

# THE QUESTION OF REFUGEES

## DOCUMENTS

FOR THE SPECIAL COMMITTEE ON  
REFUGEES AND DISPLACED PERSONS



Economic and Social Council of the  
United Nations

1946

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**Note.**—*The documents included herein are reproduced for the information of the members of the Special Committee on Refugees and Displaced Persons and the Members of the Economic and Social Council.*

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# ECONOMIC AND SOCIAL COUNCIL

## Documents for the Special Committee on Refugees and Displaced Persons

(Document E/REF/I)

1.

### REPORT OF THE THIRD COMMITTEE OF THE GENERAL ASSEMBLY ON THE QUESTION OF REFUGEES, INCLUDING THE RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY ON 12 FEBRUARY 1946 (A/45)

*Rapporteur* : Mrs. F. DALEN (Norway).

1. The General Assembly at its sixteenth plenary meeting, held on 19 January 1946 referred the question of refugees to the third Committee for consideration and report to the plenary meeting.

2. The third Committee has devoted seven of its meetings to a full and frank discussion of the refugee problem. Two proposals were before the Committee at the outset, one put forward by the delegation of the United Kingdom (A/C.3/5), the other by the delegation of Yugoslavia (A/C.3/7).

3. During the course of the discussion three other delegations submitted formal proposals; namely, those of the Netherlands (A/C.3/15), the Soviet Union (A/C.3/19) and the United States of America (A/C.3/20).

4. A "Statement concerning refugees" submitted by the delegation of the Dominican Republic (A/C.3/9) called the attention of the delegates to the refugee colony of the Dominican Republic which had been established for "victims of nazi-fascist intolerance" following the Evian Conference in 1938; and a memorandum submitted by the delegation of France (A/C.3/16) contained a proposal concerning statutory refugees.

5. At the conclusion of the discussion, there still being several proposals before the Committee, the Committee appointed a drafting subcommittee to seek agreement on a single text. This subcommittee was composed of the delegates for the United States of America, United Kingdom, Soviet Union, France, Panama, Yugoslavia, the Netherlands and the Lebanon, together with the Rapporteur and the Chairman.

6. The drafting subcommittee after three meetings submitted a report comprising a text approved by the majority of the subcommittee together with certain amendments put forward by the delegation of the Soviet Union with the approval of the delegation of Yugoslavia. Among these amendments were the following:

To include in paragraph (c) the following subparagraphs:

"(iv) No propaganda should be permitted in refugee and displaced persons camps against the interests of the Organization of the United Nations or its Members, nor propaganda against returning to their native countries.

(v) The personnel of refugee and displaced persons camps should first of all be comprised of representatives of States concerned, whose citizens are the refugees."

To add the following words to paragraph (d):

"Quislings, traitors and war criminals, as persons who discredited themselves by collaboration in any form with the enemies of the United Nations, should not be regarded as refugees who are entitled to get protection of the United Nations. Quislings, traitors and

war criminals who are still hiding themselves under the guise of refugees should be returned to their countries immediately."

7. After full discussion these amendments were not approved by the third Committee. The Committee adopted the text of a draft resolution on refugees which appears at the end of this report.

8. The following interpretation relating to paragraph (c) (ii) of the draft resolution were given by the Chairman following requests for information by the delegates for Belgium and Australia respectively:

(a) in answering the delegate for Belgium, the Chairman stated that it was implied that the international body would judge what were, or what were not, "valid objections"; and that such objections clearly might be of a political nature;

(b) in answering the delegate for Australia, the Chairman stated that it was to be presumed that the information supplied to refugees or displaced persons from the governments of their countries of origin would be made available through the responsible international body, in whatever way seemed most appropriate in view of the particular circumstances of the case.

9. The following expressions of opinion were put forward for inclusion in the report, and in the hope that they might be taken into account by the Economic and Social Council:

(a) The United States delegation urged the importance of existing international agencies maintaining their activities for the benefit of refugees pending the outcome of the proposed study and report.

(b) The delegation of Panama suggested that the Spanish Republican refugees should only return to Spain when a democratic regime able to assure their rights had been established there; and that in the meantime they should be accorded special status by the countries of temporary residence, securing to them the same rights as men and workers as those enjoyed by the citizens of the country that had given them hospitality.

(c) The Bolivian delegation suggested that the possibility should be studied of raising the necessary funds and means of transport for the transfer to countries of immigration of bona fide refugees, or displaced persons, within the limits of the immigration quotas fixed by the countries concerned and communicated to the appropriate body.

10. Finally, the Committee desired unanimously to express its sympathy with the Spanish Republican refugees and wished to place on record its strong view that the Economic and Social Council should examine their case with particular care and attention.

11. I now have the honour to submit to the General Assembly for its consideration and approval the following resolution:

*The General Assembly,*

recognizing that the problem of refugees and displaced persons of all categories is one of immediate

urgency and recognizing the necessity of clearly distinguishing between genuine refugees and displaced persons, on the one hand, and the war criminals, Quislings, and traitors referred to in paragraph (d) below, on the other :

- (a) *decides* to refer this problem to the Economic and Social Council for thorough examination in all its aspects under item 10 of the agenda for the first session of the Council and for report to the second part of the first session of the general assembly ;
- (b) *recommends* to the Economic and Social Council that it establish a special committee for the purpose of carrying out promptly the examination and preparation of the report referred to in paragraph (a) ; and
- (c) *recommends* to the Economic and Social Council that it take into consideration in this matter the following principles :
  - (i) This problem is international in scope and nature.
  - (ii) No refugees or displaced persons who have finally and definitely, in complete freedom, and after receiving full knowledge of the facts including adequate information from the governments of their countries of origin, expressed valid objections to returning to their countries of origin and who do not come within the provisions of paragraph (d) below, shall be compelled to return to their country of origin. The future of such

refugees or displaced persons shall become the concern of whatever international body may be recognized or established as a result of the report referred to in paragraphs (a) and (b) above, except in cases where the government of the country where they are established has made an arrangement with this body to assume the complete cost of their maintenance and the responsibility for their protection.

- (iii) The main task concerning displaced persons is to encourage and assist in every way possible their early return to their countries of origin. Such assistance may take the form of promoting the conclusion of bilateral arrangements for mutual assistance in the repatriation of such persons, having regard to the principles laid down in paragraph (c) (ii) above.
- (d) *considers* that no action taken as a result of this resolution shall be of such a character as to interfere in any way with the surrender and punishment of war criminals, Quislings and traitors, in conformity with present or future international arrangements or agreements.
- (e) *considers* that Germans being transferred to Germany from other States or who fled to other States from allied troops, do not fall under the action of this declaration in so far as their situation may be decided by allied forces of occupation in Germany, in agreement with the governments of the respective countries.



2.  
**RESOLUTION ESTABLISHING A SPECIAL COMMITTEE ON REFUGEES AND DISPLACED PERSONS ADOPTED BY THE ECONOMIC AND SOCIAL COUNCIL ON 16 FEBRUARY 1946**  
 (E/15/Rev. 1)

*The Economic and Social Council,*

1. Considering that the General Assembly, on 12 February 1946, adopted a resolution in the following terms:

*The General Assembly,*

recognizing that the problem of refugees and displaced persons of all categories is one of immediate urgency and recognizing the necessity of clearly distinguishing between genuine refugees and displaced persons, on the one hand, and the war criminals, Quislings and traitors referred to in paragraph (d) below, on the other:

- (a) *decides* to refer this problem to the Economic and Social Council for thorough examination in all its aspects under item 10 of the agenda for the first session of the Council and for report to the second part of the first session of the General Assembly;
- (b) *recommends* to the Economic and Social Council that it establish a special committee for the purpose of carrying out promptly the examination and preparation of the report referred to in paragraph (a); and
- (c) *recommends* to the Economic and Social Council that it take into consideration in this matter the following principles:
  - (i) This problem is international in scope and nature.
  - (ii) No refugees or displaced persons who have finally and definitely, in complete freedom, and after receiving full knowledge of the facts including adequate information from the governments of their countries of origin, expressed valid objections to returning to their countries of origin and who do not come within the provisions of paragraph (d) below, shall be compelled to return to their country of origin. The future of such refugees or displaced persons shall become the concern of whatever international body may be recognized or established as a result of the report referred to in paragraphs (a) and (b) above, except in cases where the government of the country where they are established has made an arrangement with this body to assume the complete cost of their maintenance and the responsibility for their protection.
  - (iii) The main task concerning displaced persons is to encourage and assist in every way possible their early return to their countries of origin. Such assistance may take the form of promoting the conclusion of bilateral arrangements for mutual assistance in the repatriation of such persons, having regard to the principles laid down in paragraph (c) (ii) above.
- (d) *considers* that no action taken as a result of this resolution shall be of such a character as to interfere in any way with the surrender and punishment of war criminals, Quislings

and traitors, in conformity with present or future international arrangements or agreements;

- (e) *considers* that Germans being transferred to Germany from other States or who fled to other States from allied troops, do not fall under the action of this declaration in so far as their situation may be decided by allied forces of occupation in Germany, in agreement with the Governments of the respective countries.

*The General Assembly establishes a Committee on refugees and displaced persons:*

2. The function of the Committee shall be to carry out promptly a thorough examination in all its aspects of the problem of refugees and displaced persons of all categories, and to make a report thereon to the Council at its second session.

3. In making this examination and in preparing its report, the Committee shall take into consideration the principles set forth in paragraphs (c), (d) and (e) of the resolution of the General Assembly cited above. It shall take into account the verbatim records with regard to refugees of the third Committee of the General Assembly. It shall further take into account the unanimous expression in the report of the third Committee of the General Assembly of its sympathy with the Spanish Republican refugees, and its strong view that the Economic and Social Council should examine their case with particular care and attention.

4. The Committee shall be composed of one representative of the following Members of the United Nations:

Australia, Belgium, Brazil, Byelorussia, Canada, China, Colombia, Czechoslovakia, Dominican Republic, France, Lebanon, Netherlands, New Zealand, Peru, Poland, Ukraine, Union of Soviet Socialist Republics, United Kingdom, United States, Yugoslavia.

5. The Director of the Inter-governmental Committee on Refugees and the Director-General of UNRRA, or their representatives, shall be invited to sit with the Committee in a consultative capacity.

6. The Committee shall elect its own officers.

7. The Committee may establish such sub-committees as may be necessary for all aspects of its work, including the carrying out of investigations or field trips. It shall have the right to take evidence from or consult with such persons or bodies as it deems appropriate.

8. The Committee shall meet in London on 31 March 1946. It shall hold itself at the disposal of the Council until the convening of the third session of the Council.

9. The report of the Committee, after revision pursuant to directions given by the Council, shall be communicated by the Secretary-General to the Members of the United Nations not later than forty-five days prior to the convening of the second part of the first session of the General Assembly on 3 September 1946. The report, together with the comments of the Members, shall be reviewed by the Council at its third session and the observations and recommendations of the Council thereon transmitted to the General Assembly.

## 3.

**VERBATIM RECORDS OF MEETINGS OF THE  
THIRD COMMITTEE OF THE GENERAL  
ASSEMBLY CONCERNING THE QUESTION OF  
REFUGEES**

**(1) Fourth meeting**

*Held at Central Hall, Westminster, on Monday,  
28th January 1946, at 2.30 p.m.*

*Chairman : Mr. P. FRASER (New Zealand).*

The CHAIRMAN : The delegates will take their seats in order that we may see if there is a quorum present.

I want to inform you that Mr. Noel-Baker, Minister of State, is detained in the House of Commons. It is very important that the British delegate should be heard first, because his statement was in first, and it will give a foundation for the whole discussion. I hardly anticipate the discussion will be finished this afternoon, and I think if Mr. Noel-Baker spoke first and told what was behind the statement with regard to refugees, we would get a sounder foundation for the start of the discussion than by any other means.

