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

## SUMMARY RECORD OF THE THIRTY-THIRD MEETING

held at the Palais des Nations, Geneva,  
on Tuesday, 24 July 1951, at 2.30 p.m.CONTENTS:Pages

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relating to the Status of Refugees (item 5(a)  
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Present:

President: Mr. LAMPSEN

Members:

Australia	Mr. BURBAGE
Austria	Mr. FRITZER
Belgium	Mr. HERMENT
Brazil	Mr. de OLIVEIRA
Canada	Mr. CHANCE
Denmark	Mr. HOEG
Egypt	MOSTAFA Bey
Federal Republic of Germany	Mr. von TRÜTZSCHLER
France	Mr. ROCHEFORT
Greece	Mr. PAPAYANNIS
	Mr. PHILON
The Holy See	Monsignor COMTE
Israel	Mr. ROBINSON
	Mr. KAHANY
Italy	Mr. ARCHIDIACONO
Monaco	Mr. BICHERT
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
Venezuela	Mr. MONTOYA
Yugoslavia	Mr. MAJEDO
	Mr. BOŽOVIĆ
<u>High Commissioner for Refugees</u>	Mr. van HEUVEN GOEDHART

Representatives of specialized agencies and of other  
inter-governmental organizations:

International Labour Organisation	Mr. WOLF
International Refugee Organization	Mr. SCHNITZER

Representatives of non-governmental organizations:

Category A

International Confederation of Free Trade Unions	Miss SENDER
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Category B and Register

Caritas Internationalis	Mr. BRAUN Mr. METTERNICH
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Commission of the Churches on International Affairs	Mr. REES
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Co-ordinating Board of Jewish Organizations	Mr. WARBURG
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Friends' World Committee for Consultation	Mr. BELL
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International Committee of the Red Cross	Mr. OIGLIATI
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International Federation of Friends of Young Women	Mrs. van WERVEKE
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Standing Conference of Voluntary agencies	Mr. REES
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World Jewish Congress	Mr. RIEGNER
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Secretariat:

Mr. Humphrey	Executive Secretary
Miss Kitchen	Deputy Executive Secretary

SECOND READING OF THE DRAFT CONVENTION RELATING TO THE STATUS OF REFUGEES  
(item 5(a) of the agenda) (A/CONF.2/102 and Add. 1 and 2 thereto)(continued):

(1) Schedule and specimen travel document (A/CONF.2/L.1/Add.12) (continued):

The PRESIDENT said that if there were no further comments on paragraph 13 of the Schedule, which had already been thoroughly discussed at the preceding meeting, he would put it to the vote.

Paragraph 13 was adopted unanimously.

Mr. MONTOLYA (Venezuela) moved the deletion of paragraph 14, which had become unnecessary in view of the new wording adopted for paragraph 13.

Mr. HOARE (United Kingdom) agreed that paragraph 14 covered some of the same ground as paragraph 13, but considered that it was wider in scope, and should therefore be retained. For example, "laws and regulations" were of far broader application than "formalities." Furthermore, paragraph 14, unlike paragraph 13, dealt not only with the admission and departure but also with the transit of refugees.

Paragraph 14 was adopted by 19 votes to none, with 1 abstention.

The PRESIDENT reminded representatives that a final decision on paragraph 9 of the Schedule had been deferred pending the adoption of paragraphs 13 and 14.

Mr. HOEG (Denmark) said that it was for formal reasons only that he had taken up a suggestion made by the High Commissioner for Refugees, and move the deletion of the second sentence of paragraph 9. As that proposal had commanded little support he would withdraw it.

Mr. van HEUVEN GOEDHART (United Nations High Commissioner for Refugees) expressed his regret at the withdrawal of the Danish proposal. He believed that the provision embodied in the second sentence of paragraph 9 was fully covered by paragraph 14, and that that sentence should therefore be deleted.

Mr. ROCHEFORT (France) said the question was largely a matter of drafting, and arose from the fact that paragraph 9 preceded paragraph 14. It was understandable that States should be reluctant to accept an unconditional obligation to issue transit visas, which would be the result of deleting the second sentence of paragraph 9. That sentence should either be retained or, if it was deleted, the first and remaining sentence should be amended by adding the words "subject to the provisions of article 14", after the words "final destination".

