

**No. 305**

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**BELGIUM  
and  
ITALY**

**Protocol (with Exchange of Notes) concerning the recruiting of Italian workers and their settlement in Belgium, signed at Rome on 23 June 1946, and the annex to that Protocol, signed at Rome on 26 April 1947**

*French and Italian official texts communicated by the Officer in charge of the Permanent Belgian Delegation to the United Nations. The registration took place on 8 November 1948.*

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**BELGIQUE  
et  
ITALIE**

**Protocole concernant le recrutement de travailleurs italiens et leur établissement en Belgique (avec échange de notes), signé à Rome le 23 juin 1946, et annexe à ce Protocole, signée à Rome le 26 avril 1947**

*Textes officiels français et italien communiqués par le Chargé de la gestion de la délégation permanente de Belgique auprès de l'Organisation des Nations Unies. L'enregistrement a eu lieu le 8 novembre 1948.*

## TRANSLATION — TRADUCTION

No. 305. PROTOCOL<sup>1</sup> BETWEEN BELGIUM AND ITALY  
CONCERNING THE RECRUITING OF ITALIAN WORK-  
ERS AND THEIR SETTLEMENT IN BELGIUM. SIGNED  
AT ROME, ON 23 JUNE 1946

## P R O T O C O L

The Conference of representatives of the Italian Government and of the Belgian Government held recently in Rome concerning the transfer of 50 thousand Italian workers to Belgian mines has reached the following conclusions:

1. The Italian Government, convinced that the success of the operation would be likely to establish increasingly cordial relations with the Belgian Government and demonstrate to the world Italy's wish to assist in the economic recovery of Europe, will do everything possible to ensure the success of the plan.

It will take steps to have the workers sent quickly and under the best conditions to a place to be established by mutual agreement, near the Italian-Swiss border, where it will set up offices for the final recruiting arrangements.

2. The Belgian Government maintains all the terms of the Miners and Coal Agreement signed previously. It will expedite as much as possible the shipment to Italy of the quantities of coal provided for in the agreement.

3. The Belgian Government will see to it that the coal mine concerns provide the Italian miners with suitable living accommodation in conformity with the terms of article 9 of the labour contract, food in keeping, as much as possible, with their regular diet, within the limits of Belgian rationing, working conditions, social benefits and wages on an equal basis with those paid to Belgian miners.

4. By special decision, the Belgian Government agrees to the payment of family allowances to the families of the Italian miners whose children reside outside Belgium.

At the time of their recruitment, the Italian miners shall submit to the coal mining concern which engages them an official certificate stating the exact number of persons in their family.

This certificate is renewable every three months.

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<sup>1</sup> Came into force on 23 June 1946 as from the date of signature.

The Italian miners will authorize the coal mining concerns to pay to the beneficiaries in Italy the amounts of the family allowances due to them.

For this purpose, they shall furnish all the necessary data in writing.

Any misrepresentation as regards family allowances shall be punished in accordance with Belgian law.

5. The Italian Government will endeavour to give the prospective miners as much information as possible, calling their attention particularly to the fact that the work in question will be underground, and to the fact that they must be fairly young (minimum 35 years) and in good health.

6. The duration of the contract is re-established at 12 months.

7. With a view to reducing to a minimum the transfer of foreign exchange from Italy to Belgian and *vice versa*, a clearing account shall be established through an Italian bank and a Belgian Bank, each to be designated by its respective Government.

Under this arrangement, the remittances by Italian miners to their families, and the payments made by the coal mining concerns in pursuance of the law on family allowances shall be made to the aforementioned Belgian bank. This bank shall pay, on behalf of the Italian Government, the amounts owing to the *Comptoir belge des charbons*.

The function of the Italian bank shall be, firstly, to receive from the Government the amounts due in payment for the coal imported from Belgium, and secondly, to pay to the families of the Italian miners the amounts owing to them.

8. The Belgian Government agrees to the principle of the possibility of withholding part of the miners' wages to pay off the amounts advanced to them in Italy for the expenses involved in their departure, on the understanding, however, that any debts which the worker may have incurred towards the management of the mines shall have priority and on condition that the workers expressly authorize the withholding of such amounts.