The other statements are very important indeed but they are to some extent in the light of the British statement, so if it would suit your convenience...I see there is not a quorum, but I think there are sufficient here to agree that we could postpone the opening until 3 o'clock; that is, to sit in our seats, and I am sure there are matters in which we can usefully engage our time. I hate to do this, and I would not do it unless it was very extremely urgent.

I am very anxious that the discussion should start on as wide and as sound a foundation as possible, and I ask the opinion of the delegates.

Is there any objection by those present to that course? If there is, we will, of course, start as soon as we have a quorum.

I take it if there is no objection we will not have to resort to the very helpful suggestion of the South African delegate: the old method of walking out of the room and preventing a quorum being formed!

Then we are all agreed.

As the quorum is here...that is right, is it not?

Mr. TOMLINSON (Chief of Section) : Yes.

The CHAIRMAN : We can start five minutes before the time that was fixed so as to enable Mr. Noel-Baker to come here and open the discussion. Before calling on him, however, the delegate for the Soviet Union wishes to say a word and make some suggestions.

Mr. FEONOV (Soviet Union) : The Soviet delegation would like to propose the following suggestion : You know that the delegation of the United Kingdom has submitted a memorandum in which they suggest that the question of refugees should be referred to the Economic and Social Council for a thorough examination. This memorandum was expected to be submitted some time ago, but we received it only on 23 January.

In the meantime, this Committee already agreed to refer this question, the question of refugees, to the Economic and Social Council. The Economic and Social Council in its turn approved at its first meeting on 23 January the agenda of the first session of the Council which carries the question of refugees under item 10. It is doubtful, in view of such development of affairs in the Committee and in the Economic and Social Council, if it would be necessary to adopt once again the decision to

refer the question of refugees to the Economic and Social Council. It would be more sound, first, to have proposals worked out by the Economic and Social Council.

The CHAIRMAN : The question has been referred to this Committee for the report to the Assembly, and in regard to what the Economic and Social Committee should deal with. A great number of the delegates want to participate in the discussion and personally I would have to rule that the discussion would go on unless there is a motion to the contrary which I will take, a motion to the contrary and carried by a majority of the Committee. Delegations have prepared papers on it (the British and the Yugoslav delegations) and the delegates have studied and thought a great deal upon that and already I have a list of ten speakers wishing to speak on the subject. In the face of that I will have to rule that the discussion must go on unless there is a motion to the contrary. If there is a motion to the contrary, I will just take a vote on it.

Sir Ramaswami MUDALIAR (India) : Perhaps it will facilitate an understanding of the reasons why the General Assembly has been asked to consider this question if I were to explain the history of how the question came to be put on the agenda of the General Assembly, and therefore finds a place on the agenda of this Committee.

The Executive Committee and the Preparatory Commission both stated in their reports that the problem of refugees was one of the most urgent problems to be dealt with, and that it ought to be dealt with by the Economic and Social Council. The subject was, naturally, taken up by the Technical Committee on the Economic and Social agenda matter, and the Technical Committee then found that some delegates wanted a clarification of the position of who constituted refugees. It appeared from the discussion and the debate of the Technical Committee, that there might be some political issues involved and these issues should be clarified only by the General Assembly and not by the Economic and Social Council, and when that clarification was obtained from the General Assembly, the Economic and Social Council could go ahead with this problem of refugees.

Therefore, the Technical Committee recommended that, on the one hand, the subject of refugees should be on the agenda of the Economic and Social Council for practical discussion, and, on the other hand, the subject of refugees may also be put on the agenda of the General Assembly at the first part of the first session so that any political problems, or difficulties, or doubts regarding the question of refugees may be settled by the General Assembly.

The Economic and Social Council has the subject on its agenda, and proposes to deal with the subject in due course, but it has always understood that if clarification of this problem of refugees from the political or any other angle which does not specially concern the Economic and Social Council were to be had, and it could only be had from a discussion in the General Assembly and in this Committee, it would greatly facilitate the work of the Economic and Social Council if we were to go through the discussion on this subject in this Committee.

The CHAIRMAN : May I say that I would not like to drag out the discussion about whether we postpone the matter very long, because I think delegates will make up their minds very quickly, and I want to get to the main question quickly if we are going on. The delegate for Belgium.

M. DEHOUSSE (Belgium) : I have only one remark to make.



I have some hesitation in following the delegate for the Soviet Union on the course which he proposes that we should take.

It is true that the question of refugees is on the agenda of the Economic and Social Council, first section, item 10; but a perusal of item 10 shows that it is drafted in such a way as to make its discussion by the Council optional.

The text runs: "discussion of the problem of refugees . . . and such other matters as may be referred to the Council by the General Assembly or which the Council may find desirable to put on its agenda."

If the Assembly does not refer anything concerning refugees to the Economic and Social Council, the Council is clearly not seized of the question.

Further, if the Council decides that it does not think it desirable to place the question of refugees on its agenda, item 10 drops out *ipso facto*.

I therefore agree with the Chairman that, for the various reasons that have been given and for that which I have mentioned, it would be better for a discussion on the question of refugees to take place here.

The CHAIRMAN: May I ask whether the delegate for the Soviet Union wishes to have his proposal put forward for a vote in the form of a motion?

Mr. FEONOV (Soviet Union): The Soviet delegation made this proposal from purely practical considerations. This question, in any case, will be discussed at the Economic and Social Council, and it seems to me it will be finally referred to the General Assembly. From this point of view, we thought it proper to consider this question in detail at the Economic and Social Council.

Then, with regard to the papers already prepared on this question by the United Kingdom delegation and the Yugoslav delegation, those papers should certainly be used by the Economic and Social Council. I do not want to insist upon the suggestion if it is the wish of this Committee to consider this question here.

The CHAIRMAN: I understand that the delegate for the Soviet Union just puts forward the suggestion as a practical business proposal, and that he does not want to press it to the vote. That is correct, is it not? I would like to ask the delegate whether he wants a vote on the matter or not?

Mr. FEONOV (Soviet Union): I do not want to put this question to the vote.

The CHAIRMAN: Thank you. In that case I will call upon the delegate for the United Kingdom.

Mr. NOEL-BAKER (United Kingdom): I must begin by profound apologies to the Committee, and to you, Sir, for having been the unwitting and unwilling cause of delay in the start of your proceedings. Perhaps the Committee will permit me to explain that my colleague, Mr. McNeil, who deals with refugee questions for H.M. Government, and who is Chairman of the Executive Committee of the Inter-governmental Committee on Refugees (what we call, and what I shall refer to as the IGC), has been prevented from being here by causes over which he had no control, and I have, therefore, been obliged, at the last moment, to take his place. I am obliged to take his place, although I have to bow to the will of the British Government and answer questions on behalf of the Secretary of State, who is engaged in the Security Council, and as anybody who is aware of the way we do our business in Parliament will know, it

would have been worth my office, perhaps almost worth my life, not to appear in the House of Commons when questions are to be called.

The CHAIRMAN: It just shows how very awkward it is to have Parliament meeting when we are here!

Mr. NOEL-BAKER (United Kingdom): Sir, I am grateful to our Soviet colleague for withdrawing his proposal that we should not debate this matter in the Committee, for I venture to submit to you that those who spoke in favour of a debate, including yourself, were right. I agree entirely with Sir Ramaswami's argument. I myself took part in several discussions on this question in the Preparatory Commission. In the end, we succeeded in getting a decision that it should be placed on the agenda of the Assembly, and I think the majority was forty odd to three; it was of that order. I think, therefore, that it would have been a pity to allow the Assembly to go by without a debate, in view of the suggestions which, by so large a majority, the Preparatory Commission have made.

Moreover, I agree entirely with our Belgian colleague about the wording of the item which stands on the agenda, but I think the specific reason is the memorandum which has been put in by the Yugoslav delegation, and which I received today.

If members of the Committee will look at the memorandum, they will see that, at the beginning of paragraph 1, the Yugoslav delegation suggests that the Assembly ought to adopt a recommendation which says that the problem of displaced persons has ceased to be one of the important international questions. Now, Sir, that challenges the whole thesis on which the Preparatory Commission was acting. It would make nonsense of the decision to put the question of refugees on the agenda of the Economic and Social Council, and since the Yugoslav Government is represented on the Economic and Social Council, it is surely as well that this Committee should consider whether refugees do constitute an important international problem before the Council starts on its work; it would be well that the Council should be guided by the deliberations, and, if necessary, by the reports of this Committee and of the Assembly as a whole.

Now, Sir, I am not going to speak very long, as you have ten speakers already on your list, and we have put in a lengthy paper which, I know, every delegate present has read; but I must begin by saying that, in our view, refugees at the present time do constitute an international problem of the very highest importance; a problem of importance to every Member of the United Nations; a problem which may cost us a great deal, or which may be resolved in a manner which will bring benefit to all.

Sir, it always happens after every great war that a large number of the people who are displaced by the events of war, by the battles that sway backwards and forwards, by the political consequences to which wars lead, that great numbers of people are unable or unwilling to return to the homes where they lived before the war began. It happened after the last war; it happened on an enormous scale after the last war; and it was my honour and privilege to serve Doctor Nansen when he acted as High Commissioner for Refugees on behalf of the League of Nations. No one who knew that work, no one who knew the conditions in which the refugees were living, the utter destitution, the utter helplessness, the utter hopelessness of their situation, would deny that without some organized help such problems can never be satisfactorily dealt with.

After the last war the numbers were of the order of a million and a half to two millions to begin



with; and other categories were added later. The work was carried on under the auspices of the League of Nations by a small administration with most inadequate funds. I would be very far from declaring that the results obtained were satisfactory to anybody, least of all to Doctor Nansen; but I will say that without the help which he, as High Commissioner, was able to give, the conditions of a great number of the refugees would have been infinitely worse than in fact they were.

Let me deal with one point only. Most of these refugees found themselves without a passport; they were unable to travel. They were in a country where they could find no work. Many of them had relations who knew of openings in other countries if only they could get there, but the absence of papers of any kind made it impossible for them to make the journey which would have taken them from helplessness and poverty to relative usefulness to the society of mankind. They, in the end, were furnished with a Nansen passport, and after a long process of conferences and deliberations a large number of governments throughout the world agreed to accept this Nansen passport, granted by national governments on the recommendation largely of officers of the High Commission. They agreed to recognize this Nansen passport as a paper which would allow refugees either to travel in transit across their territory or to enter to take up their residence in their land. Sir, by that means I venture to say that hundreds of thousands of these refugees were able to reach a place where they had a useful and happy life, instead of remaining as rotting flotsam on the currents of international affairs.

I am quite sure that after this war there are going to be not fewer helpless refugees than there were after the last war: people who have committed no crimes, people who cannot be dealt with under the arrangements made for those who have been traitors or helped the enemy, people who for reasons which seem to them good are unable or unwilling to go back to the countries where they lived before, people who have seen their entire families massacred in the countries from which they came, people who have some relative overseas to whom they might go, people who have a natural revulsion to going back to the place where such terrible events have happened, people who are out of sympathy with the new system of government adopted in the country to which they belong: always it has happened in wars when great social changes have taken place, and that some of those affected have wanted to move to other countries and have been allowed by international law and international custom to do so.

I had a long debate on this very matter with some colleagues of mine on the Yugoslav delegation in the UNRRA Council in August of last year. I should not like to say on how many occasions or on how many days the subject came up, but certainly it was exhaustively debated, and in the end UNRRA adopted the principle that, of course, these people must be recognized as refugees, these displaced persons, that is, that UNRRA should look after them in the interim period until some more permanent international organization could be set up to take them over.

In the committees on these matters we certainly had very large majorities in favour of the view which I maintain; and I am rather inclined to think, and I hope my memory is not at fault, that on the last occasion the Yugoslav delegation voted alone. Sir, in any case, I venture to submit to the Yugoslav delegation, with great respect, and with an appeal to them, that they will try to share the views of others: that in fact there will be hundreds of thousands and perhaps millions of people who

will be helpless, who will not go back to their homes, and who other governments will not feel it right and fair should go back to their homes, who, therefore, unless some international help is organized, will remain as a charge upon the world at large. Sir, if that is the situation, and I am sure it is, what ought we to do? Well, we must recognize that many of the governments of the world did think that to be the situation right up to 1939, in fact, right up to today, and that they have had the High Commission of the League of Nations still in existence and the Inter-governmental Committee and that these bodies, and others as well were together looking after great numbers of refugees, including hundreds of thousands of republicans who came out of Spain when they lost the Civil War.

