestine trafficking should not be approached from the standpoint of racial discrimination, since similar malpractices occurred, for example, in such countries as Greece, Algeria and Mexico. In order to put an end to a situation in which individuals were exploited commercially by organized criminal elements, action should be taken in the countries of destination. His delegation noted that the Governments of France and Italy were doing their utmost to meet the situation, but their task was not an easy one.

11. It was difficult to see how the Commission on Human Rights could tackle the question when no international investigation had been initiated. Furthermore, the situation under consideration was not a matter for that Commission, since it did not involve slavery or forced labour. The appropriate body to consider the matter was the ILO, which was concerned with questions of migration, conditions of employment and bilateral agreements governing the living and working conditions of immigrant workers.

12. The Greek delegation also had reservations regarding the appeal to Governments contained in operative paragraph 3 of the draft resolution, to adopt new legislation when necessary. The legislative process was a matter entirely within the sovereign powers of States, and the Council should therefore not suggest legislative action to

Governments on matters governed by their criminal laws. With those reservations, however, his delegation was prepared to support the draft resolution before the Council.

13. M. CISSÉ (Observer for Senegal) said that his delegation welcomed the draft resolution. His Government, which was deeply concerned about the traffic in and exploitation of African workers, had concluded a number of agreements with the French Government to regulate the conditions for Sengalese workers in France and had provided dwellings for them at its own expense. While it was taking energetic action to control clandestine movements of such workers, it was not always possible to prevent evasion. His delegation therefore hoped that the draft resolution would result in international action to that end.

14. Mr. SANCHEZ (Chile) said that the situation referred to in the draft resolution was in fact a subtle form of slavery and was thus a matter within the competence of the Commission on Human Rights. There was also an element of racial discrimination as once again it was black workers who were being exploited.

15. The PRESIDENT said that, if there were no objections, he would take it that the Council wished to adopt the draft resolution submitted by the Working Group (E/L.1514), as orally amended.

*The draft resolution was adopted.*

#### AGENDA ITEM 13

##### Land reform

#### REPORT OF THE ECONOMIC COMMITTEE (E/5192)

16. The PRESIDENT put to the vote the draft resolution recommended for adoption by the Economic Committee in paragraph 16 of its report (E/5192).

*The draft resolution was adopted by 23 votes to none.*

17. Mr. WANG Jun-sheng (China) said that his delegation had explained its position on the draft resolution, together with its reasons for not taking part in the voting, at the 574th meeting of the Economic Committee.

#### AGENDA ITEM 8

##### Industrial development

- (a) Report of the Industrial Development Board
- (b) Report of the *Ad hoc* Committee on co-operation between the United Nations Development Programme and the United Nations Industrial Development Organization

## REPORT OF THE ECONOMIC COMMITTEE (E/5190)

18. The PRESIDENT said that the draft resolution and the draft decision recommended for adoption in paragraph 5 of the report of the Economic Committee (E/5190) had been approved by the Committee by consensus.

*The draft resolution and the draft decision were adopted by consensus.*

## AGENDA ITEM 9

## Operational activities for development

- (d) United Nations Children's Fund
- (e) World Food Programme
- (f) United Nations Fund for Population Activities

## REPORT OF THE ECONOMIC COMMITTEE (E/5193)

19. The PRESIDENT said that draft resolution I and decisions II and III recommended for adoption in paragraph 11 of the report of the Economic Committee (E/5193) had been approved by the Committee by consensus.

*Draft resolution I and draft decisions II and III were adopted by consensus.*

## AGENDA ITEM 9

## Operational activities for development

- (a) United Nations Development Programme
- (b) United Nations Capital Development Fund
- (c) Technical co-operation activities undertaken by the Secretary-General

REPORT OF THE ECONOMIC COMMITTEE  
(E/5193/Add.1)

20. The PRESIDENT said that the draft decision recommended for adoption in paragraph 22 of the report of the Economic Committee (E/5193/Add.1) had been approved by the Committee by consensus.

*The draft decision was adopted by consensus.*

21. Mr. NESTERENKO (Union of Soviet Socialist Republics) said that his delegation had joined in the Economic Committee's consensus subject to a reservation which it had made known to the Committee.

22. The PRESIDENT said that draft resolution I recommended for adoption in paragraph 22 of the report of the Economic Committee (E/5193/Add.1) had been approved by the Committee by consensus.