The PRESIDENT pointed out that the French text of paragraph 9 was correct in so far as it placed the second sentence in a separate paragraph in conformity with the decision taken by the Conference at the first reading of the draft Convention.

Paragraph 9 was adopted unanimously.

Paragraphs 15 and 16 were adopted unanimously without comment.

In answer to a question put by Mr. MONTOLIA (Venezuela), the PRESIDENT said that although paragraph 11 had been adopted by 18 votes to none with 3 abstentions at the preceding meeting, he had stated that discussion on it could be re-opened if any representative could suggest a better wording for it.

The DEPUTY EXECUTIVE SECRETARY then read out the text of paragraph 11 as amended and adopted at the preceding meeting.

Mr. MONTOLIA (Venezuela) was unable to accept the word "obligation" in the amended text of paragraph 11. States like his own could not admit that it was mandatory on them to issue a new travel document to refugees when a similar obligation did not exist in respect of their own nationals. He considered that the provision should be so worded as to indicate that it was the responsibility of the State in which the refugee had taken up residence to issue such a document; that would be sufficient to obviate the possibility of refugees obtaining several travel documents from different States.

Mr. HOARE (United Kingdom) said that he would be prepared to meet the Venezuelan representative's point by modifying the amendment adopted at the previous meeting to read "the responsibility for the issue of a new document, under the terms and conditions of article 23, shall be that of the competent authorities ...." He must insist on the retention of the words "under the terms and conditions of article 23". There would then be no possibility of a conflict between the provisions of paragraph 11 of the Schedule, and those of article 23 of the Convention.

Mr. MONTOLY (Venezuela) pointed out that the word "désormais" after the word "incombera" had been retained in the French text. He believed that it might be deleted as redundant.

Mr. HERMENT (Belgium) disagreed with the Venezuelan representative. The retention of the word "désormais" was necessary to indicate that there would be a transfer of responsibility under the terms of paragraph 11.

The PRESIDENT suggested that the word "désormais" should be retained in the French text, no equivalent being necessary in the English text.

It was so agreed.

The PRESIDENT put to the vote paragraph 11 as amended by the substitution of the words "the responsibility for issue of a new document, under the terms and conditions of article 23, shall be that of" for the words "the obligation to issue a new document under the terms and conditions of article 23 shall be that of".

Paragraph 11, as thus amended, was adopted unanimously.

The PRESIDENT put to the vote the Schedule as a whole.

The Schedule as a whole was adopted unanimously.

The PRESIDENT put to the vote the annex to the Schedule, containing the specimen travel document.

The specimen travel document was adopted unanimously.

The PRESIDENT drew attention to the report of the Style Committee (A/CONF.2/102 and Add.1 and 2 thereto) which contained the text of the draft Convention as drawn up by the Style Committee for the second reading. As the French text of the Preamble and article 1 (A/CONF.2/102 Add.2) had not yet been distributed, he would suggest that the Conference first take up one by one the articles contained in document A/CONF.2/102.

It was so agreed.

(ii) Article 2 - General Obligations

Article 2 was adopted unanimously.

(iii) Article 3 - Non-discrimination

Speaking at the invitation of the PRESIDENT, Miss SENDER (International Confederation of Free Trade Unions) wondered why sex was not mentioned among the other grounds on which discrimination was prohibited in article 3.

Article 3 was adopted by 21 votes to none, with 1 abstention.

(iv) Article 4 (former article 17(a)) - Religion

Msgr. CONTE (The Holy See) pointed out that the text of article 4 as drafted by the Style Committee was slightly different from that of the Luxembourg proposal (A/CONF.2/94) on which it was based. The text before the Conference seemed to him slightly restrictive inasmuch as it committed Contracting States to accord to refugees the same treatment as was accorded to their nationals. There was thus a danger that in countries where religious liberty was circumscribed, refugees would suffer. He would therefore propose the insertion of the words "at least" after the words "same treatment", in order to guarantee ref as a minimum of religious liberty in such countries.