All these people will need help of various kinds. Many of these, we hope, in new conditions, when confidence has been created and when things have settled down, may yet, in the long run, decide to go back to their own countries. You do not exclude that solution if you set up an international organization. But can they help? On the contrary, you increase the chances that that will happen. But supposing it does not, what else can you do? Well, what was attempted in the past consisted very largely of two sorts of plan: in the first place, attempts were made to organize a large scale movement of refugees, taking thousands or tens of thousands at a time, raising a sum of capital and trying to settle them on the land or in some other form of productive enterprise in the countries which decided to accept them and where it was thought that they might help to build up the economic productivity of that country. There was one striking example of such a scheme, when Dr. Nansen, with the help of the Soviet Union, organized the plan, worked out in the greatest detail, for the return of Armenian refugees to the Soviet Armenian Republic of Erivan. That scheme, in the end, in part succeeded in the sense that some of the refugees went there, but as it was planned it did not succeed for the unhappy reason (it was one of the bitter disappointments of Dr. Nansen's life) that the necessary capital could not be raised.

That is one sort of action which may be taken. The other kind, which in my view in the long run disposes of far more refugees, is to deal with them one by one or in small groups or families, or taking two or three families together; to find a place where some skilled worker who is the head of a family can render a particular service in some country which is short of experts in his line: then, with help and capital funds, you can give him the cost of his journey. He goes to his new country and shortly afterwards he begins to earn and little by little he pays back the money which was lent to him for his journey. Now, on that basis, an enormous amount was in fact done in the past, and very much can be done in the future. It is action which requires something in the nature of an international labour exchange; and the way it worked before was that there was a headquarters office dealing with applications which came into it for people who wanted to move to a certain country, giving details of their skill and those local offices in countries which might receive them and found openings to which the people could be sent.

I am quite certain that in Europe today there are a great many specialists, skilled artisans and others, whose work is urgently needed for reconstruction and for development in very many places throughout the world, where they might settle down to a happy life without any political considerations of any kind being involved.



I was told the story the other day of a very small village somewhere in Germany in which there were eleven highly skilled dentists of non-German nationality, who were trying to live by drilling each other's teeth, but who found it very unprofitable because professional etiquette forbade them to take fees! Sir, those dentists are urgently needed in very many countries of the world, where the shortage of men of their skill is well known. I believe that some system of that kind would give very good results. Of course, it is partly action of that sort which the High Commission and the Inter-governmental Committee have been trying to take even in recent years, though everybody on this Committee will realize the great difficulty of doing so in war conditions.

Proposals were thrown up in the vaguest kind of way, merely as a suggestion, in the course of the Preparatory Commission's debates, that there might be created, under the United Nations, under the direct authority of the Assembly, an organ of the United Nations, by which these tasks might be performed, an organ which would take over the responsibilities of existing bodies, which would be given a clear definition of what was meant by a refugee with whom they had got to deal, who would have the necessary means to decide with whom they ought to deal and those who ought to be returned to their own countries for punishment, and who would have political direction; that the organization might consist of a High Commissioner, a General Committee responsible to the Assembly, and that the Committee should be able to call a general conference on refugees and questions affecting the Members of the United Nations if it so desired; that the staff should be provided by the Secretary-General; that administrative costs, and only administrative costs, might be carried on the Budget; that subordinate offices might be set up (they could be very small) in the countries where it would be useful to have them. Now, I am not putting that forward as a proposal, I am not putting forward any proposals; I am only saying that that was the way in which the course of the debates in the Preparatory Commission it was suggested that the matter might be dealt with.

All we propose in our paper is that this should be referred to the next part of the Assembly. We hope it will be referred with directives of principle from the Assembly, in the sense that if the Assembly is able to reach agreement on any broad principles, then so much the better; if not, not. We hope that the Economic and Social Council will be able to report to the next part of the Assembly either in a positive or a negative sense, either saying that something new should be done, or that the present machinery should be adapted and strengthened, but with some positive report which will enable the second part of the Assembly to agree on a plan to deal with this matter.

Sir, I hope that some final decision will be arrived at by the governments at the second part of the Assembly. UNRRA and the existing bodies can carry on on the existing basis for a few months more, but they cannot carry on after that, and when they cease to carry on I am sure that the problem will become one of the greatest gravity and the greatest importance to nearly every Member of the United Nations.

The CHAIRMAN: The delegate for the United States of America.

Mrs. ROOSEVELT (United States): I would like to say to begin with that I fully sympathize with my colleague from the USSR, that speeches which are not necessary should not be made. Nevertheless, I think it is well that the Economic and Social Council should have a clear view of the

position taken by the various delegates in this Committee, particularly in view of the proposal of the Yugoslav delegation.

I want to congratulate Mr. Noel-Baker on the very excellent statement he has made for the United Kingdom delegation on the refugee problem and its background. Our delegation of the United States is happy to support the proposal of the United Kingdom that the question of refugees shall be referred to the Economic and Social Council for thorough examination in all its details under item 10 of the agenda for the first session of the Council and for report to the Council's second session.

We in the United States delegation know well that the problem of refugees is an urgent problem and we know that ways must be found in the interest of humanity and social stability to return these thousands of people who have been uprooted from their homes and their countries to a settled way of life. Everyone at this table is familiar with the problem and must realize that it is important to find a way of dealing with it so as to remove it as a source of disturbance in the relationships of the nations now affected by it.

The people of the United States and their Government are deeply concerned for the refugees who, because of the war or of danger to their lives or liberty on account of their race, religion or political beliefs, have become victims of oppression and misery. In the summary contained in the United Kingdom proposal it is shown that the establishment of the Inter-Governmental Committee on Refugees in March 1938 was largely due to the initiative taken by the United States. Half of the operational expenses of the Inter-Governmental Committee have been borne by the United States since 1943 and the other half by the United Kingdom. Our Government took a leading part in the creation and organization of UNRRA. This organization in recent months has done much for the relief of persons made refugees by the war. I feel certain that our Government stands ready to continue to bear its fair share of the burden for such activities.

We in the United States delegation, however, feel that the United Nations could not move on this problem without careful consideration and review of all the elements entering into it: political, economic, social and humanitarian. That is why we feel the need to recommend it to the Economic and Social Council for study and report. This seems to us a sound procedure since it is able to make a thorough and impartial examination and on its findings the interested governments can determine the best future course for dealing with these complex and controversial problems.

Our support for a reference to the Economic and Social Council for a complete survey does not mean, however, that we are not conscious that speed in handling this matter is an important factor. According to present plans UNRRA will terminate its work in Europe at the end of 1946. The Inter-Governmental Committee has done good work within its terms of reference and with the resources at its disposal, but it is quite evident, as the United Kingdom delegation has pointed out, that this Committee has not sufficient resources nor a sufficiently large and authoritative organization to handle the entire problem. When the League of Nations arrangements with the United Nations have taken place some disposition will have to be made of the work now performed by the High Commissioner for Refugees. This knowledge makes it plain that upon the completion of the study by the Economic and Social Council there must be prompt action to determine



the manner in which the interested governments shall deal with the refugee problem. The Government of the United States will be prepared, in co-operation with these governments, to take prompt initiative in carrying out the necessary action.

Pending the outcome of the proposed study and report, the United States delegation urges that existing inter-governmental agencies maintain their activities for the benefit of refugees.

The CHAIRMAN: I suggest the insertion of one or two words in the proposal of the United Kingdom in the last paragraph of the United Kingdom paper, to make it perfectly clear. It reads:

"In these circumstances, His Majesty's Government propose that this question should be referred . . ." and the words "by the General Assembly" should be inserted there.

" . . . to the Economic and Social Council for thorough examination in all its details under item 10 of the provisional agenda for the first session of the Council and for report to the second part of the first session of the General Assembly."

There is a certain amount of repetition, but it makes more clear what is meant.

That motion of the United Kingdom has been agreed to by the United States. It has been moved by the United Kingdom, seconded by the United States, and is now before the Committee.

The Yugoslav delegation has circulated a paper also, and I am going to call upon the delegate for Yugoslavia right away, and perhaps during the course of his remarks he will give the Committee some indication of how these papers should be dealt with. The motion proposes that the General Assembly should refer the matter to the Economic and Social Council.

The Yugoslav statement starts off with: "The General Assembly should adopt the following recommendation. This Committee is asked to adopt the following recommendation," then it goes on. Now the Yugoslav delegate might inform us whether he is opposed to the motion of the United Kingdom to refer the matter to the Economic and Social Council, or whether he wishes his statement to go as a recommendation through the General Assembly to the Economic and Social Council. The matter is not clear to me, and I would like it to be made clear when the delegate speaks.

The delegate for Yugoslavia.

Mr. KNOWLES (Canada): Mr. Chairman, on a point of order in connection with the wording of the motion as you have endeavoured to redraft it may I suggest, further, that it should read "His Majesty's Government in the United Kingdom proposes"—you and I will understand that.

The CHAIRMAN: Let us accept it. That is a family matter.

Mr. KNOWLES (Canada): Or better still the motion before us should be "the third Committee recommends."

Mr. NOEL-BAKER (United Kingdom): Yes, yes.

The CHAIRMAN: The delegate for Yugoslavia.

Mr. BEBLER (Yugoslavia): I will proceed in the first instance to answer the Chairman's question whether the Yugoslav delegation approves the British proposal that the problem of refugees be referred to the Economic and Social Council. I say unhesitatingly that we approve this proposal but we have some important observations to make thereon.

We are not alone in having noticed that in the document before us the British delegation omits one very important fact, namely, the victory of the allied armies over fascism and Hitlerism, a victory which has profoundly changed the aspect of all problems, particularly that of refugees.

For fifteen years now, vast numbers of refugees have come from fascist countries, from the Italy of Mussolini, the Germany of Hitler, and from other countries subject to a yoke of the same type as that which lay heavily on those countries. This source of refugees has now dried up. The Germany of Hitler and the Italy of Mussolini no longer exist. Therefore the refugee problem has assumed an entirely new nature.

During the war and particularly during the later years of it we were confronted with a phenomenon which can be called the displacement of persons, which was brought about by the military forces of the axis powers. People were taken from their native country to Germany either as prisoners of war or as internees or as convicts. The ground for their displacement has disappeared, for Hitler is defeated; they can all go back to their countries just as those refugees who came from Germany can now return there.

Since the victory, we have noticed that all these displaced persons are making their way back to their country of origin. According to figures published by UNRRA at the time of cessation of hostilities there were about 12 million displaced persons. We understand that now, nine months after the victory, only one million remain of these twelve. In the space of nine months UNRRA and the military authorities of countries occupying Germany have succeeded in repatriating eleven-twelfths of these displaced persons. We know that UNRRA will be able to deal with this type of persons for another ten months. The calculation is easy. If in nine months it is possible to repatriate 11 million people, surely it will be possible to repatriate the remaining million in ten months.

If we remember that the problem of displaced persons and of refugees has thus noticeably lessened in importance and is even on the point of disappearing altogether, we cannot but be a little surprised to read in the British document that this problem is now, that is to say after victory, assuming great proportions and that the existing organization, whilst it was able to accomplish the purposes for which it was created, that is to say for dealing with the German emigrants, is now no longer adequate.

I think I have found the explanation of this riddle. The reason is that the authors of the British document are of opinion that a solution must be sought similar to that which we found for the German emigrants and for the persons displaced by the Germans and for those who decided to displace themselves of their own free will at the end of the war, that is to say people who fled at the approach of the liberating armies and who thus at the end of hostilities found themselves outside their own country.

