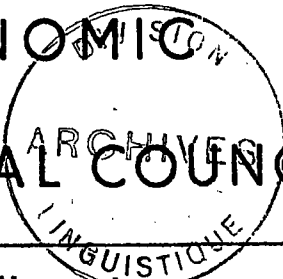


UNITED NATIONS
ECONOMIC
AND
SOCIAL COUNCIL



GENERAL

E/2036
27 June 1951

ORIGINAL: ENGLISH

Thirteenth session
Item 29 (b)

REFUGEES AND STATELESS PERSONS

REPORT OF THE UNITED NATIONS HIGH COMMISSIONER FOR
REFUGEES TO THE GENERAL ASSEMBLY

INTRODUCTION

1. In accordance with the terms of resolution 428 (V) of the General Assembly, under which I am called upon to submit annually a report to the General Assembly through the Economic and Social Council, I have the honour to submit the following report.
2. At the outset I must explain that this report will necessarily be incomplete, for the reason that I assumed office only on 1 January 1951, and for the further reason that the requirements of the Secretariat of the Economic and Social Council made it necessary to submit this report in June. It will therefore only cover a period of five months. I may have to make a supplementary oral statement to the Council.
3. In this report I shall endeavour not only to render some account of the activities of my office, but also to lay before the Council my appreciation of the tasks which lie before us in the execution of the mandate given by the General Assembly.

I

ACTIVITIES DURING THE FIRST FIVE MONTHS

4. During the first few months my office has been faced with all the difficulties which confront any new organization. Of necessity much attention has had to be paid to matters of internal organization and administration. I should further explain that my election by the General Assembly on 14 December 1950 permitted me only to pay a short visit to Geneva in the beginning of January 1951 before returning to my country to wind up my own previous activities. It

51-13828

/was therefore
E/2036

was therefore not possible for me to begin my work with the United Nations until several weeks after I had technically assumed office.

Deputy High Commissioner

5. In accordance with paragraph 14 of the Statute of my office I have appointed as Deputy High Commissioner Mr. James Read, a citizen of the United States who at the present time is Chief of the Educational Cultural Division of the Department of Public Information in the office of the United States High Commissioner in Germany. Mr. James Read will assume his functions on 1 July 1951.

Liason with the International Refugee Organization

6. I should like to mention the arrangement which was made with the IRO for the exercise of protection functions during the initial period in which the IRO still disposed of its field offices while my own office was only in the process of formation and consequently had no representatives in the field. According to this arrangement the field missions of the IRO still render protection to individual refugees while problems of a general character are dealt with by my office. This arrangement is essentially of a temporary character and a more clear delineation of functions between the IRO and my office can only be achieved for any particular country when I know that the government concerned is willing to accept my representative. The IRO has also agreed that its field offices should deal with requests emanating from my office in matters which cannot be treated directly from Geneva if they are communicated through the appropriate channels of the IRO.

Visits to Governments

7. I consider as my first and foremost task to establish personal contacts with the governments of the countries in which considerable numbers of refugees reside, and to obtain first-hand knowledge of the problems of refugees by visiting the camps and localities in the areas where the largest numbers of refugees within my mandate are located. I have visited during this period the United States, Switzerland, the United Kingdom, France, Belgium, the Netherlands, Italy, Germany and Austria. In most of the countries I have visited I have discussed with the governments and the competent authorities the question of the establishment of a representative. So far the Governments

/of the

of the United States, the United Kingdom, the Federal Republic of Germany, Austria, Belgium, Luxembourg and Italy have expressed their readiness in principle to receive a representative of my office.

Liaison with the voluntary agencies

8. Among the tasks which are entrusted to the Office of the High Commission for Refugees, specific mention is made of contact with private organizations dealing with refugee questions and the facilitation of the co-ordination of the efforts of the private organizations concerned with the welfare of refugees. This I consider to be one of the most important functions. The great part played by the international and national voluntary agencies in helping to find solutions for the problems of refugees is well known. I am especially happy to know that most of the agencies who have already contributed so much are willing to continue their work on behalf of the refugees within the mandate of my office. Through the Standing Conference of Voluntary Agencies, which includes many of the most important agencies working with the IRO, I have already established contact with the agencies working in the field of refugees. I have also, in the United States, the United Kingdom, Italy, Germany and Austria, met with the representatives of the various organizations working in the field, and have benefited considerably by their counsel.