23. Mr. VERCELES (Observer for Philippines) said that the words "and keeping in mind the provisions of operative paragraph 2 of that resolution", which at present appeared

at the end of the first preambular paragraph of draft resolution I, should be moved to the end of the second preambular paragraph, in accordance with the amendment accepted by the sponsors in the Economic Committee (*ibid.*, para. 14).

*It was so agreed.*

*Draft resolution I was adopted by consensus.*

24. The PRESIDENT put to the vote draft resolution II recommended for adoption in paragraph 22 of the report of the Economic Committee.

*Draft resolution II was adopted by 17 votes to none, with 8 abstentions.*

25. The PRESIDENT said that the Economic Committee had approved by consensus draft resolution III recommended for adoption in paragraph 22 of its report.

*Draft resolution III was adopted by consensus.*

## AGENDA ITEM 15

## Joint Inspection Unit

- (a) Pending reports of the Joint Inspection Unit
- (b) Report of the Joint Inspection Unit on the programme of recurrent publications of the United Nations
- (c) Question of the Joint Inspection Unit

REPORT OF THE CO-ORDINATION COMMITTEE  
(E/5195)

26. The PRESIDENT said that the draft decision and draft resolutions I and II recommended for adoption in paragraph 9 of the report of the Co-ordination Committee (E/5195) had been approved by the Committee unanimously.

*The draft decision and draft resolutions I and II were adopted unanimously.*

## AGENDA ITEM 11

## Science and technology

- (a) Terms of reference of the Committee on Science and Technology for Development
- (b) Report of the Advisory Committee on the Application of Science and Technology to Development
- (c) World Plan of Action for the Application of Science and Technology to Development
- (d) The role of modern science and technology in the development of nations
- (e) Question of the establishment of a special protein fund

REPORT OF THE CO-ORDINATION COMMITTEE  
(E/5196)

27. The PRESIDENT said that draft resolutions I and II recommended for adoption in paragraph 15 of the report of the Co-ordination Committee (E/5196) had been approved by the Committee unanimously.

*Draft resolutions I and II were adopted unanimously.*

28. The PRESIDENT said that the Co-ordination Committee had also approved unanimously draft resolution III recommended for adoption in paragraph 15 of its report.

29. Mr. ODERO-JOWI (Kenya) said that the word "has", after the words "the World Plan of Action", in operative paragraph 1 should be replaced by the word "is".

30. The PRESIDENT said that the necessary correction would be made.

31. Mr. NESTERENKO (Union of Soviet Socialist Republics) said that in the Co-ordination Committee his delegation had stated that its position on draft resolution III was that set forth in the letter dated 21 September 1970 from the representatives of Bulgaria, the Byelorussian SSR, Czechoslovakia, Hungary, Mongolia, Poland, the Ukrainian SSR, and the USSR, addressed to the Secretary-General,<sup>1</sup> and he wished to put it on record that his delegation maintained that position in the Council.

*Draft resolution III was adopted.*

32. The PRESIDENT put to the vote draft resolution IV recommended for adoption by the Co-ordination Committee.

*Draft resolution IV was adopted by 17 votes to none, with 8 abstentions.*

33. The PRESIDENT put to the vote draft resolution V recommended for adoption by the Co-ordination Committee.

*Draft resolution V was adopted by 16 votes to none, with 8 abstentions.*

34. The PRESIDENT said that the Co-ordination Committee had approved unanimously the draft decision recommended for adoption in paragraph 15 of its report.

*The draft decision was adopted unanimously.*

35. Mr. NISHIZAKI (Japan) said that his delegation wished to make an observation with regard to draft resolution V.

36. The PRESIDENT said that there had already been an opportunity for delegations to express their views at the

same time of the vote on draft resolution V. However, if the representative of Japan wished to make a statement on the agenda item as a whole, it would be in order for him to speak.

37. Mr. NISHIZAKI (Japan) said that he merely wished to explain that his delegation maintained the position it had taken in the Co-ordination Committee, where it had abstained from voting on operative paragraph 2 of draft resolution V.

38. Mr. AKRAM (Observer for Pakistan) said that, with regard to draft resolution IV, his delegation hoped that the Secretary-General would provide the Committee on Science and Technology for Development with adequate documentation in order to facilitate its consideration of the items on its agenda.