Mr. ROCHEFORT (France) said that the amendment proposed by the representative of the Holy See reflected a view which he (Mr. Rochefort) had put forward in the Style Committee, but which had been rejected on the grounds that Contracting States could not undertake to accord to refugees treatment more favourable than that they accorded to their own nationals. It had also been

argued that countries which did not grant religious liberty in general were unlikely to make any special exception in favour of refugees. For his own part, he would be perfectly prepared to accept the amendment as one embodying a moral principle - perhaps somewhat in the nature of an abstract recommendation, but one which was nevertheless entirely consonant with the Universal Declaration of Human Rights.

Mr. HOARE (United Kingdom) stated that the meaning of the expression "the same treatment at least as is accorded" would not be very clear in English. He would suggest that the amendment should be re-cast to read "at least as favourable", the word "same" which occurred before the word "treatment", being deleted. He wondered, however, whether such wording might not, perhaps, be open to interpretation as an innuendo to the effect that the treatment of nationals in respect of religious freedom was not as liberal as it might be.

Mgr. COMTE (The Holy See), accepting the United Kingdom suggestion, said that he had in no way intended to imply criticism of the existing degree of religious freedom, nor was he pressing for preferential treatment for refugees. His sole concern was that they should be given equal treatment with nationals. It was known that, precisely on account of their position as refugees, they were frequently handicapped in the practice of their religion. It was with that consideration in mind that he had put forward his amendment.

Mr. PETRÉN (Sweden) said that difficulties might arise if States were obliged to accord the same treatment to refugees as to their own nationals in respect of freedom to practise religion and the provision of religious education. He could best illustrate his point by referring to the position in his own country, where there was an Established Church - the Lutheran Church - supported by the State. The State also provided religious teaching in schools. Quite clearly, if there was a large influx of, for example, Roman Catholic refugees, Sweden could not be expected to give them the same treatment as members of the Lutheran Church. He presumed that under the provisions of article 4 such refugees would receive the same treatment as Swedish Roman Catholics. The problem, of course, would only arise if large numbers of refugees of the same faith were involved.



Mr. HOARE (United Kingdom) suggested that article 4 merely provided a general guarantee that refugees should enjoy the same freedom to practise their religion and in the choice of religious education for their children as did nationals of the country concerned. Material facilities and economic assistance fell entirely outside the scope of the article, and he did not consider, therefore, that the particular difficulty mentioned by the Swedish representative was relevant.

Mr. PETREN (Sweden) said that he quite agreed with the United Kingdom representative's interpretation of article 4. Nevertheless, he must point out that the recognition of religious freedom as an abstract principle might be of little value if divorced from the practical means of ensuring it.

Msgr. COMTE (Holy See) also endorsed the United Kingdom representative's interpretation of article 4.

The PRESIDENT put to the vote the proposal of the representative of the Holy See that the words "treatment at least as favourable" for the words "the same treatment" in article 4.

The proposal of the representative of the Holy See was adopted by 20 votes to none, with 1 abstention.

Article 4, as amended, was adopted unanimously.

The PRESIDENT suggested that, as the French text of the preamble and of article 1 had now been distributed (A/CONF.2/102/Add.2), they might be taken up next, after which the Conference could proceed to article 5.

It was so agreed.

(v) Preamble

The PRESIDENT drew attention to a few minor misprints in the Preamble which required correction. In paragraph 3, the word "advise" should be replaced by the word "revise", and the words "new instructions" by the words "a new agreement".

In the last line of paragraph 6, the word "Commissioner" should be substituted for the word "Commission". In the third line of paragraph 3 of the French text the words "gu'ills" should be substituted for the word "gui".

Mr. WARREN (United States of America), Chairman of the Style Committee, requested that paragraphs 1, 2, 3 and 4 be put to the vote together, as they had been drafted together on the basis of the decisions taken by the Conference. On the other hand, the text of paragraph 5 was new to the Conference. It had been devised in an attempt to take into account the Yugoslav proposal (A/CONF.2/96), and should therefore be considered separately.

It was so agreed.

Paragraphs 1, 2, 3 and 4 of the Preamble were adopted unanimously.

Mr. CHANCE (Canada) suggested that, as a matter of English style, the word "will" should be substituted for the word "shall" in the second line of paragraph 5, no change being necessary in the French text.

It was so agreed.

