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Establishment of a European Manpower Board and Social Security of Migrant Workers

Report¹

Social, Health and Family Affairs Committee

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A. Explanatory Memorandum

1.

1. The Committee on Social Questions, after a detailed study of the Motion Submitted to the Assembly in August, 1950, and referred by it to the Committee, reached the conclusion that, since the problem of surplus population in Europe could not satisfactorily be solved by itself within the framework of Europe, some solution must be sought on the inter-continental level. Member States are bound therefore to adopt a common manpower policy which cannot be secured except through a permanent International Organisation possessing executive powers.

2. Although the problem of refugees requires particular treatment from the point of view of legal protection, it remains true that in the social sphere and with regard to full employment it is only one aspect of the general problem of unemployment and the growth of population. With due deference to the decisions of the Committee of Ministers on this matter the problem of refugees could be solved in a common-sense way by the co-ordinating action of a European Manpower Board, which might for instance, sub-divide its activities into various sections.

3. Since there are various international Organisations concerned simultaneously with the different aspects of the manpower question, their efficiency could be increased by close co-ordination of their work. Such co-ordination would, in the natural course of events, bring about, as a preliminary step, the establishment of a European Manpower Board, the activities of which would, in turn, reinforce and extend such co-ordination. In this respect the competent Organs of the Council of Europe should make suitable arrangements with the other international Organisations concerned with the problem of manpower, with a view to the creation of such a European Board. To that end a closer liaison should from now onwards be established between the organs of the Council and the O. E. E. C. Manpower Committee.

4. The European Manpower Board might include among its aims :

4.1. The centralisation of the manpower requirements of enterprises newly established or in process of expansion.

4.2. Keeping up to date the figures of available European manpower not in employment.

4.3. The possible subsidising and administration of centres for occupational training

4.4. Bringing into contact with one another the available workers in one country and their potential employers in another. The Board would take responsibility for administrative measures and medical provision, the signature of contracts, possibly the travelling expenses involved, etc...

5. Within the framework of the general tasks listed above the European Manpower Board might include among its duties the following specific functions :

a. Giving flexibility to administrative procedures (customs arrangements, the granting and renewal of labour permits, etc.), in order to facilitate the movements of migrant workers?skilled or otherwise? especially those caused by the removal of exchange restrictions and the needs of production for defence purposes;

b. The establishment of a network of reception, sorting and employment centres calculated to stimulate the demand for, and to facilitate the absorption of, groups of migrant workers;

c. Systematic compilation of information on conditions of employment and the state of the labour market, in order to draw up the most efficient plans for the emigration of workers and for their training for emigration by means of co-ordinated programmes for occupational training and rehabilitation;

d. Contribution to the solution of the problem of transport, particularly in the case of overseas emigration. The European Manpower Board should be required to approach certain potential sources for financing such emigration (international, governmental or private) and should provide them with all the necessary data to justify its requests for measures to be taken to encourage emigration;

e. Action to encourage agreements on social security, with the particular object of solving the problem of the social rights of repatriated workers and of the families of emigrants which do not accompany them. This solution could be sought, if need be, through the establishment of an international equalisation fund which would be responsible for contributions and benefits paid in the various countries ;

- f.* The specific encouragement of the grouping of migrant workers in enterprises?? co-operative or otherwise?likely to make an effective contribution to the development of the countries concerned, and of a nature to require only modest capital outlay for each worker employed;
 - g.* The study of the question of establishing a labour passport or an occupational identity card to facilitate the movement of certain categories of workers from the point of view of their work or vocational capacity.
6. The Assembly also takes the view that, at the present stage of social development, all rights to social security should be considered as personal and not as territorial (*jure personae* not *jure loci*) : since the contributions are normally made by the worker, the corresponding ration rights should follow him when and wherever he migrates.
7. The Committee, in application of these principles, submits the following draft Recommendation to the Assembly.

B. Draft Recommendation²

" The Assembly,

(a) " Declares that it is necessary to create a European Manpower Board with the task of co-ordinating, in the general interest, the manpower policy of the various countries concerned, and of developing relations with the overseas countries prepared to accept immigrants; the creation of this Board to be effected in close collaboration with the O. E. E. C. and the I. L. O.,

(b) " Maintains that the first social right of the migrant worker is that he should be accompanied, or joined at the earliest possible moment, by his family; and that in any event the migrant worker's family should receive all the benefits to which it is normally entitled, the place of residence not being allowed to act as a restrictive factor,

(c) " Recommends that particular account should be taken of this requirement in preparing draft Multilateral Agreements on Social Security and that the attention of the Governments concerned should be drawn thereto.
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2. See 15th Sitting, Rec. 3.