9. In each of the five coal basins the Italian Government shall appoint a confidential agent whose pay shall be equal to that of a mines inspector. These expenses shall be borne by the *Fédération des associations charbonnières de Belgique*.

The function of this agent shall be to see to it that his compatriots are of good conduct in their work and to watch over their interests. He shall report on his work to the Italian Government and to the Belgian Government.

10. An interpreter appointed by the Italian Government for each full train shall accompany the miners from their point of departure to Namur, at the expense of the *Fédération des associations charbonnières de Belgique*; the Fédération will also be responsible for his return to Italy and will pay him the expenses of his stay in Belgium, if any. He shall be subordinate to the head of the Belgian mission accompanying the trains.

11. The Italian Government will endeavour to send 2,000 workers to Belgium each week.

12. The Ministry for Foreign Affairs of Italy or, by delegation of the Ministry, the police authorities will issue to each miner a personal passport or *Foglio di identificazione personale* (personal identity card) containing the photograph of the holder. These documents shall not, except in the case of mild sentences, be issued to miners whose police record contains entries of convictions.

The Belgian Consulate in Rome, to the exclusion of every other Belgian Consulate in Italy, will receive the lists of miners and, after examination thereof, issue the visas on the collective passports for each departing group.

The period of validity of passports and visas shall be one year.

The assembly point for departing groups will be agreed upon between the Belgian and Italian authorities. The locality as so agreed upon may not, on any account, be changed except by prior agreement between the two countries.

In the station of departure, arrangements shall be made and premises provided for a thorough medical examination of each worker, the signing of his contract and inspection by State police.

Officials shall be on duty in the station to deny admittance to the train of any person who has not complied with all the formalities described above.

No authority may change the itinerary of the train or fix times of departure which would not allow sufficient time for the various inspections and the drawing up of the contracts.

DONE in duplicate at Rome, 23 June 1946.

For Italy:

(Signed) [illegible]  
Head of the Italian Delegation

For Belgium:

(Signed) G. D'ASPREMONT  
Chargé d'Affaires of Belgium

## EXCHANGE OF NOTES

## I

## MINISTRY FOR FOREIGN AFFAIRS

Rome, 23 June 1946

Sir,

With reference to article 7 of the Protocol signed on this date concerning the sending of Italian miners to Belgium, I have the honour to propose that the amounts to be deposited in the territory of the Belgian-Luxembourg Economic Union by Italian workers, whether as savings or for the maintenance of their families residing in Italy, should be dealt with in accordance with the following provisions:

(1) The amounts paid in by Italian workers shall be credited to a non-interest-bearing Belgian franc account to be known as the "Italian Workers' Account", opened in the name of the Ufficio Italiano dei Cambi with the Banque Nationale de Belgique.

(2) The funds in this account shall be applied in the first place towards payments to be made by Italy in the Union in respect of coal imports. Apart from that, the said account shall, for all purposes, be considered as a sub-account of the Belgian franc account referred to in article 2 of the Payments Agreement of 18 April 1946 and its operation shall be regulated by the same provisions.

(3) The balances of the accounts consequently shall, for the purposes of the application of the provisions of articles 5, 7, 8 and 9 of the said Payments Agreement, be treated as a single amount.

I should be obliged if you would confirm the Belgian Government's agreement concerning the above arrangements.

I have the honour to be, etc.

(Signed) SECCO SUARDO  
Chairman of the Italian Delegation

Count Geoffroy D'Aspremont-Lynden  
Chargé d'Affaires  
Embassy of Belgium  
Rome

## II

Rome, 23 June 1946

Sir,

I have the honour to acknowledge receipt of your letter of today's date and to confirm the Belgian Government's agreement concerning the following provisions which will be applied in settling amounts to be deposited in the territory of the Belgian-Luxembourg Economic Union by Italian workers whether as savings or for the maintenance of their families residing in Italy:

[See note I]

I have the honour to be, etc.