Mr. BOŽOVIĆ (Yugoslavia) stated that, although paragraph 5 only partly covered the substance of the Yugoslav proposal, and was therefore not fully satisfactory to the Yugoslav Government, his delegation would be prepared to accept it.

Paragraph 5 was adopted unanimously.

Paragraph 6 was adopted unanimously.

The Preamble as a whole was adopted unanimously.

(vi) Article 1 - Definition of the term "Refugee"

The PRESIDENT said that, for practical reasons, it had been impossible for the representative of the Federal Republic of Germany to participate, as it had been agreed that he should, in the drafting of section E (formerly section D) by the Style Committee.

Mr. ROBINSON (Israel) pointed out that the Convention consisted of a general part and of a particular part. There was, unfortunately, neither logical sequence nor consistency in the general part. He wondered, for example, whether article 11, relating to refugee seafarers, should have been included in the general part, or whether it would not have been more appropriately inserted in Chapter III, which dealt with the practice of professions.

Article 6 (formerly article 3 (b)) was the only interpretative article in the Convention, a fact which reflected creditably on the clarity achieved by the drafters. In his opinion, however, article 6 should be placed either at the end of the Convention, or after the first article to include the words "in the same circumstances", or as a special article in chapter II. It was illogical to leave it between article 5 and article 7.

He also suggested that article 2, which dealt with general obligations, should follow article 3, on non-discrimination.

A more orderly sequence would be to start with article 3, which gave general indications regarding how the provisions of the Convention should be applied, and then to follow it with articles 5, 10, 7, 8 and 9. That would present the whole of the general part in its logical order.

Although the point he was raising was of a purely drafting nature, it would be unfortunate if, after two years of work, the Convention should be presented in a form likely to call forth criticism.

Mr. ROCHEFORT (France) had no objection to the Style Committee meeting again. Nor had he any objection in principle to the order suggested by the Israeli representative, although he disagreed with certain details thereof. That representative had asserted, for instance, that article 11 was of a general nature, whereas he (Mr. Rochefort) considered it to be of particular application. It would therefore be necessary to consider each article individually in the light of the Israeli representative's suggestions, and he felt that, since it was important to dispose of the more essential items first and in view of the fact that certain

delegations had to leave Geneva shortly, the Conference should first complete its second reading and then, if sufficient time remained, consider putting the final touches to the text.

The PRESIDENT presumed that the Israeli representative's suggestions were the expression of a wish that the Convention should be presented in a more satisfactory order rather than a formal proposal.

Mr. MONTOYA (Venezuela) asked whether the titles of certain articles had been omitted deliberately.

The PRESIDENT replied that the Style Committee had not discussed the titles, and had hoped that the Conference, or at least some delegations, would put forward suggestions for the titles which were lacking, if it was the consensus of opinion that they should be included in general.

Mr. ARFF (Norway) suggested that, if the Conference experienced difficulty in finding titles for the various articles, the best solution would be to delete them all. There was a danger that articles with set titles would be interpreted in a restrictive sense.

Mr. ROCHEFORT (France) recalled that the matter had been discussed in the Style Committee, where it had been felt that, in certain cases, the absence of titles might prove troublesome. He stressed that, in any event, a title could in no way affect the substance of the article to which it was attached. On the other hand, titles would simplify the work of those responsible for applying the Convention.

The PRESIDENT suggested that the existing titles should be retained, and that, when discussing articles without titles, representatives should call on their ingenuity and propose suitable headings. Then, as one of its final decisions, the Conference could agree either to retain the provisional titles or to delete them all.

Mr. PETRE<sup>n</sup> (Sweden) considered that, if it were decided to retain the titles, delegations should be given an opportunity of considering them.

The PRESIDENT replied that delegations were, of course, free to discuss the titles, but he hoped that they would exercise that freedom sparingly.

Mr. ROCHEFORT (France) said that there was one important point still to be settled in connection with article 1, on the definition of the term "refugee". Under the amendment to article 1 introduced by the representative of the Holy See (A/CONF.2/80) and adopted by the Conference at the twenty-third meeting, each High Contracting Party was free to choose between committing itself in respect of Europe, or Europe and other continents. What was meant by that choice of alternatives? Did the second alternative mean that States would be able to commit themselves in respect of refugees both from Europe and from other specified countries, or did it mean that they would have to commit themselves in respect of refugees from the whole world?