Liaison with other international bodies

9. Close relations have been established with other international bodies working on programmes which have direct bearing on the refugee problem and my office has been represented at the proceedings of IRO, the ILO, the WHO, the Council of Europe, the Commission on Human Rights and the International Law Commission, when matters affecting the interests of refugees have been discussed.

Conference of plenipotentiaries

10. By the time the Economic and Social Council considers this report the Conference of Plenipotentiaries on the Convention on the Status of Refugees and Stateless Persons will have finished its work. I regard the early entry into force of this Convention as a matter of the utmost importance. This Convention should provide a charter of rights for refugees within my mandate, and I sincerely hope that all governments in whose territories there are

/refugees

refugees will see their way to becoming parties to this Convention. For my part I shall do everything possible to carry out the responsibilities with which I am charged under the present draft of the Convention. In my opinion this Convention will provide an adequate status for very large numbers of refugees who do not as yet enjoy the benefits of any internationally recognized legal position. I sincerely trust that at the next session of the Council I shall be in a position to report that many countries have acceded to this Convention and thereby provided a firm foundation for the work of international protection.

Grant of the Rockefeller Foundation for a survey on refugees

11. I am happy to be able to inform the Council that the Board of the Rockefeller Foundation decided in April to grant a sum of up to \$100,000, in order that an analytical and objective survey of the problems of refugees coming within the competence of my office might be carried out. It is my hope that this survey, which will be carried out independently of my office, will be able to provide the necessary material for a full assessment of all the problems involved in a permanent solution for the refugees. For this purpose a group of investigators under Monsieur Jacques Vernant, Secretary-General of the French Centre d'études de politique étrangère, has been appointed. It will not, unfortunately, be possible to present a preliminary survey to this session of the Council, but I hope that it will be ready for the next session of the General Assembly and will be of assistance to governments in framing their policies towards the refugee problem. The final survey will be completed by the end of May 1952.

Administration of funds

12. According to paragraph 10 of my Statute, I am called upon to make a report concerning the administration of any funds, public or private, which may have been received for assistance to refugees. During this period no such funds have been given or offered to my office.

II

APPRECIATION OF FUTURE TASKS

13. While this report of the activities of my office during the first few months is necessarily a brief one, I feel that it should not end here.

/The period

The period which has elapsed has enabled me and my collaborators to make some appraisal of the refugee situation and the tasks which confront my office in the future. Although this appraisal cannot be fully substantiated at the present time, and will only be able to be completed after the survey mentioned in the first part of my report has been finished, nevertheless I am of the opinion that it may be of some assistance to governments if I were now to give my views.

14. At the present time the International Refugee Organization is nearing the end of its operations. I do not hesitate to express my admiration for what the member governments have been able to accomplish through the IRO. The resettlement of about one million people by an international organization is without doubt an outstanding achievement. This has been made possible because through the IRO the countries of first asylum for refugees have been associated with the countries of immigration in a unique effort of international co-operation towards a solution of the refugee problem. But the IRO has itself reported to the General Assembly of the United Nations that, as a temporary organization, it was finding itself faced with a problem of a permanent character. The concentration of international attention on resettlement and migration has perhaps distracted attention from some of the more lasting aspects of the refugee problem.

15. It is inevitable that in the times in which we are living sooner or later we grow tired of a problem which we cannot solve speedily. In the present era, when new tensions that endanger the present and the future appear so rapidly, we have less desire to occupy ourselves with problems which result from the past. It has struck me that many of those who are confronted with the refugee problem are inclined to give up with the comforting thought that after the achievement of the IRO, despite the warning of the Organization itself, the problem has been more or less solved.

16. My first-hand contact of the realities of the situation in Central Europe has convinced me that this is a most serious misapprehension. The refugee problem has by no means been solved. If one bears in mind that in Western Germany apart from the nine million expellees who are outside the mandate of the UNECR there is a residual group of at least 100,000 DP/Refugees, together with a further one and a half million refugees from the Eastern Zone of Germany, and that in Austria in addition to the 25,000 DP/Refugees

there are within the mandate of the UNHCR another 300,000 expellees, over 50 per cent of whom are living in camps. If one realizes that in a country like France alone owing to its generous policy of granting asylum there are 400,000 refugees, and that in other European countries there are residual groups amounting to between 20,000 and 80,000, and that furthermore the assimilation of tens of thousands of refugees who have been transported to other countries has not yet reached its final stage, then one can hardly speak of a "solved problem". In saying this I am fully aware that the conditions of these refugees vary from country to country, and their degree of assimilation is different in each country.