In our opinion the problem does not arise in the same fashion for the latter as for the victims of fascism. Are we to be expected to help people who do not want to return to their own country precisely because that country has been liberated and because the occupying power has been driven from it? If we took this course we would in fact be finding ourselves aiding persons hostile to democracy, collaborators, and even war criminals.

I do not want to enter into abstractions but would like to give you concrete examples of the types of persons who, while being natives of my country of Yugoslavia, are at the moment on foreign soil.



In the first place there are the Ustashis. This is a proto-fascist Croat organization formed in fascist Italy about the year 1930 which from the outset displayed a pronouncedly terrorist activity. This organization was responsible for the famous attack perpetrated at Marseilles on the life of King Alexander and the French Minister Barthou. During the German occupation it was the principal instrument of terror directed against the Croat people. The people of which it consisted left Yugoslavia with the Germans at the time of the German defeat, after fighting at the side of the Germans during the operations of the last months of the war, and took refuge in Italy and Austria, where they are to this day.

Secondly there are the Zborachis, a similar organization which existed in Serbia and which in the years before the war, from 1935 onwards, was engaged in spying for the Germans. When the Germans came to occupy the country this organization distinguished itself by specially brutal terrorism towards the Serbian peasants. Its members were incorporated in what the Germans called the *Waffen SS*. Then at the end of the war they fled, just like the Ustashis, to Italy and Austria where they still are. If my information is correct, only one of them has been extradited up to the present moment.

The third category comprised official formations of the Neditch puppet government. These formations include the so-called *Serbische Staatswache* i.e. Serbian State guard which was incorporated in the German Security Service, and the special police which formed part of the Gestapo. These forces fought beside the S.S. and the Gestapo against the resistance forces of the National Liberation Movement. At the end of the war, like the previously mentioned organizations they fled to Austria and Germany where they are still in prisoner-of-war camps of the former regular armies.

These latter formations, if my information is correct, enjoyed special favours from certain occupation authorities in Austria. Its members were allowed to retain their badges of rank and to wear their decorations.

The Chetniks of the traitor General Mikhailovitch who had fought side by side with the Germans and the Italian armies of occupation against the national liberation movement of Tito since 1941, like all their brothers, fled the country with the Germans and are now in camps, especially in Italy, while their commanders are enjoying complete liberty. They can be seen in almost every European capital.

The same remarks apply substantially to the Domobrans, Slovenes of General Rupnik, and to the S.S. formations composed of Mahometans from Bosnia.

A last category includes a small percentage of former prisoners of war. Out of 800,000 Yugoslavs deported to Germany, 5,000, or 0.6 per cent did not wish to return to their country when the doors of their prison camps were opened. They consisted mostly of officers and other persons who before the war had been acting as spies for the Germans and who had acted as informers in the camps.

There is still one further and very significant group. It is at Spital, in Carinthia, less than 50 kilometres from our frontier. This group has an interesting history; trainloads of returning prisoners used to pass through Spital on their way home and at the station the men were forced to leave the carriages and a traitor General, Ilya Brachitch, spoke to the men asking them not to return home and painting in the blackest colours the situation in Yugoslavia. In each trainload there were one or two credulous individuals who

stayed behind and a formation was established alongside our frontier. Because of the proximity, however, one by one these men crossed the frontier and returned home to us.

Lastly, throughout the whole of Europe there are certain people who have not belonged to any military formation. They are mostly people who in one way or another have taken part in fascist or military dictatorship regimes, all anti-democratic in character, between 6 January 1929 and 27 March 1941, that is to say during the last ten years before the war. If they have no desire to return to the country, it is probably because they realize that they would not feel at home amongst people who today realize that they had been the victims of their impious politics.

I think that I have painted a sufficiently complete picture to give you an idea of the Yugoslav refugees of today. They are for the most part people who in one way or another collaborated with the aggressor, traitors to their country, and thereby traitors to the cause of the United Nations. Some of them are even war criminals, since, in the Nuremberg court, the prosecuting counsel of all the allied nations have brought accusations against the formations to which they belonged, of crimes against the United Nations; these formations have been defined as "criminal organizations."

Clearly, gentlemen, all this does not mean that among the nationals of my country at present abroad there is no one who has not incurred personal responsibility. On the contrary, there are many of them, but they are all in a much wider sense responsible to the people, and in our view the people must in the first instance be the judge of whether or not they are deserving of pardon.

Further, there are two consecutive amnesty laws in my country which will allow the vast majority of these people to return to their own homeland without the fear of any penalty being inflicted on them.

Therefore, all the more, people who have no direct responsibility, like women and children carried off into emigration by the head of the family, have nothing to fear. There is no government which would not be ready to help them. The existence of such people should not, however, disguise the truth that there is a small Quisling army outside the country which finds help abroad in order to remain there and perpetuate its existence.

Delegates from other countries will be able to shed further light on this subject. I feel sure that they will be led to more or less the same conclusions, namely that refugees abroad are either people committed in one way or another to the occupation authorities, or sections of the population who, owing to their anti-democratic activity, do not wish to return to their own country, or else people who, under the influence of the first two categories, are not returning when they could return but would, in fact, return if their respective governments were to indicate clearly what their legal and material position would be likely to be.

Let us now ask ourselves what justification there can be for the proposition repeated here and elsewhere that democratic governments representing their country at the United Nations should further the continuance of this state of affairs. Let us ask with what right one could even ask them to share in the expense of maintaining these elements as has been asked at the Reparations Conference in Paris.

Has it ever been known in the history of international relations that a government contributed to the cost of maintaining its political enemies who



have fled abroad or, *a fortiori*, emigrants who have in fact committed crimes against the people? No, nothing of the sort has ever been known.

But there is yet another point, and this is the most important question. It is as follows:

Is it in our interest, in the interest of the United Nations, in the interest of our good relations, in the interest of peace, that such a situation should be considered normal, that it should be allowed to continue, and that we should even incur expense so as to enable it to continue? No, certainly not.

The English document before us to-day outlines the history of the refugee problem between the two wars. It shows how the Nansen Office for many years helped the White Russian guards, who were refugees from Soviet Russia, in Europe and in China and Manchuria. If it was desired thereby to hold up to us an example to be followed, a profound mistake has been made. If we are given the example of White Russian guards, a group of people who broadcast hatred of the great country of the Soviets, the great democratic country, throughout the whole world, a group of people who served the German aggressor in Europe and the Japanese aggressor in Asia, for these people were nearly all members of the German-Japanese armed forces, this is precisely an example that we should not follow if we desire peace and if we wish good relations to exist amongst us.

I could quote examples to prove the contrary, namely, that the Nansen Office did not assist certain categories of emigrants whom it would have been of real interest to help. I shall confine myself to my own example. Twice in my life I have been a refugee, twice an emigrant. As I was a Slovene from the Julian Marches I fled with my father from that district to Yugoslavia while I was still a boy. When I grew up I fled from Yugoslavia at the time when the military dictatorship under General Jivkovitch persecuted the democrats. Twice I have been a refugee and yet on both these occasions neither I nor my father received any of the assistance from the Nansen Office or from Mr. Noel-Baker, of which we have heard to-day. And I do not know of any of my comrades in a similar situation who have been supported by that Office.

In no way, gentlemen, can we follow blindly the policy of the League of Nations, for we know full well that it did not succeed in preventing nor even in postponing a new world conflagration. The same applies to the refugee problem.

We must not, if we wish to maintain good relations among nations, allow ourselves to be induced to give those who collaborated with the aggressor and committed crimes in his service general absolution by conferring on them the legal status of refugees and even providing material help for them. If we followed such a course we should be lending our support to centres of disturbances, to centres of conflict among nations, to centres of destruction of democracy. Our common interest bids us, on the contrary, to follow a course diametrically opposed to such a procedure. Our interest makes it imperative to reduce, so far as humanly possible, all need for a new emigration, that is to say any emigration in addition to that produced by the fascist aggressors. Our interest commands us to send back to their own country all those who are now on foreign soil, for their country is free and peaceful.

But this is rather a political than an economic and social task. In my opinion, it exceeds the competence of the Economic and Social Council. The whole complex of the refugee problem is a very delicate matter from the political point of view, because the problem of war criminals, collabora-

tors, and all those types of people I have enumerated has not been solved. Principles have been officially laid down at St. James's, Moscow, Yalta and Potsdam whereby criminals must in principle be judged in the country and by the people against which they committed their crimes. But in addition to the principles, there is also an agreement between certain countries of Western Europe (France, Belgium, England and Holland) which provides that nationals of these countries who may be in Germany shall be sent, wilfully, to their own country. There was no special formality followed in the case of Marshal Pétain or M. Laval. Why create difficulties for other countries? Why discriminate?

Provided this aspect of the problem is dealt with satisfactorily, it will be easy to find a just solution for the social and humanitarian side of the problem. There is no doubt that we have a duty in this matter. There are emigrants who are in fact victims of fascism.

There is a country where a fascist regime still exists and where emigrants can still not return. I am referring to the Spain of Franco. The Spanish Republicans are still abroad and they are the victims of fascism. That is certainly a category of persons who must be helped. Further, there are the German Jews who do not wish to return to the country of their suffering. They must be helped. There may well be other less important groups, and we must find ways and means of helping them.

But the existing organization is adequate to fulfil this task, and the means needed by such an organization are not exorbitant. If you will allow me, I would like to recall that the Reparations Conference in Paris decided to earmark out of the total reparations from the western zone of Germany a sum of 75,000,000 gold dollars for the real refugees. That would be a start.

In summing up, I would like to say that we must consider the humanitarian aspect of this problem. While we must find a just and democratic solution, a solution designed to further peace and good relations among nations, at the same time we must find a solution to a problem which is closely linked with that of the refugees, namely the question of the collaborators.

The CHAIRMAN: Before I call upon the delegate of the Netherlands I just want to state the question as simply as possible. The form of the motion of the Government of the United Kingdom now reads:

"That the third Committee recommends that the question of refugees be referred to the General Assembly and the Economic and Social Council for thorough examination in all its detail under item 10 of the provisional agenda for the first session of the Council and for a report to the second part of the first session of the General Assembly."

since when the Yugoslav delegation has indicated that they are in favour of the whole question going to the Economic and Social Council, but before it is referred by the General Assembly to the Economic and Social Council they wish the General Assembly to agree upon a recommendation as set forth in their paper. So the amendment would have to be (and I will have to take it as an amendment, as an addition) that the following be added to the motion of the United Kingdom delegation:

"That the General Assembly should adopt the following recommendation for the direction of the Economic and Social Council in the examination of the problem of refugees."

The question that will have to be decided first is, whether this proposal of the Yugoslav



delegation should be added to the proposal of the United Kingdom delegation.

The next speaker is the delegate for the Netherlands. We are supposed to finish our meeting at 5 o'clock, I am informed, so that another Committee can sit here. I would take a chance on that Committee not being ready exactly at the minute, but it might be necessary to take the delegate's speech and defer the translation to the day after tomorrow. That is the first day we can meet.

Mr. SASSEN (Netherlands) : I have no objection, sir.

The CHAIRMAN : Then I call upon the delegate for the Netherlands.

Mr. SASSEN (Netherlands) : To her regret the Netherlands delegate to this Committee, Mrs. Verwey, is unable to be present at this meeting owing to her duties at home, which have called her back to Holland for a few days. She has asked me to speak in her absence on the subject now under consideration.

In participating in this discussion, our delegation is well aware that this is a very complex problem. Although primarily a social and humanitarian question, its solution is one of the essential conditions for speedy and peaceful reconstruction in Europe and ought to bring real peace into the lives of millions of uprooted people, mostly of European origin, now spread over many parts of the world. In discharging our responsibility toward these millions, we, the United Nations, have the first opportunity and the duty, to demonstrate in a practical way the true significance of the rights of man, so often extolled during the years of war, and also often referred to after victory.

We shall have to prove now, that this victory is the victory of freedom ; that freedom is not a loose phrase ; that our idealism is realistic and practical.

In our opinion, we should first of all agree that this problem is international in scope and nature. This work calls for the co-operation of many if not all nations. Assistance must be given to people of various national origins, without discrimination or prejudice.