When the compromise text had been submitted, the French delegation, which had not taken part in its drafting, had accepted it on its literal interpretation; in French, "d'autres continents" did not mean the other countries, or all the other continents. The French delegation had therefore thought that the text submitted would enable governments to enter into commitments which were commensurate with their resources and to extend them later should they be in a position to do so. By way of example, he cited the hypothetical case of a State which had in its territory refugees of various origins. Such a State might wish to bind itself in respect of some, but might experience difficulty in binding itself in respect of others, if, for example, the latter were so numerous that application of the Convention in their case would create problems with which the State in question was not at that moment able to deal. Why should such a State not be permitted to restrict its commitments and subsequently to extend them as far as it wished when it was in a position to do so?

It was, of course, true that that interpretation of the compromise text had not been accepted by the Style Committee. That did not alter the fact that with the

present wording of that text it was the only possible interpretation; moreover, in the view of the French delegation it was the only reasonable one, and the only one which met the case and did not run counter to the facts.

Msgr. COMTE (Holy See) explained that he had introduced his amendment in a spirit of compromise, with a view to offering two alternatives. He was not sure whether the French text made the position clear, but the objective of the amendment was to enable Contracting Parties to assume obligations in respect of Europe alone or in respect of Europe and the rest of the world. His amendment had also been prompted by the hope that the Convention would be retained as a unit, and not replaced by a series of bilateral or multilateral instruments. He felt that the fears expressed by the French representative were disposed of by the article relating to international co-operation and collaboration with the Office of the High Commissioner for Refugees (article 35, formerly article 30).

Mr. ROCHEFORT (France) was convinced that the representative of the Holy See had drafted his amendment with the care and wisdom typical of the Vatican, and that he was better qualified than anyone else to explain the intention of his proposal. For his part, he (Mr. Rochefort) was obliged to abide by what had been said, not by what had been meant. Moreover, he did not see the connexion between the question under consideration and former article 30. Finally, he was surprised that the representative of the Holy See should not have allowed for a certain flexibility in his amendment to enable States, if they so desired, gradually to extend the application of the definition, to the advantage of refugees generally.

Mr. HERMENT (Belgium) remarked that if the interpretation placed on his proposal by the representative of the Holy See was accepted, the French text would have to be suitably amended.

Mr. HOARE (United Kingdom) observed that he had understood the amendment when it had first been presented in the sense just explained by the representative of the Holy See. Indeed, he found it difficult to conceive of any other

interpretation, because the present text had finally been evolved as a compromise in order to meet the difficulties experienced by the French delegation. It was, however, possible that the French text was not clear.

As a protagonist of the universalist theory, he considered that a refugee was a refugee wherever he was, and that the Convention should provided that Contracting States should grant him minimum rights and benefits.

On the other hand, certain States, although subscribing to the view that a refugee was a refugee wherever he was, nevertheless felt that they could be assuming unduly onerous commitments in undertaking to grant those rights and benefits to all refugees irrespective of their country of origin. He felt that that attitude was unjustified, but agreed that it was a matter for each State to decide. The amendment introduced by the representative of the Holy See provided a compromise, by putting both views on the same footing.

It might be possible to go further and to give those States which, at the moment, wished to limit their obligations the possibility of extending their commitments at a future date, but to do that would be to encroach upon the basic conception of the universalists, and to undo the compromise.

In his view, the method of determining the scope of the Convention on the basis of continents was altogether artificial. In Australasia, for example, no events occurring before 1 January 1951 had produced any movements of refugees. If the idea of selection was to be retained at all, it should not stop at continents but should be carried down to countries. At an earlier meeting, the French representative had spoken, by way of example, of a State prepared to accept Chinese but not Indian refugees. Such a State, which refused to accept the global interpretation of the definition, would certainly not be helped if it could only extend its commitments to cover, for instance, the continent of Asia, with its vast area and numerous countries, including both China and India.