17. When thinking of the problem of the residual group of refugees in Germany and Austria, however, we should not forget that a very large proportion of the refugees have been living in camps often for a period of six years since the end of the war. It should also be remembered that many of the inmates of these camps were forced to live in even more dreadful conditions during the war itself. The camps at best only meet a minimum of social and hygienic requirements. They offer little opportunity for full human existence. I wonder how many people realize that there is a new generation growing up in the camps. I have seen camps where three families are living in the same room with children born since the end of the war and who have no other experience of family life than in these terrible conditions. There are thousands of children in Europe between the ages of five and eleven who became refugees with their parents and who now after living six years of camp life are between the ages of eleven and seventeen and have usually not had the opportunity to learn any trade whatsoever. I am sure that if all those who are initially responsible for giving directives for the refugee problem of the United Nations had the opportunity to visit the camps themselves they would appreciate how very far from being solved the problem really is, and how difficult it is to solve.

18. Two further factors complicate this situation. In the first place new refugees are constantly appearing in the countries of first asylum. The unrest which is prevalent in the world, the present international tensions, and the often extremely difficult conditions under which people and groups of people are living, lead to a continued increase in the number of refugees

/who seek

who seek asylum and create a problem which to a large extent lies within the competence of my office.

19. Secondly, the residual groups of refugees who cannot be settled by the IRO for the greater part fall into the category of difficult cases, who therefore need more care and have to be treated more or less on an individual basis. It is doubtful whether any extension of migration programmes would provide a solution for these persons who, as it has already been shown in the experience of the IRO, do not satisfy the criteria of the countries of immigration. The only future for these people seems to be one of assimilation in the countries in which they now reside.

20. This situation leads to important conclusions as regards the discharge of the functions entrusted to my office under its Statute. According to Chapter I of the Statute, my office is charged with the function of providing international protection for refugees and also seeking permanent solutions for the problems of refugees by assisting governments and, subject to the approval of the governments concerned, private organizations to facilitate the voluntary repatriation of such refugees or their assimilation within new national communities. I am fully aware of all the difficulties which work against the assimilation of those refugees who will not be resettled by the IRO. For this reason, and for the sake of the newly arrived refugees, I would welcome any further international effort in the field of migration, but I would emphasize the necessity of an effective co-ordination between the activities of any agency engaged in migration operations and my office. Although I have no direct mandate to engage in repatriation and resettlement without the approval of the General Assembly, I consider that it is my duty to look for any possibilities of voluntary repatriation or resettlement which would provide a solution for refugees within my mandate.

21. But if a substantial number of the refugees within my mandate cannot be voluntarily repatriated or resettled, then it seems to me that my chief task must be, in countries where this is feasible, to assist the local settlement of those refugees within the competence of my office for whom there are no chances of resettlement, and to promote the complete assimilation of all those refugees who have been resettled.

22. The assimilation of refugees in countries of resettlement is generally

/a straightforward

a straightforward process. The immigrant refugee usually stands a fair chance of having a certain security regarding his future economic existence from the first day of his arrival. In general the refugee immigrant will become eligible for naturalization within a relatively short space of time. The task of international protection in these countries is in my view chiefly to promote the naturalization of refugees and to give assistance in cases where refugees may encounter difficulties before they are naturalized. In some cases the difficulties for resettled refugees may be and are in fact still considerable. Far more serious, however, are the difficulties of refugees who do not qualify or who for other reasons have no chance of emigration.

23. The assimilation of refugees in countries of first asylum presents a series of grave problems. Whether or not a country becomes one of first asylum is a matter of political and geographical circumstances but in general the countries of first asylum are densely populated. Their governments are faced by contradictory exigencies. On the one hand they want to comply with the principles of humanity and to accept refugees who for reasons of persecution or fear of persecution have crossed their borders; on the other hand it is their duty to protect the security and economic interests of their own nationals, which may be prejudiced by too great an influx of refugees into their territory.

24. Several of the countries of first asylum are in fact the countries of residence of large groups of refugees and are in difficult conditions themselves. Since the end of World War II they have received considerable foreign economic aid in order to ensure their reconstruction and to make it possible for them to re-organize their own economic systems. The burden imposed upon them by the influx of large numbers of refugees is considerable, and it is more than doubtful whether these countries can carry out a policy of assimilation without a diversion of some of the economic aid which is being given from other countries to the creation of housing and employment possibilities for refugees where none exist. The attitude of their peoples towards the assimilation of refugees is for more than one reason not always favourable. Fear of competition, unwillingness to accept foreigners in their midst, political considerations and unwillingness or inability to spend

/large sums

large sums of money on a programme of local settlement are the motives behind such an attitude, which usually reflects itself in the policy pursued by their governments towards refugees. For all these reasons the progress for a refugee to full assimilation including the obtaining of citizenship may be a long one, longer for one group than for another (e.g. longer for residual DP's in Austria than for Volksdeutsche) and longer for one individual than for another, as personal factors play a considerable part in the process of assimilation.