We must try to reach an all-round solution. If we are to deal with the problem in full, it should be admitted that it includes all uprooted persons, whether refugees, deported persons or other categories.

"To reaffirm faith in fundamental human rights," as says the Charter's preamble, it is our opinion that one basic principle should be observed : that each uprooted person should be free to decide whether or not he desires to return to his country of origin.

In applying this principle, it should be a major point that the following rules be observed :

(a) A desire of an uprooted person not to return to his country of origin should be respected by the authorities of his country of origin, as well as by those of the country where he has found refuge, unless it is proved that, according to existing international agreements, such person is liable to be extradited to his country of origin or to any other authority, in order to be brought to justice.

(b) A person who has expressed his desire not to return to his country of origin is entitled to resettlement elsewhere.

(c) If the authorities of the country where he has found refuge consider his resettlement in that country undesirable, for reasons such as national security or economic stability, the resettlement

of the person concerned becomes the concern of an international body, specially established for the purpose. In fact, cases of uprooted persons should not be considered solved until these persons have either been repatriated or resettled.

We think that it may well prove to be a valuable part of the task of this international body, which would have to deal with the resettlement of persons in its charge, to re-examine a given person's desire not to return to his country of origin, thus acting as mediator for purposes of repatriation if, on reflection, the person concerned waives his objections to repatriation.

With these principles in mind, we must tackle this vast post-war problem. Three main questions confront us :

(a) How to define and how to classify the various groups which make up the mass of uprooted people.

(b) How do we propose to bring about a solution of their problems and what are our actual possibilities in doing this effectively ?

(c) What organization and machinery should be set up for this purpose, and to what extent is the existing machinery adequate ?

To obtain precise definitions of the groups of people concerned, we must explore the vast field of human misery created by the uprooting of countless persons, who spread over the world in four distinct waves. The first appeared after the war of 1914-1918, the second in the period 1933-1940, the third during the last war and the fourth in the present post-war period. Each of these four waves comprise different groups, and unless we clearly distinguish each group, our task will become almost impossible to solve. For instance, the terms "displaced person" and "refugee" are indiscriminately used without regard to essential differences between the special groups concerned. That is why we propose to apply the collective term "uprooted people." We must be careful not to misuse the technical term "refugee," when referring both to repatriables and non-repatriables only the latter group being refugees in the real meaning of this word.

The practical work before us is to classify everyone belonging to the mass of uprooted people, according to whether he be repatriable or not. This is an immense task, demanding a high sense of responsibility. For decisions of the greatest importance to the persons concerned have to be taken. It is in this task of marking the division between repatriables and non-repatriables or refugees, that the principle of "freedom to object to repatriation" of each individual must be scrupulously respected.

At the same time it is necessary, that war-criminals and collaborators be dealt with as a special group by the competent international bodies.

With reference to the second question, namely that of our aims and possibilities of reaching a solution, we must view the mass of uprooted people as a whole. All of them, whether repatriable or refugee, need immediate temporary help. This help must be given. While classification is going on, we must endeavour to find means to return the repatriables to their homes and prepare the settlement of the refugees with special regard to the establishment of their homes, their juridical status and economic activities. Some groups of refugees can already be more or less clearly discerned and for these the work of resettlement ought to start at once.

Active co-operation is most necessary. Each nation has its responsibility and each is called



upon to deal liberally with the refugees and, if need be, make certain sacrifices on their behalf. The actual possibilities must be investigated thoroughly by an international body.

The generous communication of the Dominican delegation is a fine contribution in this field and we hope that the Dominican offer will be gratefully considered.

The third question concerned the setting up of an adequate organization and machinery to handle the whole problem. Our delegation is of the opinion, that all the States concerned (all members of the United Nations as well as States non-members, which might be invited to participate) must form a central organ which will give directions. This could be done by establishing either a commission under the Economic and Social Council or a specialized agency. In both cases an executive committee will be necessary to supply the driving power for stimulating all activities.

We hope that the Economic and Social Council does not delay the setting up or promoting of such a body, which we so badly need. Its tasks would be :

(a) to investigate the situation of the uprooted persons of all categories in its entirety and to examine the actual possibilities for the various groups ;

(b) to classify these uprooted people, amongst other necessary criteria, in accordance with the principles mentioned before ;

(c) to take or to promote the necessary measures required to render provisional assistance to these persons, pending their repatriation or resettlement ;

(d) to establish the necessary relations with the institutions and agencies, whether official or private, and whether national or international, which are dealing with any aspects of the problems of uprooted persons ;

(e) to set up such machinery as necessary to carry out the above-mentioned functions.

We hope that all members of the United Nations, as well as States non-members, invited to participate in this work, will grant to this commission or specialized agency, such powers and facilities as may be required for the effective fulfilment of its tasks.

In the meantime, the existing agencies should continue to function as at present.

I should like to take this opportunity of expressing our appreciation of the work which has been done by the Inter-governmental Committee and by the High Commissioner on Refugees. We deem it expedient to grant those agencies the necessary funds and facilities to complete their work.

No doubt, the central organ will need special subcommittees. We should like to stress the wisdom of appointing women on these committees, especially on those which will have to fulfil their task in Germany and other European countries, for we know that among the uprooted persons in Europe are women and children of all ages, many of them in dire distress.

These committees should work in close co-operation with UNRRA and the military government authorities and should have every facility for operating in the territories for which they are designated.

These special committees should be entitled to bring under the provisional care of the existing Inter-governmental Institution appropriate groups and individual refugees, and to take all necessary measures and render them every assistance.

None of us is in doubt as to the urgency and importance of this problem of refugees.

In the meetings of the Preparatory Commission many delegates emphasized that all civilized nations should share the responsibility of solving this problem.

The Netherlands will play their part in this respect, faithful to their well-known traditions. I am certain my country will do the utmost within the limits of prevailing conditions.

Allow me to raise a last question. If the solution of the refugee problem is the responsibility of the United Nations, is it not necessary that the General Assembly establish the main principles governing the problem before entrusting it to the Economic and Social Council ?

In my opinion the General Assembly should fulfil this task and I hope this Commission will consider that it has the duty to draw up and adopt a recommendation to that effect.

The CHAIRMAN : Before declaring this sitting closed, I would like to say that I am sure that everybody listened with great care and interest to the remarks made by the delegate for the Netherlands, and I would suggest that the paper should be circulated to the United Kingdom, Yugoslavia, and Dominican Republic. I do not think there could be any objection to that. I think it is a most thoughtful contribution.

Mr. NOEL-BAKER (United Kingdom) : I would like to support that proposal, but I would also like to ask if the United States and Yugoslavia could make the text of their speeches available. I should very much like a verbatim record if possible.

The CHAIRMAN : That would be very, very helpful. It is a very important and fundamental discussion, and there is a possibility of the reconciliation of the views of the different countries on this matter. I would ask the secretary of the conference, with your consent, to make available the verbatim report, if that is possible, of the delegate for the United States, the delegate for Yugoslavia, and the delegate for the Netherlands. Are you all agreed on that ?

I will ask for that to be done.

The meeting is now closed.

*The meeting rose at 5.10 p.m.*

## (2) Fifth meeting

*Held at Central Hall, Westminster, on Wednesday, 30 January 1946 at 10.30 a.m.*

*Chairman : Mr. P. FRASER (New Zealand).*

The CHAIRMAN (Mr. Fraser) : The delegate for Canada.

Mr. KNOWLES (Canada) : This is a subject upon which I have no very deep convictions, but I shall endeavour to make my remarks in the light of the different views that have been expressed by some others with equal sincerity and earnestness.

As I see it, we have before us in the first two papers, the United Kingdom proposal and the Yugoslav proposal, documents which are based on different premises. The underlying thought in the United Kingdom proposal is that there appears to be a tremendous problem on our hands in the field of refugees and displaced persons. The premise of the Yugoslav proposal is that there really is no longer a problem in this field, at least, not of such a size as to concern the United Nations.

I hope the Committee will bear with me for picking up this for a moment in a very simple



manner. It seems to me that the case is this: either there is a problem, or there is not. If there is a problem, the proposal put forward by the United Kingdom will make it possible to find out what that problem is, and to decide what should be done about it. On the other hand, if the United Kingdom proposal is adopted and it is discovered that the Yugoslav contention is correct, that there is no problem, no harm will have been done. On the other hand, if the Yugoslav proposal is adopted, it seems to me that, in effect, it closes the door. If, in that situation, there is a problem, the hands of the Economic and Social Council would be tied by the terms of the Yugoslav proposal, whereas if there is no problem, of course the situation would be the same; but it does seem to me that that is the situation, that the adoption of the Yugoslav proposal, even as an amendment, or as conferring with the United Kingdom proposal would have the effect of closing the door to an objective approach to the whole problem.

I hope that I may be able to put what I have to say in such a way as to make an appeal to the Yugoslav delegate to consider withdrawing his proposal. I realize that this is a pretty heavy request to make to a delegate at this table, but I do so on this basis: I feel sure that he is satisfied that he has made his point with regard to war criminals, and as there is evidence that he has made that point I draw his attention to the number of delegates who have suggested that there was a distinction. That is the point that some of us are, indeed, labouring; but there is a distinction between war criminals and refugees, and displaced persons, and the reason some of us feel strongly about it is that we should not make the mistake of doing injustice to those who are not war criminals by the blanket sort of position which the Yugoslav paper calls for; so it is in that spirit, and in the hope that the Yugoslav delegate will feel satisfied that he has made his point with respect to war criminals that we appeal to him to withdraw his paper, so that we will not overshadow the humanitarian considerations, considerations of simple, ordinary justice which concern those of us who are pleading the cause of refugees and displaced persons.

The suggestion has been made by some of the other speakers that in this subject we are getting close to political situations and issues. That being the case, nothing is gained by trying to gloss over that fact.

There are two things I should like to say about the political side of this issue. The first is this, that there may be times in our experience as a United Nations Organization when there will be an apparent clash between political considerations and humanitarian considerations. When there are such clashes I hope there will be a reconciliation. If not, I hope that fundamentally we will remember, in the language of the Charter, that this Organization is set up by the peoples of the United Nations. There will be times when we should think of ourselves not as delegates of governments thinking in political terms, but as people who sit here on behalf of the peoples of all the United Nations, and indeed on behalf of the peoples of the world. I know that it is perhaps a bit rhetorical, but I feel that attention should be drawn to such words in the Charter as these: "... to reaffirm faith in fundamental human rights, in dignity and worth of the human person," and so on. It does seem to me that it is worth reminding ourselves that we are not only a collection of delegates from political entities, but we are the nucleus of a world Organization set up on behalf of the peoples of the world. I hesitate to indulge in further variations of a well-known truth,

that peace, like a good many other factors, is indivisible. But I do feel it should be said that here, too, it is true that freedom, freedom of movement and dignity of the human person are things that, unless they are relatively free everywhere, are not the case anywhere.

In my view there is a pretty important principle at stake here, and I am pointedly making my appeal to the Yugoslav delegate in the hope that he will feel he has made his point regarding war criminals, but that he will not let that point override humanitarian considerations, considerations of fundamental human justice, which I am sure he shares with everyone around this table.

The other point I would like to make in connection with the word "political" is this. It is just possible that some of the decisions of a political character that the United Nations have had to take as a result of the war may have consequences in terms of creating other problems. The Yugoslav delegate said, quite properly, that the main cause, the direct cause of there being refugees and displaced persons, is over in the fall of nazi Germany. But when you realize that when the war was over the United Nations did not sit down to start from scratch with some ideal solution but rather had to work out a makeshift, it is just possible some of these decisions will have as a consequence the crowding of people together in certain areas and problems in the field of refugees and displaced persons that require settling. I think it is not doubting our wisdom as United Nations in decisions that we have to take to say this. We should not be afraid, as a United Nations Organization, of dealing with the consequences of some of our own decisions which we have been forced to take by the trend of circumstances. I offer that along with my other reply to the political argument. Basically this Organization is a peoples' Organization, and our concern should be for the dignity and worth of human beings everywhere.