Each Contracting State would thus be better advised, if that method of determining the scope of the Convention was retained, to specify from which countries outside Europe it was prepared to accept refugees. But that would be a very

unhappy solution, which, as the representative of the Holy See had pointed out, would result in splitting up the Convention into a vast complexity of bilateral and multilateral agreements, some of which would overlap, thus debasing the whole concept of the protection of refugees. There could be no justification for providing for a series of fractional arrangements under the cloak of a general convention.

Mr. WARREN (United States of America) stated that the Conference had displayed a passion for precision in the case of all the articles of the Convention except article 1. It was far from clear who the refugees from "other continents" outside Europe were supposed to be. When he had voted for the amendment introduced by the representative of the Holy See, he had done so on the understanding that there were two alternatives: refugees from Europe, and refugees without qualification as to area of origin. He had supported that amendment, considering it to be the best feasible solution to the problem.

Earlier in the present meeting he had for the first time felt that the wording was subject to a different interpretation. It was fortunate that the attention of the Conference had been drawn to the ambiguity in interpretation, because, if another interpretation was possible, it would certainly create difficulties for governments and for the officials who would be responsible for applying the Convention.

Certain States, as a result of their particular circumstances, were convinced that the restriction of the definition to Europe alone would best suit their purposes. The French representative had now suggested that States in that position might eventually find it possible to extend the definition, and he welcomed that suggestion.

The idea that on ratifying the Convention Contracting States would undertake to extend its scope if they so wished was, however, already covered by paragraph F as adopted at the thirtieth meeting; that paragraph had survived two sessions of the Ad Hoc Committee, one session of the General Assembly, and the first reading of the draft Convention in the Conference. As Chairman of the Style Committee, he



would like to explain that, when the text had been considered in that Committee, it had been realized that paragraph F had no meaning for States accepting the broader definition in paragraph A, because for them no other categories of refugees remained to be included. After much discussion, it had been decided not to propose the deletion of paragraph F, but to submit another text, paragraph B in document A/CONF.2/102/Add.2, which expressed the same principle. He suggested that the Conference should focus its attention on paragraph B and either accept or reject it. He personally would support it, because it made it possible for States, which adopted the limited approach, to provide for extensions in the future. The United Kingdom representative had suggested that such a provision would create disorder and confusion in the form of multitudinous individual agreements, but, in adopting paragraph F at the thirtieth meeting, the Conference had already accepted such possible implications.

In the light of the discussion, he felt that sub-paragraph (2) of paragraph A should be amended to show that although only two alternatives were possible in respect of territorial application, the French representative's interpretation, which allowed for subsequent extension of the Convention's scope, was also accepted. It would also be necessary for Contracting States to clarify their positions along the lines suggested by the United Kingdom representative in his proposal for a new article X (A/CONF.2/AC.1/R.6).

Mr. ROCHEFORT (France) remarked that the objection had been raised that his interpretation of sub-paragraph (2) of paragraph A would result in a complicated system of bilateral and multilateral arrangements. But that danger was even greater in the case of new paragraph B, as a result of which even more complicated situations might arise.

He was not concerned with opposing the universalist view, because he did not feel that it was a question of views, but one of facts. France's experience enabled her to discern flaws which other delegations had perhaps not perceived. When France had admitted into her territory hundreds of thousands of Spanish refugees, she had received no assistance, even from universalist countries. When, by a unilateral act, she had decided to extend the benefits of the 1933 Convention to

those refugees, no difficulty had resulted for the other countries. In the majority of cases, indeed, refugee problems were regional, and it was futile to try to solve each and every general problem by a single text. What did universalism mean if it did not include an obligation on countries which had no refugees to come to the help of those which had? Universalism ought to mean that every country undertook to accept refugees in its territory, irrespective of colour, origin, age or state of health. But that was a quite impracticable goal.

Mr. ANKER (Norway) recalled the fact that he had already made known the view of the Norwegian Government that the Convention should apply to all refugees. His delegation had, however, accepted the compromise solution proposed by the representative of the Holy See in the hope that it would bridge the gulf between advocates of the so-called universalist thesis and their opponents. He associated himself with the interpretation placed by the representative of the Holy See on his amendment, and with the remarks made by the United Kingdom representative.

