

Dual DistributionCONFERENCE OF PLENIPOTENTIARIES ON THE STATUS OF  
REFUGEES AND STATELESS PERSONS

## SUMMARY RECORD OF THE FIRST MEETING

held at the Palais des Nations, Geneva,  
on Monday, 2 July 1951, at 11 a.m.

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Present:

Acting President:

Mr. HUMPHREY, Representing the  
Secretary-General

later,

President:

Mr. LARSEN (Denmark)

Members:

Australia

Mr. SHAW

Austria

Mr. FRITZER

Belgium

Mr. HERNENT

Canada

Mr. CHANCE

Colombia

Mr. GIRALDO-JARAMILLO

Denmark

Mr. HOEG

Egypt

MOSTAFA Bey

Federal Republic of Germany

Mr. von TRÜTZSCHLER

France

Mr. ROCHEFORT

Greece

Mr. PHILON

Iraq

Mr. AL PACHACHI

Israel

Mr. ROBINSON

Italy

Mr. del DRAGO

Luxembourg

Mr. STURM

Monaco

Mr. SOLAMITO

Netherlands

Baron van BOETZELAER

Norway

Mr. ANKER

Sweden

Mr. PETRÉN

Switzerland (and Liechtenstein)

Mr. SCHURCH

Turkey

Mr. MIRAS

United Kingdom of Great Britain  
and Northern Ireland

Mr. HOARE

United States of America

Mr. WARREN

Yugoslavia

Mr. MAKLEDO

Observers:

Cuba

Mr. DUSSAG FISHER

Iran

Mr. KAFAI

High Commissioner for Refugees

Mr. van HEUVEN-GOEDHART

Representatives of specialized agencies:

International Labour Organisation

Mr. WOLF

International Refugee Organization

Mr. STEPHENS

Representatives of non-governmental organizations:

Category A

Inter-Parliamentary Union

Mr. ROBINET de CLERY

Category B and register

Caritas Internationalis

Mr. BRAUN

Consultative Council of Jewish  
Organizations

Mr. MEYROWITZ

Co-ordinating Board of Jewish  
Organizations

Mr. WARBURG

Friends' World Committee for  
Consultation

Mr. BELL

International Committee of the  
Red Cross

Mr. OLGIAITI  
Mr. COURGLER

International Council of Women

Mrs. FIECHTEE

International Federation of  
Friends of Young Women

Miss van NERVEKE

International Union of Catholic  
Women's Leagues

Miss de ROMER

Pax Romana

Mr. BUENISOD

World Jewish Congress

Mr. RIEGLER

Secretariat:

Mr. Humphrey

Executive Secretary

Miss Kitchen

Deputy Executive Secretary

Also present:

Mr. Moderow

Director of the European Office  
of the United Nations

1. INAUGURAL ADDRESS BY THE PERSONAL REPRESENTATIVE OF THE SECRETARY-GENERAL  
(item 1 of the provisional agenda)

The ACTING PRESIDENT, speaking as personal representative of the Secretary-General, said that he had great pleasure in opening, on behalf of the Secretary-General of the United Nations, the Conference of Plenipotentiaries on the Status of Refugees and Stateless Persons, and in welcoming the representatives of States taking part in the Conference as plenipotentiaries or as observers. He was also pleased to welcome his friend and colleague, Mr. van Heuven-Goedhart, the United Nations High Commissioner for Refugees, who was taking part in the Conference's work on the invitation of the General Assembly.

By deciding to convene the Conference, the General Assembly had carried on the great tradition of international organizations in protecting refugees and stateless persons, a tradition begun by the League of Nations after the first world war and taken up again after the second world war by the United Nations Relief and Rehabilitation Administration (UNRRA), by the London Inter-Governmental Committee for Refugees and, finally, by the United Nations itself and the International Refugee Organization (IRO).

After electing its officers and adopting its agenda and rules of procedure, the Conference would proceed with the work assigned to it by the General Assembly, namely, "... to complete the drafting of, and to sign, both the Convention relating to the Status of Refugees and the Protocol relating to the Status of Stateless Persons". Judging by the use of the words "to complete the drafting of, and to sign, both the Convention .... and the Protocol" the intention of the General Assembly was not, in his opinion, that the Conference should draft completely new texts. He drew attention to document A/CONF.2/1, which contained the text of a draft Convention relating to the Status of Refugees and of a draft Protocol relating to the Status of Stateless Persons, and proceeded briefly to outline the genesis and development of those draft instruments.