It has been said, and I think rightly, that not only should this matter be voted on by this Committee so as to refer the matter to the Economic and Social Council for their study, but that we should indicate to the Economic and Social Council what our views are. I notice that the United Kingdom proposal is very simple in that regard; it merely refers it to the Economic and Social Council without any directions other than the requirement that a report be made back to the second part of this session. The delegate for the United States felt that our views should be expressed. The delegate for the Netherlands has already made a very valuable contribution by his suggestion that there were certain principles to be considered, but in the main the Economic and Social Council should classify the various categories of these people, should survey the question as to what should be done, or can be done, and should set up machinery to deal with the problem.

I know that one of the issues that may come up is the question of whether the machinery set up should be in the nature of a commission or a specialized agency. At the moment we of the Canadian delegation do not feel that is a final decision that should be made as between those two categories. We feel the first point that should be made is that some kind of machinery should be set up and the Economic and Social Council should give its attention to that. With the setting up of machinery, or perhaps prior to it, I am sure all delegates will agree the Economic and Social Council would render a real service to this problem if they made a survey of it and replaced the wild speculation that there is as to extent and numbers here and there with some definite, concrete statement as to the situation.



Therefore, I support wholeheartedly the proposal of the United Kingdom. We welcome the specific suggestion made by the Netherlands. We are delighted with the offer that has been made by the Dominican Republic. I express again the hope that the Yugoslav delegation may feel satisfied that they have made their point with regard to war criminals, and that therefore they will consider withdrawing their proposal at this stage so as not to cloud the consideration which the Economic and Social Council should give to this very important humanitarian consideration to basic truth and justice.

The CHAIRMAN: The delegate for Denmark.

Mr. RASMUSSEN (Denmark): In a speech in the General Assembly I have called attention to the migrations now going on in Germany and the dangers with which neighbouring States are threatened by the pressure of population from within. I also suggested that it might be advisable to direct this German migration away from the frontier regions of Germany.

Subsequent speakers, in particular the Dutch Prime Minister, the French Foreign Minister and the Czechoslovakian Foreign Minister equally referred to the refugee problems.

I should now like to submit a few more observations for the consideration of this Committee.

First of all it should be made clear what we are speaking about. In this connection I should like to stress the variety of the different categories of people referred to more or less vaguely by the terms "refugees" or "displaced persons."

We have first the pre-war refugees, in particular the people coming under the Nansen certificate arrangements. There is still a large number, perhaps 300,000 to 350,000 of these persons spread all over the world. The majority of them have gradually settled down and only a minority presents an actual problem now.

Next come the refugees who left Germany during the Nazi regime. It was to help these refugees, most of whom are of Jewish race, that the High Commissioner for refugees from Germany was established by the League of Nations.

In 1938 it was decided by the Council of the League to merge the office of this High Commissioner with the old Nansen International Refugee Office.

The International Conference, convened at Evian in July 1938 on the initiative of the United States President, Franklin Roosevelt, decided to establish the Inter-governmental Committee on Refugees that now represents 35 countries, most of which, though not all, belong to the United Nations.

This institution was originally set up to deal with persons who, on account of their political opinions, religious beliefs or racial origin, had had to emigrate from Germany and Austria, to which later was added the Sudeten areas of Czechoslovakia, without having yet established themselves elsewhere, or who in future would have to leave their countries of origin for the same reasons.

At the London Conference in 1942 the scope of this mandate was extended to include "persons, wherever they may be, who, as a result of events in Europe, have had to leave, or may have to leave, their countries of residence because of the danger to their lives or liberties of residence on account of their race, religion or political beliefs."

Some months before the outbreak of the war, the then League of Nations High Commissioner for Refugees, Sir Herbert Emerson, was appointed director of the Inter-governmental Committee.

These refugees to whom I have referred in the preceding remarks are briefly the pre-war categories

of refugees, as set out in more detail in the document of 23 January 1946, prepared by the delegation of the United Kingdom.

But we cannot stop there. We cannot escape the far greater, more serious and far more complicated problems that have arisen during the recent war and after the cessation of hostilities.

These unfortunately very numerous post-war refugees divide themselves into several categories:

There are first the millions of slave workers who were taken to Germany from allied countries in Europe, the so-called "allied displaced persons." Towards the end of the war the United States and the British military authorities were much concerned over the problems of their identification, registration, sorting-out, feeding, housing, medical treatment, and transportation out of Germany back to their own countries. The careful preparation of this gigantic task led to rapid and almost complete success thanks to the organizing skill and administrative farsightedness of the Supreme Headquarters of the Allied Expeditionary Force, subsequently in co-operation with UNRRA. Several millions of Allied displaced persons were in fact brought safely out of Germany in an incredibly short time.

But there are other less fortunate groups:

The turmoil of war has left groups of nationals of various European countries in places where they have no national birthright, but from which conditions at the present time render their repatriation a difficult problem. A far larger category are the post-war German displaced persons in Germany itself. This category runs into millions. In Western Germany there are already by now twelve or fourteen millions of this type of people, having come from the Eastern portions of Europe. It is reported that several more millions can be expected. Finally, we have another category which may be described as post-war German displaced persons or refugees stranded outside Germany. This particularly refers to the large number of civilian Germans interned in Denmark, about whom I shall presently say something more. This sketchy enumeration, far from pretending to be complete, is only meant to serve as an exemplification.

The numerous problems arising out of all this uprooting and migration are difficult and complex. Clarification is required; and I am afraid it will be necessary to make a new departure and to take up the entire problem with a view to renewed and co-ordinated consideration. In this connection, it will perhaps be advisable to consider a re-definition of the technical terms and a fresh classification. Already, before the German surrender, there was some confusion here. For instance, the Allied military authorities, namely, SHAEF, envisaged, by the expression "refugee," a person displaced within the boundaries of his own country, whereas UNRRA did not. It will, therefore, be necessary to consider the aims of any future work. Should it be the goal of international endeavours to bring relief when the work of UNRRA will have come to an end, or should matters be left to take their own course? What about protection in the juridical sense of the word? Should these refugees, or some categories of them, be given a definite legal status or not? Would it be worth while to contemplate their ultimate settlement in countries which have sufficient space for them, or should they rather be compressed into some limited, already overcrowded, area in Central Europe? Then, who should deal with all these questions? Are the institutions that are at present in existence sufficient, or, if they are inadequate, should they be abolished? Will it be



wise to dispense with the knowledge and experience accumulated in this field during many years? Would it be a good thing to dismiss the few well trained international officials who have consecrated their best endeavours to alleviating the tragic lot of miserable refugees and cast-out individuals? These are some of the questions with which we are confronted. There are, of course, many others. One specific problem is taken up in the proposal drafted by the delegation for Yugoslavia, dealing with the extradition of war criminals. This proposal also refers to the question of Spanish refugees.

I would also like to refer to the very interesting and helpful statement just presented by the Dominican delegation on the Jewish refugee colony in the Dominican Republic.

The delegation of the United Kingdom has proposed that the whole question should be referred to the Economic and Social Council for thorough examination of the problem in all its details, for report to the forthcoming session of that Council, and I think this is a good plan, particularly so if efficient machinery is meanwhile devised on a scale that will permit of a rational approach to the problems involved. In this connection, I should like to say that some centralizing organ will probably be useful if not indispensable. On the other, it will not be sufficient. As I see it, several subordinate agencies will equally be needed to deal with the large number of people in various countries. I should think that an agency will also be required in Germany itself, even if the central refugee organization is to be situated in Europe, and I hope it will be, as this is unfortunately a problem which has its origins and roots in Europe.

A more specific point is whether such subordinate organs as may be required should depend on the Economic and Social Council, as the United Kingdom delegation seems inclined to think, or whether they should be set up as specialized agencies in the sense of article 70 of the Charter. This latter procedure might perhaps also be considered in connection with a workable financial arrangement.

I should now like to say a few words about the refugee question in relation to Germany.

The migration now going on in Germany from east to west and north-west means that several millions of uprooted Germans are being placed in the western and north-western provinces of the Reich, thus creating a new menace to the neighbouring countries, in particular the smaller ones. To make their frontiers safe, or safer than before, the movement should, on the contrary, be directed away from the frontier regions of Germany.

This dangerous over-crowding of Germany's north-western frontier regions has a special significance when applied to South Slesvig, the province south of the Danish border and north of Holstein. In this small frontier province the local population of some 300,000 has already been doubled by the influx of an equal number of German refugees, thus completely changing the character of this ancient border land. Here Danish and Nordic civilization has for centuries opposed whatever equivalent the Prussians have got for that conception. Here the cultural and national rivalry between the Danish and the German mind has taken place for generations. If the German newcomers are allowed to remain there for any length of time all Danish-mindedness in Southern Slesvig will be submerged and drowned by the Teutonic hordes. Their presence there will create a new potential menace to the Danish frontier and put Denmark itself in a new and dangerous position.

It is this situation, if made permanent, upon the extreme gravity of which the Danish Government must insist.

In conclusion, I should like to call attention to another Danish aspect of the problem of the refugees. When the allied armies during the winter and spring of 1945 fought their way through Germany from east and west the German authorities, in spite of vigorous Danish protests, forced a great number of German refugees upon Denmark, which was then outside the actual zone of combat. The stream of refugees began in February 1945, and continued on an increasing scale up to the German capitulation on 5 May.

The billeting and care of the refugees until the capitulation were in the hands of the German military forces, who did not inform the Danish authorities of the number and placing of the refugees, but helped themselves by seizing schools, assembly halls, hotels and other public and private buildings of every description. In Copenhagen 95 per cent of the schools were seized. When the German military forces capitulated on 5 May, the Danish Government were faced with the problem of having to provide for all these refugees without knowing their number and their whereabouts. The strictly necessary care was rapidly organized as to provisions, billeting and medical treatment. We have now 210,000 civilian German refugees left in Denmark corresponding to five and a quarter per cent of the total population of the country. The greater part of these refugees belong to the rural population of the Eastern portions of Germany. 60 per cent are women, 15 per cent men and 25 per cent children below the age of 15, and the greater part of the adults are elderly persons.

In the beginning, there was every reason to assume from the information received from allied quarters that the refugees would be sent back to Germany within a very short time and at any rate not later than in the course of the autumn. At the end of July, however, the Danish Government was informed that on account of the chaotic conditions in Germany it would be impossible to repatriate the refugees immediately and that they would have to remain in Denmark for the winter at least. This created a deep disappointment and concern.

As I said in the Assembly, Denmark is fully aware of the vast problems facing the four allied powers occupying Germany. But at the same time, it is of vital interest to us to press for an early solution of the refugee question.

According to a provisional estimate the costs to the Danish Government amount to a daily expense of about three-quarters of a million kroner, or between 250 and 300 millions kroner annually. This is equivalent to three per cent of the national income of Denmark and to about fifty per cent of the normal pre-war budget of the State.

This is a heavy extra burden for Denmark that we are not prepared to shoulder for long. But quite apart from the financial charge I should like to make it clear that it is quite unthinkable for Denmark to absorb these German refugees into the Danish people. We do not want to try to make them Danish. We want, as soon as ever possible, to have our country freed of this foreign element which was forced upon us by Hitler's government at the last stages of the war.

I therefore beg to ask that this specific problem be considered in connection with the more comprehensive questions which I have tried to outline for the consideration of this Committee.

The CHAIRMAN: The delegate for the Philippines.

Mr. GALLEG0 (Philippine Commonwealth): It has been said that after the first world war there were about 2,300,000 refugees that were taken care of by the Nansen International Refugee Office, the High Commissioner for Refugees from Germany, the International Committee on Refugees and, last of all, by the Inter-Governmental Committee on Refugees. From what has been said and written on the subject, it appears that the different agencies of the League of Nations in charge of refugees failed to find a permanent solution to the problem.