He believed that many difficulties would arise if the obligations assumed by States were differentiated on the basis of the continent or country of origin of the refugees concerned. Any definition based on wide geographical areas was bound to lack precision. The only practical method would be to distinguish between Europe and the rest of the world, and that he had believed to be the intention of the representative of the Holy See.

Mr. ROCHEFORT (France) drew the attention of those representatives who were in favour of the universalist solution, to paragraph (a) of section 8, in Chapter II, of the Statute of the Office of the High Commissioner for Refugees, under which the High Commissioner was called upon to provide for the protection of refugees falling under the competence of his Office by promoting the conclusion and ratification of international conventions, not, it would be noted, merely by a single convention. He must again make it clear that he could not endorse a general thesis which had no basis in reality, and that, if an interpretation of the compromise text so remote from reality and from the interests of refugees were to be accepted, he would have no alternative but to abstain from taking further part in the discussions on that question, as well as from the vote.

Msgr. COMTE (The Holy See) expressed regret that his amendment should have given rise to fresh discussion. Though not ideal, it presented two alternatives, which, he had hoped, would offer an acceptable solution.

Mr. CHANCE (Canada) recalled the fact that very protracted discussions had taken place in the Conference and, he understood, in the Style Committee on the matter under consideration. They had, indeed, been conducted with immense ingenuity and ability; the problem, however, was whether the issue was a genuine one. The United States representative had contended that it was events in Europe which had, for the most part, been responsible for the creation of large numbers of refugees. The French representative, on the other hand, had emphasized time and time again the danger of extending the application of the Convention to all refugees throughout the world. The discussion seemed on occasion to have degenerated into abstract polemics, utterly divorced from the practical considerations at stake. Surely representatives must be aware that every single provision in the Convention which might have placed any government in any kind of difficulty had been so hedged about with qualifications as to have lost much of its practical significance.

The end which the Conference was concerned to achieve was agreement on the minimum standards of decent treatment to be accorded to refugees. If governments were prepared to enter into commitments for European refugees, surely they should be prepared to do the same for refugees from other continents.

The PRESIDENT observed that in effect there were three alternative texts before the Conference: (1) "As a result of events occurring before 1 January 1951 in Europe"; (2) "As a result of events occurring before 1 January 1951 in Europe or elsewhere"; or (3) -- to meet some of the difficulties raised -- a text reading somewhat as follows: "As a result of events occurring before 1 January 1951 in Europe, or in one or more countries outside Europe, to be specified".

Mr. HERMENT (Belgium) pointed out that before a decision could be taken on the third alternative it would have to be presented as a formal amendment.

Msr. COMTE (The Holy See) agreed to accept the phrase "in Europe or elsewhere".

Mr. HOARE (United Kingdom) opposed that phrase, on the ground that it was ambiguous. He repeated his view that, no matter how the point was worded, it would ultimately have to be embodied in a separate article - an opinion already reflected in his proposal for a new article X (A/CONF.2/AC.1/R.6). Nevertheless, without prejudice to any decision the Conference might take, he suggested, in the interests of clarity, that they substitute the phrase "or occurring before 1 January 1951 in Europe or elsewhere" for the phrase "or in Europe and other continents".

Mr. CHANCE (Canada) agreed that the words "or elsewhere" were stylistically unacceptable. He felt, however, that the essential thing was to decide how many different interpretations could be placed on the phrase; only then would it be possible to cast it in its final form.

Mr. MONTROYA (Venezuela), supporting the Canadian representative, emphasized that article 1 was the most important article in the Convention, and that, in view of the protracted debates to which it had already given rise, it was essential that agreement should be reached on it as soon as possible.

After some further discussion, the PRESIDENT suggested that provision should be made in the Convention for Contracting States to choose between the following alternatives only:

- (a) Persons who had become refugees as a result of events occurring before 1 January 1951 in Europe alone;
- (b) Persons who had become refugees as a result of events occurring before 1 January 1951 in Europe or anywhere else in the world.

The President's suggestion was adopted by 13 votes to none, with 8 abstentions.

The PRESIDENT then suggested that a small drafting group be set up to cast that decision in a suitable form.

The Conference agreed that a drafting group should be set up, made up of the representatives of Belgium, Canada, the Holy See and the United Kingdom.

The meeting rose at 7.5 p.m.