23. I believe that the assistance of the body entrusted with the international protection of refugees is necessary to help governments of the countries concerned to solve the difficult problems of assimilation. That problem, although certainly one of international protection, is more than legal protection in the limited sense of the term. It is my understanding of the mandate of my office, in which I am charged with promoting through special agreements with governments the execution of any measures calculated to improve the situation of the refugees and to reduce the numbers requiring protection, that it is my duty to seek permanent solutions by promoting the assimilation of refugees within their new national communities. No permanent solutions can be reached if we are prepared only to face part of the problems of refugees. We must face their problems as a whole. I believe that the method and the energy with which the United Nations tackled the problem of refugees is of vital concern in the eyes of the world to its whole programme of human rights. This programme is inspired by the desire to protect the individual, and I am sure that for many thousands of people the sincerity of the United Nations in this field will be judged by its efficacy in protecting those persons who are deprived of the most fundamental of all protections, the protection of their countries of nationality - namely the refugees.

CONCLUSIONS

26. Certain conclusions must, I submit, be drawn from this appreciation of the present state of the refugee problem which will affect the future structure of my Office. The experience gained by all those who have concerned themselves for the past years with the refugee problem leads to the conviction that it would be unrealistic to envisage merely a central organ in Geneva from which

/the international

the international protection of refugees could be undertaken.

27. In the past, countries faced with the presence of large numbers of refugees in their territories have welcomed the representative of an international organization to assist them in solving the many difficult problems which arise. As I stated in the first part of this report, a number of the Governments whom I have visited and whom I have consulted as to the need for appointing representatives in their territories have expressed their readiness to accept such a representative.

28. The short experience which I have had as High Commissioner for Refugees has already convinced me that the necessary tools for doing the job which has been entrusted to my Office by the General Assembly are a small team at Geneva of highly qualified collaborators devoted to the cause of refugees, and field offices, each of them small but efficient, through which I can maintain direct contact with the Governments as well as with the refugees themselves and also with the voluntary Agencies working on their behalf.

29. The requirements of the international protection of refugees, in accordance with the terms of the Statute of my Office and the future tasks as I have outlined them in the second part of this report, would call for the establishment of eleven field offices, some of which could cover several countries. It is my intention to submit to the General Assembly of the United Nations estimates based on these considerations.

30. In this connexion I would point out that the General Assembly, in the budgetary estimates for my Office which it approved at its last session, made provision for the establishment of representatives in countries where there are considerable numbers of refugees. The cost of the establishment of these representatives will be included in the administrative expenditures relating to the functioning of my Office which, according to Chapter III, paragraph 20 of the Statute, shall be borne on the budget of the United Nations.

31. At the present time I do not envisage that my Office will incur any expenditure other than these administrative expenditures. Such additional expenditure might, in my opinion, be incurred at a later date only by virtue of any additional activities which might be determined by the General Assembly in accordance with Chapter II, paragraph 9 of the Statute. Such expenditures would, in accordance with Chapter III, paragraph 20 of the Statute, be financed

/by voluntary

by voluntary contributions unless the General Assembly gave its prior approval for an appeal to be made to Governments or for a general appeal under Chapter II, paragraph 10 of the Statute.

32. The budget which was given my Office for 1951 was based on a nine months period of preparation, including the establishment of my Office. As I have tried to present to the Council, the situation for 1952 will be very different and require more adequate means to carry out the task.

33. Before concluding this report, I should like to pay tribute to the members of the staff of my office who have shown considerable ability under difficult circumstances and great devotion to the cause for which they are working.

34. I consider it a privilege to present this report to the Economic and Social Council and the General Assembly, which have since the foundation of the United Nations shown such a warm and keen interest in the tragic problem of the refugees. They have not hesitated to take action when action was necessary.

35. I feel that it is only right that I should present to you at this early stage what I consider to be an appreciation of the situation as it now is and the conclusions which seem to me to follow therefrom, for the fulfilment of the tasks which have been entrusted to my office.

I look forward with confidence to your active support to enable me to work effectively for a cause which I consider it a privilege to serve.