AGENDA ITEM 14

**Implementation by the specialized agencies and the international institutions associated with the United Nations of the Declaration on the Granting of Independence to Colonial Countries and Peoples**

REPORT OF THE CO-ORDINATION COMMITTEE  
(E/5197)

39. The PRESIDENT put to the vote the draft resolution recommended for adoption in paragraph 6 of the report of the Co-ordination Committee (E/5197).

*At the request of the representative of Ghana, the vote was taken by roll-call.*

*Greece, having been drawn by lot by the President, was called upon to vote first.*

*In favour:* Greece, Hungary, Kenya, Lebanon, Madagascar, Malaysia, Niger, Peru, Poland, Tunisia, Union of Soviet Socialist Republics, Bolivia, Burundi, Ceylon, Chile, China, Ghana.

*Against:* United Kingdom of Great Britain and Northern Ireland, United States of America.

*Abstaining:* Italy, Japan, New Zealand, Brazil, Finland, France.

*The draft resolution was adopted by 17 votes to 2, with 6 abstentions.*

40. Mr. ROUGÉ (France), speaking in explanation of his vote, said that his delegation had abstained because it wanted to reserve its position in case the matter was considered in the General Assembly.

41. Mr. SMOQUINA (Italy) said that, like the French delegation, his delegation reserved the possibility of speaking on the matter in the General Assembly.

<sup>1</sup> See *Official Records of the General Assembly, Twenty-fifth Session, Annexes*, agenda item 42, document A/8074.

## AGENDA ITEM 17

## Measures to improve the documentation of the Council

REPORT OF THE CO-ORDINATION COMMITTEE  
(E/5199)

42. The PRESIDENT said that the Co-ordination Committee had unanimously approved the draft decision recommended for adoption in paragraph 5 of its report (E/5199).

*The draft decision was adopted unanimously.*

## AGENDA ITEM 2

General discussion of economic  
and social policy (*continued*)

## REPORT OF THE ECONOMIC COMMITTEE (E/5202)

43. The PRESIDENT said that the Economic Committee had approved by consensus draft resolution I recommended for adoption in paragraph 10 of its report (E/5202).

44. Mr. McCARTHY (United Kingdom) said that, in the third line of operative paragraph 3 of the draft resolution, the word "those" should be replaced by the word "that", because the reference was to research.

45. Mr. ROUGÉ (France) noted that the title of draft resolution I was "The impact of multinational corporations on the development process and on international relations among States", but that in the operative part of the draft resolution the reference was only to the impact of multinational corporations on the development process and "on international relations". His delegation therefore wished to suggest that the words "among States" in the title should be deleted, so that it would conform to the operative part.

46. The PRESIDENT said that the title of draft resolution I would be amended in accordance with the suggestion by the representative of France.

*Draft resolution I as amended was adopted by consensus.*

47. The PRESIDENT said that the Economic Committee had approved by consensus draft resolution II rec-

ommended for adoption in paragraph 10 of its report (E/5202).

*Draft resolution II was adopted by consensus.*

## AGENDA ITEM 3

United Nations Development Decade:  
report of the Committee on Review and Appraisal

## REPORT OF THE ECONOMIC COMMITTEE (E/5203)

48. The PRESIDENT said that the Economic Committee had approved by consensus the draft resolution recommended for adoption in paragraph 11 of its report (E/5203).

*The draft resolution was adopted by consensus.*

## AGENDA ITEMS 2 AND 7

General discussion of international economic  
and social policy (*continued*)\*Regional co-operation (*continued*)REPORT OF THE CO-ORDINATION COMMITTEE  
(E/5201)

49. The PRESIDENT said that the Council had before it the report of the Co-ordination Committee (E/5201) on its consideration of the joint draft resolution (E/L.1506) submitted under agenda items 2 and 7 by the delegations of Malaysia and Tunisia.

50. He put to the vote the draft resolution recommended for adoption in paragraph 4 of the report.

*The draft resolution was adopted by 17 votes to none, with 8 abstentions.*

51. Mr. SANCHEZ (Chile), speaking in explanation of his vote, said that his delegation had voted in favour of the draft resolution on the understanding that agenda item 7 would also be considered separately from agenda item 2.

The meeting rose at 12.50 p.m.

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\* Resumed from the 1834th meeting.