According to the records of UNRRA, after this war there were about 1,800,000 displaced Frenchmen in Germany and that, exclusive of the Soviet territories and the Far East, between 21,000,000 and 30,000,000 homeless or displaced and uprooted persons are scattered over the continent of Europe, while in the Far East there are over 40,000,000 Chinese that have been driven from town to town, district to district, in regions occupied by the Japanese. In a nutshell, these figures give us an idea of the magnitude, importance and extent of the present problem affecting refugees and displaced persons, the solution of which is now in the hands of the United Nations Organization.

After hearing the points of view expressed by the different delegations, one cannot help but see the problem of refugees and displaced persons clearer. At the same time, at least, a partial solution of this complex problem is brought to light.

The proposal of the United Kingdom concerning refugees contains, at the same time, a history of the refugee problem after the first world war up to the present time with an exposition of the causes of its failure.

The delegation of the United States approached the subject from a realistic point of view, accompanied by a commitment assuring us that the United States is ready to assume a "fair share of the bill" which is indispensable for the solution of the problem. Taking into account the combined interests demonstrated both by the United States of America and the United Kingdom through their respective delegations, and the further fact that both countries are the heaviest contributors to the UNRRA funds and to the Inter-Governmental Committee on Refugees, both of which are presently in charge of refugees and displaced persons, there is little room for doubt about the success of the problem that confronts us, as far as its financial aspect is concerned.

The proposal of the Dominican delegation referring to the refugee colony of the Dominican Republic is in itself a practical, permanent and partial solution of the refugee problem inspired by altruism and humanitarianism. The Yugoslav delegation, on the other hand, has approached and discussed the subject extensively, calling our attention to its political aspect and implications which need and call for mature and very serious consideration. The Netherlands delegation presents to us the bearing of the problem, with the purposes, principles and ideals that gave birth to the United Nations Organisation in relation with the International Economic and Social Council.

In our humble opinion, the temporary and immediate solution to this problem lies principally in the hands of UNRRA. In fact, the UNRRA Council has recommended that its administration should take steps to ensure the closest co-operation with the International Committee of the Red Cross and the Inter-Governmental Committee on Refugees, which has long dealt with persons who had to leave their homes for reasons of nationality, race, religion or political belief. UNRRA says:

"It will be the responsibility of UNRRA to assist in the care of such refugees as cannot or do not wish to be repatriated until the Inter-Governmental Committee can find places for them to live."

The permanent solution of the problem of refugees and displaced persons requires more serious study and extensive investigation. It is believed, however, that it has been properly lodged in the Economic and Social Council of the United Nations Organization. At the same time, we are of the opinion that it must act in conjunction with UNRRA, especially its Committee of the Council for Europe, having as its members Belgium, Czechoslovakia, the French Committee of National Liberation, Greece, Iceland, Luxemburg, the Netherlands, Norway, Poland, the Union of Soviet Socialist Republics, the United Kingdom and Yugoslavia. The United States, Brazil and Canada are also represented. It is to be noted that by a strange coincidence, all of the above countries are also represented in the Inter-Governmental Committee on Refugees in London.

Besides, UNRRA has a special standing Technical Committee on displaced persons and it has also committed itself that "preparation and arrangements shall be made for the return of prisoners and exiles to their homes and for assistance in the resumption of urgently needed agricultural and industrial production and the restoration of essential services," thereby making the world understand that as long as this mission remains to be accomplished UNRRA should continue to exist.

We should also recall the existence of the International Committee of the Red Cross, which can co-operate with the Economic and Social Council in the solution of this problem.

Above all, the Inter-Governmental Committee on Refugees still exists, and we do not doubt that its present and past experience in dealing with the refugee problems and its implications and consequences will throw much light on the question.

For practical purposes, the Economic and Social Council may enter into agreement or act in consultation with the specialized agencies above referred to, namely, UNRRA, the International Committee of the Red Cross and the Inter-Governmental Committee on Refugees for the successful accomplishment of its mission, by translating into action the spirit and intent of the Charter through the application of articles 63 and 64 of the same, in relation with article 57.

As the inevitable result of the extensive, intensive and comprehensive discussion of the refugee problem from all angles and points of view, political, social, economic, financial, and otherwise, we have no reason to doubt that the work of this Committee will inevitably lay the foundation for the solution of the problem both temporary and permanent, thus giving the Economic and Social Council a clear picture of the situation that will guide its future deliberations to a successful ending.

The CHAIRMAN: I call upon the delegate for Poland.

Mr. STANCZYK (Poland): Ancient Polish tradition and my country's respect for the rights of asylum are well known. I would, however, point out that today we have to make a distinction between the political and humanitarian aspects of the refugee question. We hold that this question is not solely humanitarian, but that it has a clearly defined political aspect. The United Kingdom delegation has given us a historical summary of the refugee question covering a fairly long period, but we consider that the review is incomplete. There are, we think, at present two organizations dealing specially with the question of refugees, the



inter-Governmental Committee on Refugees and UNRRA. Both these organizations clearly come under the definition of specialized agencies, and it therefore seems to us that, in the ordinary course of its work, the Economic and Social Council will be called upon to deal with these two organizations and their methods of working in their capacity as specialized agencies.

Further, I consider that the Economic and Social Council should devote its attention to the question of the funds made available for a solution of the problem by the Repatriation Conference which met in Paris in December last, and here again we think that there should be close liaison between the activities of the Economic and Social Council and those of the Paris Conference.

Some agreement must also be reached on the meaning of the word "refugee." What is a refugee? If we take the English word "refugee" and examine its definition in the Oxford dictionary, we find that it applies to persons who, owing to religious persecution or political troubles, seek refuge in a foreign country.

We must not allow ourselves to be hypnotized by the humanitarian aspect of the question, but realize that it has indeed a political aspect which is of paramount concern to us.

The Economic and Social Council must therefore begin by defining the word "refugee" very clearly, and the different categories of persons who might be included under this general term.

Steps must be taken to ensure that war criminals, collaborationists and traitors are not, and cannot be, treated on the same level as refugees who have nothing on their conscience.

Nor must it be forgotten that in certain countries there are soldiers who belonged to the allied armies and have not yet been repatriated. In view of the part that they played in the common victory, it is unthinkable that they should be placed on the same level as war criminals.

The problem of refugees really has a number of different aspects. In the first place, means likely to ensure the quick repatriation of those who are in a position to return home must be considered.

Next must be considered the settlement of those who cannot, or who do not wish to return to their own country, since if we desire to avoid international friction in this connection we must take care to see that war criminals, collaborationists and traitors receive the punishment that is their due.

Nor again can we separate the problem of refugees from that of emigration from and immigration into certain countries. We have learnt from statements made by certain delegations on this Committee that there are possibilities of immigration and settlement in foreign countries. That question the Economic and Social Council will be able to deal with when its Demographic Commission has been formed and has started its work.

We consider too that the Jewish problem cannot be dealt with unless the Palestine problem is considered at the same time.

In conclusion, the Polish delegation submits the following suggestions:

First of all, the Economic and Social Council must agree on the exact definition of the word "refugee." Secondly the question of repatriation and the means of organizing it on such technical lines as may be practicable and with the utmost despatch must be considered. There is then the question of the Demographic Commission of the Economic and Social Council which will have to deal with the final settlement of certain classes of

refugees and the possibilities of emigration which have been mentioned by certain delegations here. There is also the question of the Inter-Governmental Committee on Refugees and of what should be done with the funds placed at the disposal of this organization as a result of the Paris Conference of December 1945, this Conference having, in our opinion, to be considered as a specialized agency.

Finally, the attention of the Economic and Social Council should be drawn to the political aspect of the refugee question. This is of special importance to certain Members of the United Nations and should not be lost sight of. We must not today cherish any illusions, but must face the problems in front of us from every angle.

Mr. DEHOUSSE (Belgium): The Belgian delegation is in favour of the question of refugees being referred to the Economic and Social Council. Our attitude today is the same as it was when this question was discussed in the Preparatory Commission.

At that time, we should have preferred not to pass through the General Assembly stage first, but to reach in the Economic and Social Council agreement beforehand. We took this stand because it seemed to us that, unless the discussion were clarified beforehand by a technical body, there was some danger of political repercussions which might have had an unfortunate effect. However, no such decision was made, and it was considered preferable to start by referring the matter to the Assembly before it came to the Economic and Social Council. We must therefore now accept the *fait accompli*, and if we wish the work of this Committee to be of any value, we must also envisage what general guidance can be given, if need be, to the Economic and Social Council.

All the speakers who preceded me have shown how complex the concept of "refugee" was, and how it demanded a clear definition. In the view of the Belgian delegation, as in that of the delegate for Denmark, we must begin by distinguishing three periods: There are the war refugees prior to the war in 1939, there are the refugees whose position is the outcome of the second world war, and finally, so often forgotten, there are the refugees who might acquire that status in the future.

In the first case, namely refugees prior to the second world war, practically no political difficulty arises. Generally speaking, these refugees as a whole may be regarded as enemies of fascism. Nor has any objection been raised on the third case, refugees who might acquire that status in the future.

Nevertheless, I should like to stress in passing that this case is not altogether lacking in interest. None can tell what the future may hold in store for us, and without wishing to play the prophet of misfortune, some day we might all find ourselves forced to become refugees. All this discussion is centred on the people who are refugees at the present time and we have divided them into four categories: displaced persons, war criminals, traitors, and people who, on political grounds, for instance, do not want to return to their country. Yet this fourth category has often been passed over in silence, and I particularly regret the fact that it was scarcely mentioned in the very fine and moving speech made here by the delegate for Yugoslavia.

The problem of displaced persons, if we mean people displaced only because of the war and not for any other reason as well, does not cause any difficulties, since it is being dealt with by UNRRA.

As regards war criminals, it has been rightly said that machinery already exists for handling



them. It is an international machinery determined by the convention of the four great powers signed in London on 8 August 1945. Here I am entirely in agreement with the delegate for Yugoslavia and, like him, I think there can be no question of keeping refugees of this kind, if indeed they can be called refugees, nor of helping them to escape their fate. None the less, I should like to point out objectively to the Committee that the machinery for dealing with war criminals is far from perfect in its operation. The delegate for Byelorussia drew the attention of the General Assembly to this during one of the plenary meetings.

I want to remind you of a matter which causes us much concern and which I already raised in the Preparatory Commission: the case of the notorious Belgian fascist, Degrelle, who has taken refuge in Franco Spain. In spite of all our efforts, we have not succeeded in getting him back. I should like to say that the Belgian Government would be very glad to have the active co-operation of the United Nations in this matter; and I would stress that I am making this statement on behalf of my Government.

Then come traitors properly so called. This is an exceedingly wide category in which a vast number of people may be included: first of all, what we in our unfortunate European countries call collaborators, to whatever extent and in whatever field; and then all those who took up arms against their own country. In this connection I am at one with the Yugoslav delegate in considering that there can be no question of helping them to escape their fate, nor of invoking the right of sanctuary for their benefit. But I must make one reservation. A problem arises here which has not been brought to light and is not without interest. From now on, in order to determine who are traitors, is each country in which they have taken refuge to content itself with the definition of treason as laid down by the legislature or the judicature of the country which demands their return? That is an extremely delicate point which is not merely a point of law, because of the possibilities of extending the scope of the definition and so widening the possibilities of abuse. It is a problem which concerns the relationship between States, and it is first and foremost an international problem which we must solve on the international level.

Nevertheless, and here is the crux of the matter, a man may not want to return to his country, although he is not a war criminal or a traitor, or even a fascist. He may not wish to do so, purely on political grounds, for reasons on which civilization when it reaches a certain level forbids the passing of judgment. These are motives which our delegation, for its part, considers quite as worthy of respect as those of the conscientious objectors. Indeed, the psychological and moral position is very similar.

Then comes the problem of what should be done with the people who are in a position like this. Two solutions appear at first sight; each equally efficacious. We may first consider sending these people back to the country which claims them. Is this the right solution for the persons concerned? Is it even, I make bold to ask, the right solution from the point of view of social peace, public peace, in the countries to which they are to return? I do not think so.