In accordance with Resolution 116 (VI) D adopted by the Economic and Social Council at its sixth session, the Secretary-General, in consultation with the IRO Secretariat and other interested authorities, had prepared a Study of Statelessness

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(E/112 and Add.1), the first part of which related to the improvement of the status of stateless persons and refugees and ended with a series of recommendations submitted by the Secretary-General to the Economic and Social Council, the most important of which related to the necessity for concluding a convention, based on international agreements already in force, which would lay down the legal status of stateless persons and refugees. That recommendation specified the essential points which, in the opinion of the Secretary-General, the convention should cover if stateless persons and refugees were to be granted a satisfactory legal status.

It should be noted that, both in the title of the Secretary-General's Study and in Council resolution 116 (VI) D, reference was made to stateless persons only. But it clearly emerged from the text of the first part of the Study that what was primarily contemplated was the protection of so-called de facto stateless persons or refugees, in other words, persons, who for certain reasons, found themselves outside the borders of the countries of which they were legally nationals, and who either could not or did not wish to avail themselves of the diplomatic protection of those countries.

The Economic and Social Council had discussed the report and the recommendations of the Secretary-General at its ninth session. On 8 August, 1949, it had adopted Resolution 248 (IX) B establishing an ad hoc committee to study the international status of refugees and stateless persons and to consider ways and means of abolishing statelessness. That committee had met at Lake Success from 16 January - 16 February 1950 and had drawn up a draft convention on the status of refugees and a draft protocol on the status of stateless persons. Its report was to be found in document E/1618.

At its eleventh session, the Economic and Social Council had adopted, on 16 August 1950, resolution 319 (XI) B, whereby it took note of the Committee's report and of the draft instruments which it had prepared. In the same resolution the Council had requested the Secretary-General to convene the ad hoc committee again to revise the two drafts in the light of observations from governments and of opinions expressed by members of the Council. The Council

had also decided that the texts of the preamble to and of article 1 of the draft Convention, in which the term "refugee" was defined, should be replaced by other texts drafted by the Council itself.

The second session of the Ad hoc Committee had been held in Geneva from 14 - 25 August, 1950. The Committee had revised the two drafts according to the instructions given to it, and its report was contained in document E/1850. The report had been submitted to the fifth session of the General Assembly in conformity with the wishes of the Economic and Social Council.

The Third Committee of the General Assembly had shown special interest in two matters. The first related to the definition of the term "refugee" as used in the Convention, a key question, since it determined the categories of persons who would benefit under the Convention. The Third Committee had proposed a definition which differed in some respect from that proposed by the Economic and Social Council, and which had been further amended by the General Assembly itself in plenary session. The second matter concerned the procedure to be followed in finalizing the drafting and signing of the two instruments. The Third Committee, and later the General Assembly itself, had finally decided to convene a conference of plenipotentiaries for the reasons given in General Assembly resolution 429 (V), namely:

"Considering the desirability of enabling the governments of States not Members of the United Nations to participate in the final stages of the drafting of the Convention relating to the Status of Refugees, as prepared by the Ad hoc Committee on Refugees and Stateless Persons and the Economic and Social Council," etc.

The Conference of Plenipotentiaries was a sovereign body but, in the opinion of the General Assembly, its function was essentially to revise and finalize the two draft instruments. The resolution expressed that idea in several places, particularly in the part in which it was stated that the General Assembly

"Recommends to governments participating in the conference to take into consideration the draft Convention submitted by the Economic and Social Council and, in particular, the text of the definition of the term 'refugee' as set forth in the annex hereto".

The texts referred to the Conference by the General Assembly had been carefully examined by a number of United Nations organs which included in their membership many eminent specialists in the fields concerned. It was therefore probably safe to say that the texts had reached a certain maturity. In those circumstances he ventured to hope that the Conference would not find it too difficult to complete its work within the three weeks prescribed for the session.

2. ELECTION OF THE PRESIDENT AND VICE-PRESIDENTS (item 2 of the provisional agenda)

Mr. CHANCE (Canada) nominated Mr. Larsen, the head of the Danish delegation, for the office of President. Mr. Larsen had served as Vice-Chairman of the Ad Hoc Committee at its first session, and as its Chairman at the second session. Thus, by electing him President the Conference would preserve a certain continuity in the work on the texts before it.