(Signed) Comte Geoffroy d'ASPREMONT-LYNDEN  
Chargé d'Affaires of Belgium

Count Secco Suardo  
Chairman of the Italian Delegation  
30, Via Boncompagni  
Rome

ANNEX,<sup>1</sup> SIGNED AT ROME ON 26 APRIL 1947, TO THE ITALIAN-BELGIAN PROTOCOL OF 23 JUNE 1946

With a view to the better and more perfect application in practice of the Italian-Belgian Protocol on Emigration signed on 23 June 1946,<sup>2</sup> the undersigned have agreed as follows subject to the approval of their Governments:

*Article 1.* A Belgian technical and sanitary mission shall be set up with headquarters at Milan. The delegates on the mission shall maintain liaison with the competent Italian departments and, with the representatives of these departments, shall be members of an Italian-Belgian technical commission having its headquarters at Rome.

The purpose of the commission shall be to observe the application of the agreements between the two countries in respect of immigration and to find solutions for any difficulties which may arise.

A commission, having the same functions and composed of delegates appointed by the Belgian Government and by the Italian Embassy, shall be set up at Brussels.

<sup>1</sup> Came into force on 23 June 1946, as from the date of signature.

<sup>2</sup> See page 79 of this volume.

*Article 2.* In pursuance of article 1 of the Protocol of 23 June 1946, the Italian authorities will arrange to send the recruited workers to the Milan centre for examination by Belgian doctors.

The Italian authorities will place at the disposal of the Belgian authorities the premises and equipment necessary for the conduct of such examinations under the best conditions.

The workers, when reporting to the examination centre at Milan, shall be in possession of a medical form the text of which shall be determined by the technical commission at Rome referred to in article 1 above.

*Article 3.* In pursuance of article 5 of the Protocol of 23 June 1946, the Italian Government will arrange for wide publicity to be given to the information concerning working conditions, wages, social benefits and the need for mutual respect for the labour contract.

*Article 4.* The Belgian Government undertakes to make arrangements with the coal-mining concerns that the canteens for the Italian workers will be organized and supervised by the coal-mining concerns themselves. A delegate of workers lodged in each of them will maintain the necessary liaison with the management of the coal-mining concern.

*Article 5.* In application of article 9 of the labour contract, as regards the communal buildings of the coal-mining concerns, it is agreed as follows:

1. The dormitories shall be heated according to the season;
2. Each worker shall have a cupboard, which can be locked, a spring bed with a mattress (not of straw), a sufficient number of blankets, and sheets which shall be changed twice a month;
3. Except at the express wish of the workers, tiered bunks shall not be used.

*Article 6.* The maximum charge for full board shall not exceed 50 francs per day, including lodging, maintenance, cleaning of the premises and washing of the bed linen. All supplies furnished by the coal-mining concerns shall be made available on the same terms and at the same charge as to Belgian workers.

*Article 7.* All suitable steps shall be taken to adjust the workers gradually to their future work and all the necessary information shall be furnished to them as regards the terms for assuring contract jobs, payment of wages and submission of any claims they may have to make.

*Article 8.* Coal-mining concerns shall see to it that an Italian translation of the rules and regulations of the mine is posted beside the original texts.

They shall also arrange for the appointment in each company of an adequate number of interpreters, chosen as far as possible from amongst the Italian workers.

*Article 9.* The competent Belgian authorities shall take the necessary steps to ensure medical and pharmaceutical assistance for the Italian workers from the time of their arrival in Belgium until they become entitled to social security benefits. The worker is required to register as soon as possible in a recognized mutual benefit society of his choice.

*Article 10.* Both Governments undertake to expedite by all possible means the transfer of workers' savings and family allowances to their beneficiaries in Italy.

*Article 11.* The Belgian authorities shall take all necessary steps to ensure that no residence tax is levied on the Italian workers.

*Article 12.* Workers declared unfit for underground work, according to a certificate issued by the doctor of the coal-mining concern, shall be authorized to accept other occupations which are open to immigrants.

*Article 13.* The Italian and Belgian authorities will give each other all useful information concerning the repatriated workers, according to terms to be fixed by the Italian-Belgian Commission at Brussels.

*Article 14.* The Italian and Belgian Governments undertake to revise at the earliest possible date the Convention on social insurance signed at Brussels on 29 September 1938.

DONE in duplicate in Italian and French.

Rome, 26 April 1947

(Signed) [illegible]

(Signed) BOURGEOIS