

No. 915

BELGIUM
and
ITALY

Protocol concerning the recruiting of Italian workers and their settlement in Belgium. Signed at Rome, on 9 February 1948

Official text: French.

Registered by Belgium on 26 September 1950.

BELGIQUE
et
ITALIE

Protocole concernant le recrutement des travailleurs italiens et leur établissement en Belgique. Signé à Rome, le 9 février 1948

Texte officiel français.

Enregistré par la Belgique le 26 septembre 1950.

TRANSLATION — TRADUCTION

No. 915. PROTOCOL¹ BETWEEN BELGIUM AND ITALY
CONCERNING THE RECRUITING OF ITALIAN
WORKERS AND THEIR SETTLEMENT IN BELGIUM.
SIGNED AT ROME, ON 9 FEBRUARY 1948

A Belgian delegation and an Italian delegation met in Rome from 5 to 9 February 1948 to enquire jointly into the difficulties occasioned, in the application of the relevant agreements previously concluded, by the recruitment in Italy of Italian workers, on the one hand, and their employment and settlement in Belgium, on the other hand.

As a consequence of this enquiry, the two delegations agreed as follows :

A. RECRUITMENT OF ITALIAN WORKERS

1. The provisions hereinafter contained which apply only to workers other than those employed in mine-owning concerns shall be put into effect provisionally until 31 July 1948.

2. *Contracts for specified persons*

The heads of Belgian concerns may enlist the services of workers in Italy by signing contracts with Italian workers who are known to them and with whose aptitude and skill they are familiar. These contracts, which shall be submitted to the Italian Embassy at Brussels for countersigning, shall not exceed five in number for each concern.

The Italian authorities undertake to reduce to the minimum the time required to enable the worker concerned to fulfil his contract of employment.

3. *Collective applications*

The heads of Belgian concerns may, with a view to recruiting workers in Italy, submit collective applications to the Italian Embassy at Brussels, possibly together with lists of Italian workers known to the employers.

¹ Came into force on 22 April 1948, by an exchange of notes. This protocol abrogates and replaces the protocol, signed at Rome on 23 June 1946, and the annex to that protocol, signed at Rome on 26 April 1947, registered by Belgium on 8 November 1948 under No. 305 (United Nations, *Treaty Series*, Volume 19, page 65).

The Italian authorities will endeavour to act as promptly as possible in giving effect to these applications and will, to the fullest extent possible, take the wishes expressed by the Belgian employers into account.

The heads of the Belgian concerns shall be notified immediately of the decision taken by the Italian labour offices in this respect.

4. *Transfer of workers between Belgian and Italian concerns*

If the head of a Belgian concern should have the opportunities to recruit all or some of the workers employed by an Italian undertaking, the Italian authorities will endeavour to facilitate such transfers of workers to the fullest extent possible.

5. The Italian authorities undertake to consider other methods of recruitment in special cases, after consultation with the Italian Embassy at Brussels.

B. MINERS WHO ARE UNFIT FOR WORK OR WHO HAVE VOIDED
THEIR CONTRACTS

6. Italian workers employed in Belgian mines who are declared unfit for underground work shall, at their request, be transferred to employment in other occupations which are open to immigrants in Belgium, in so far as such employment is available.

7. With a view to facilitating such transfers, the regional offices of the "Fonds provisoire de soutien des chômeurs" shall be requested to have recourse, where necessary, to the regional and national labour clearing arrangement.

8. This opportunity of alternative employment shall be available to Italian workers for a period not exceeding ten working days from the date of the declaration of their unfitness for work.

During this period the workers concerned may not be deported or confined to a staging camp by administrative order and they shall be entitled to the benefit of the arrangements made on their behalf by the "Fédération des Associations Charbonnières de Belgique".

9. Italian workers employed in mines who produce satisfactory evidence to show that they must cease work shall be required to proceed, in accordance with the administrative procedure to be determined, to the official staging camp designated to them.

10. During their stay at the official staging camp, no restrictions shall be placed upon their freedom to leave the camp, subject to their compliance with the general rules and regulations of the camp.

11. A representative of the Italian Embassy at Brussels shall continue to be authorized to visit the camp periodically to perform certain functions of a social nature and to maintain liaison between his fellow-nationals and the Aliens Branch of the Belgian Police Department.

C. JOINT COMMISSIONS

12. The Governments concerned undertake to establish, within two months of the entry into force of the present Protocol, Joint Advisory Commissions responsible for facilitating the application of the present provisions and instructed to settle any difficulty to which the transfer of workers between Italy and Belgium may give rise in the future.

13. The Joint Advisory Commission to be established at Brussels shall be responsible for studying problems relating to the immigration into Belgium of Italian workers, and the similar Joint Commission to be established at Rome shall be responsible for studying problems relating to the emigration of such workers.

14. These commissions shall be composed of representatives of the different local ministerial departments concerned, of the Italian or Belgian Governments, and of the most representative local employers' and workers' organizations.

15. Any proposals made by these commissions shall be submitted for decision to the head of the ministerial department concerned, through the agency of the department's representative on the Commission.

16. The Technical Mines Commission referred to in article 1 of the Annexed Protocol of 26 April 1947¹ shall retain the functions conferred upon it.

D. MISCELLANEOUS

17. The general functions of the confidential agents to be appointed under article 9 of the Protocol of 20 June 1946¹ shall be examined and more precisely defined by the Joint Commission at Brussels provided for in article 12 hereof.

The persons concerned shall be provided with the special residence document provided for under the Belgian regulations at present in force.

18. The Belgian Government will see to it that favourable conditions are created as soon as possible for the installation of the Italian workers' families.

¹ United Nations, *Treaty Series*, Volume 19, page 65.

19. Any difficulties to which the general organization of the communal buildings and canteens may give rise in Belgium, as well as any problems relating to social welfare, shall be submitted for consideration to the Joint Commission at Brussels referred to in article 12 hereof.

20. The same procedure shall be adopted with respect to any revision which may be necessary of the standard contract of employment for miners, particularly so far as the grant of the recruitment bonus is concerned, and with respect to the adjustment of the provisions relating to leave for Italian workers wishing to visit their families each year.

The Italian delegation has pointed out the importance it attaches to the urgent and sympathetic consideration of these problems.

21. The present Protocol shall come into force on ratification by each of the Governments concerned, such ratifications to be effected as soon as possible through the regular diplomatic channel.

DONE in duplicate, in Rome, on 9 February 1948.

For the Belgian delegation :
(Signed) CUVELIER

For the Italian delegation :
(Signed) [illegible]