Mr. HERMENT (Belgium) supported the nomination.

The ACTING PRESIDENT suggested that, if no other nominations were forthcoming, a motion for the closure of nominations would be in order.

Mr. WARREN (United States of America) moved the closure of nominations.

The motion for the closure of nominations was unanimously adopted.

Mr. Larsen (Denmark) was elected President by acclamation.

Mr. Larsen took the Chair.

The PRESIDENT thanked the Conference for the great honour which it had conferred upon him, though he regretted that the Canadian representative, who had wide diplomatic experience and an aptitude for promoting collaboration between the representatives of States, had not been elected in his place. He nevertheless hoped that all delegations would co-operate effectively under his (the President's) guidance and thus maintain the happy tradition built up at Lake Success and Geneva in elaborating the draft Convention. He trusted that all representatives

would work together in amity, and would eventually be able to report to their Governments that work on the Convention had finally been completed.

He recalled that the two Vice-Presidents had still to be elected and invited nominations for those offices.

Mr. GIRALDO-JARAMILLO (Colombia) nominated Mr. Herment (Belgium) and Mr. Miras (Turkey) for the offices of Vice-President of the Conference.

There being no further nominations,

Mr. Herment (Belgium) and Mr. Miras (Turkey) were elected Vice-Presidents by acclamation.

### 3. ADDRESS BY MR. MODEROW, DIRECTOR OF THE EUROPEAN OFFICE OF THE UNITED NATIONS

Mr. MODEROW, Director of the European Office of the United Nations, welcomed the plenipotentiaries and assured them that the administrative and general services of the European Office were at their entire disposal to help them in their work. He invited delegations taking part in the Conference to let him know their wants, as well as any comments or complaints they might have to make about the administrative services for the Conference. He reminded them that the earliest activities of the United Nations at the Palais des Nations had been concerned with the refugee problem. The General Conference of UNRRA had been held at Geneva in 1946, following the transfer to the United Nations of the functions of the League of Nations. It was at Geneva also that the Preparatory Commission for the International Refugee Organization had met in February 1947. Since then, all the meetings of the IRO Executive Committee had been held at Geneva, and for two years the Palais des Nations had housed the Secretariat of that Organization. Meetings had also been held in Geneva in connexion with Palestine refugees, and the Ad hoc Committee on Refugees and Stateless Persons had held its second session there. Thus for five years, the European Office of the United Nations had maintained close and unbroken contact with the international organizations dealing with the refugee question.



The task of the Conference was to lay permanent international foundations on which the treatment to be accorded to refugees and stateless persons could be based once and for all. He hoped that important task would be successfully accomplished.

4. TELEGRAM OF CONGRATULATIONS TO THE PRESIDENT OF THE SWISS CONFEDERATION

The PRESIDENT observed that the Conference was enjoying the hospitality of a country with a high reputation and traditions in the field covered by its terms of reference, and proposed that a telegram of congratulation be sent, as a token of appreciation, to the President of the Swiss Confederation on the occasion of his seventieth birthday.

It was so agreed.

5. ADOPTION OF THE PROVISIONAL AGENDA (item 3 of the provisional agenda)  
(A/CONF.2/2/Rev.1)

The provisional agenda (A/CONF.2/2/Rev.1) was adopted without comment.

6. ADOPTION OF THE PROVISIONAL RULES OF PROCEDURE (item 3 of the agenda)  
(A/CONF.2/3 and Corr.1 thereto)

The CHAIRMAN invited comments on the provisional rules of procedure (A/CONF.2/3 and Corr.1 thereto).

MOSTAFA Bey (Egypt) wondered what was the best procedure for the organization of the Conference's work. The President seemed to be rather too anxious to press ahead. But before the Conference adopted the provisional rules of procedure, it would be as well for representatives to read them, at least.

The PRESIDENT agreed that representatives should have time to study the provisional rules of procedure, but suggested that they should be temporarily accepted pending formal adoption in their final form. He believed that they were of the standard form customarily used at conferences, and therefore hoped that they would be found acceptable.

The President's suggestion was unanimously adopted.

The meeting rose at 11.45 a.m.