The other solution would be to leave the people who come under this fourth category solely dependent upon the country of refuge. It is a dangerous one, because it may result in the abandonment of these people to a wretched fate, or else, what is even more likely, we may find sooner

or later that only a very limited number of States will agree to such a solution, in view of the fairly heavy financial commitments involved.

It would therefore seem that neither of these solutions can be adopted. Here we need an international answer to the problem.

Dare I say that from the point of view of legal and moral principles, which are too often overlooked, such a solution would be of the greatest importance? The right of sanctuary represents a slow and lengthy conquest in human progress. It took centuries to obtain and safeguard this right, and even now it only exists to a more or less relative degree.

In reality, in my delegation's view, the right of sanctuary is an integral part of what is known today as "human rights." Now one of the purposes of our Organization, as laid down in the Charter, is to promote universal respect for, and observance of, human rights. We have a formal text on the subject which, as I must apologise for reminding those of you who already took part in the Preparatory Commission's work, is contained in article 55, paragraph (c).

I know few texts so general in scope, so absolute, so imperative as this. What the Charter calls for in this connection is "universal respect for, and observance of, human rights . . . for all without distinction as to race, sex, language or religion." For all, and here we have no discrimination whatsoever in the wording, "without distinction as to race, sex, language, or religion."

Admittedly, the text does not mention distinction of opinion, but let us not quibble about words. Let us not fall into the error of an exaggerated legalism which elsewhere and in other respects we so often and so rightly oppose. Moreover, the term "opinion" can be held to be implied in other words contained in the Charter, in "race, language, religion"—I leave aside the word "sex." Race, language, and religion lead to differences of outlook and hence to conflicting ideas and political difficulties. That is why I believe that the United Nations is fully justified in tackling the problem now before us. That it constitutes an international problem, there can be no doubt.

It is an international problem on three counts: because it arises on the plane of relations between States; because if indefinitely protracted it might poison relations between the United Nations; and because, lastly, it is a problem which can only be solved internationally. In the opinion of the Belgian delegation the Charter not only empowers us to deal with this problem, it lays a specific duty on us to do so.

For this reason we think that an organ of the United Nations should be specially entrusted to deal with it. We do not believe we shall have completed our task when we have asked the Economic and Social Council to discuss the subject and hear the various points of view. In our opinion, the Council will have to take concrete steps to solve it. We can think of various ways: the establishment of a large standing committee, for instance. But we do not think that would be advisable. We would be in favour of setting up a special body, an agency whose task would be to settle this grave question of refugees. We believe that in the long run such an agency would end by depoliticizing the problem, if I may be allowed to use a neologism, by eliminating its political repercussions and hence restoring greater harmony in the relations of the United Nations.

We think, too, that this body would have to extend its activities to a host of questions which arise in relation to refugees. To study the problem of assistance is not enough. It is important, of



course, but it is not the only one. There is also the problem of reclassification, adaptation or professional re-adaptation, and, in certain foreign countries, that of immigration. International machinery alone can regulate matters in this respect.

The Yugoslav delegate related some personal anecdotes in the course of his statement. May I be permitted to follow his example?

I had some experience of the refugee problem in 1940 when, like all other Belgian soldiers, I went to war in a lorry. As soon as we got to Toulouse, I was specially detailed to look after Belgian refugees in the department of the Haute-Garonne, and I would avail myself of this opportunity to thank France for the way she welcomed our people at a time when she herself was the unhappy victim of dramatic circumstances. To the Belgian refugees, there is one man whose memory will always be hailed in gratitude, and that is Mr. Vincent Auriol, then Mayor of Muret in the Haute-Garonne, who rendered us inestimable service.

These Belgian refugees had the benefit of the most wholehearted and unselfish assistance from the Third Republic; but when the Vichy Government came to power the refugee problem arose once more; indeed, it was then at its most acute, because it had then to be decided whether or not the refugees who were most highly suspect from the political point of view were to be sent back to Belgium. The majority of them were not, and for this we have to thank the French officials who most of the time patriotically sabotaged their instructions. But, speaking objectively, I must say, too, that in some cases the Vichy Government (first version) during the period when it had not yet been completely nazified, did actually save a certain number of Belgian political refugees. I could quote names and instances. Are we, on a similar matter, about to show ourselves less liberal than the Vichy Government?

The second personal experience I want to relate is as follows. Returning to Belgium, I joined the ranks of those who played a modest part in the resistance. We were unanimously united then. My party, the Socialist party, fought in the resistance side by side with the Communist party and organizations of the extreme Right. Today there is a wide gulf between us and these extreme Right organizations, for reasons which cannot usefully be discussed here. Yet we do not think of expelling them, and if they should happen to leave the country we would not think of demanding their repatriation. If such is our conception, it is because we believe in the existence of human rights which rise above the times, or the system of government, or the government itself. Systems of government will pass, but country endures. There is no unbreakable bond between man and State; man is not shackled to the State. In an Organization like ours which stands for liberal and democratic principles, we cannot adopt such conceptions; we must cling to that of the right of sanctuary in its noblest form, which represents one of the greatest achievements of our human civilization.

The CHAIRMAN: We cannot meet tomorrow, under the decision of the General Committee, but we will be meeting on Friday morning, and I should like to get some guidance from the Committee. We have still ten speakers listed. Would it suit the Committee, if it could be arranged, if we met at 9.30 instead of 10.30 on Friday? I would like to finish this discussion on Friday, because there is another matter, an educational and cultural matter, that will require some discussion, and then we may complete our work. I do not know if it would be convenient for the Committee to meet on Friday morning at 9.30 if it could be arranged? It may be completely inconvenient for some of you.

If so, just indicate it, and if there is any number of delegates to whom it is inconvenient we will not have it.

*Several delegates indicated that 10 o'clock would be more convenient.*

The CHAIRMAN: Very good. I think that suits practically everybody. Then 10 o'clock on Friday, if it can be arranged, and it will be advertised in the *Journal*.

*The Committee rose at 12.58 p.m.*

### (3) Sixth meeting

*Held at Central Hall, Westminster, on Friday,  
1 February 1946 at 10 a.m.*

*Chairman: Mr. P. FRASER (New Zealand).*

The CHAIRMAN: The delegate for the Ukraine.

Mr. BAJAN (Ukrainian SSR): Millions of men and women have been uprooted and torn from their native soil in the fearful storms and upheavals of war; this war which has so recently ended in victory over Nazi Germany and militarist Japan, our mortal enemies. The Nazis assailed the first and most sacred of our human rights: the right to a country of one's own, to belong to a sovereign state.

Before we entertain the Belgian delegate's request that we should consider whether people have the right to refuse to return to their respective countries, we must ponder the primordial right I have just defined. This right was won for men by the valorous armies of the USSR, United Kingdom, United States, Yugoslavia, Poland, France, and all the other nations who rallied to the Allied armies. This right has been restored to millions of Ukrainians, Russians and Byelorussians; it has given back to the sons of Poland, Yugoslavia, Latvia and Lithuania, and the peoples of Czechoslovakia and Norway. Large masses of humanity were driven from their country by German aggressors. Now they wish to return to their native land, which is awaiting them, which is ready to welcome them back with open arms, and which needs them. More specifically, I would like to say that the Government of the Ukrainian SSR has done everything in its power to speed up the repatriation of these persons, and to prepare for them humane and normal living conditions. The people concerned include not only those who were forced to leave their country, but also those who were ill-treated and terrorised by the Nazis and the Fascists.

The Government of Ukraine has addressed urgent appeals to them; it has issued laws of amnesty, granting of pardon in respect of crimes committed against their mother-country. Clearly, this amnesty cannot apply to persons who, willingly and actively, collaborated with the Nazis, and thus share the latter's responsibility for war crimes.

Broadly speaking, the question of repatriation is perfectly clear. All the nations are anxious that the maximum number of refugees may be repatriated to their homes at the earliest possible moment; but in fact we come up against numerous difficulties.

In the first place, I would mention a category of refugees who, to our infinite regret, have been unable even to contemplate returning to their country: I am referring to the Spanish anti-fascists. The policy of non-intervention forced them to leave their oppressed country; but it would be wrong for a policy of non-intervention to be pursued towards them now. The United Nations must



take their fate in hand, and do its utmost to improve their living conditions.

The next category of refugees I am thinking of, are the hundreds of thousands of German Jews, who do not know where to turn, or how to go back home. They are haunted by memories too appalling of what was once their motherland, and which became their prison. There must be no delay in dealing with the question of these millions of Jews who have suffered so horribly at the hands of our common enemies.

In addition to these refugees to which the ordinary methods of repatriation cannot be applied, there still remains a large number of those who have been called "the continuous stream of refugees." The British delegate said that they numbered hundreds of thousands, and perhaps millions. Mr. Noel-Baker did not say if he included those who took up arms against the united nations. These included Poles, Czechoslovaks, Latvians, Ukrainians and nationals of other countries, and according to our information, there are more than a million of them. They claim that they will be of assistance to the international organizations. Need I stress that among these elements, who bore down like beasts of prey on the countries of others, particularly on Slav lands, the largest number belong to the advocates of that abomination which is known as racial nazism? Can they be allowed to benefit from the humanitarian organizations about to be created? Most definitely not. It must be brought home to these people that their dreams of oppression and exploitation of others were as vain as they were harmful, and that this self-styled master-race should itself have some first hand experience of what they entail.

Therefore, from the total number of refugees to whom reference has been made, a large number must be subtracted. The fate of those to whom I have referred, should be made the responsibility not of international organizations, but of the local administrations of conquered territories, which are at present working under allied control.

Then, there is still a certain number of persons unwilling to return to their country and claiming to be entitled to benefits from international relief. This category should receive the special attention of the united nations, for it is among them that war-criminals, Quislings, the henchmen of German fascism, and the agitators for unrest and anarchy lurk. While we are on this point, I would recall that this category included the White emigre Gorgulof, the murderer of M. Doumer, President of the French Republic, which made the mistake of granting Gorgulof refuge in France; and it also included the murderer of King Alexander of Yugoslavia and of M. Barthou, the French Foreign Minister.

This category of refugees are continually thinking up good reasons for not returning to their country. They are hoping to take advantage of the right of sanctuary, which forms part of the constitution of a considerable number of countries. But these nations never contemplated that this right of sanctuary would enable war-criminals to hide. Whatever may be the arguments put forward by these individuals for not returning to their homes, the true reason is obvious: they fear the justice of their country which they have betrayed, the country against which they have committed unspeakable crimes, in league with the German occupiers.

These self-styled refugees are not really political refugees at all, they are purely and simply common criminals, who are endangering the peace and the security of the world. For so long as we do not know exactly the number of criminals who refuse

to go back home, we shall not be able to determine the number of refugees who are really entitled to receive international help. For arriving at a correct figure we cannot, I think, adopt the recommendations proposed by the delegate for Canada, which sought to distinguish clearly between the strictly governmental point of view on the definition of war criminals, and the other point of view which he called "the human point of view." There are governments and governments. If, for example, General Franco were entrusted with drawing up a list of war-criminals, I admit it would be necessary to lay down a clear distinction between the governmental point of view and the human point of view. But if this criterion were to be applied to the project put forward by the Yugoslav delegation, I would not agree. The democratic governments alone are in a position to draw up lists of these war-criminals who are nationals of their own countries and who therefore have to be extradited and turned over to the judgment of their own people.

I would now like to offer a few remarks concerning these so-called refugees, for the safety and the peace of the world depend on an equitable solution of this problem. The Ukrainian people attached very special importance to this matter, because amongst these pseudo-refugees, there are a certain number of Ukrainian nationals who are dangerous to the whole of humanity. They style themselves "Ukrainian nationalists," but the Ukrainian people calls them "Germano-Ukrainian nationalists," and justly so. A few of them who had fled their country between 1918 and 1920 found refuge in Germany, and under the aegis of Germany, they took part in the abominable fascist conspiracy against peace and humanity. The documents before the International Military Tribunal at Nuremberg include certain statements by Ribbentrop regarding instructions given by him to some Ukrainian nationalist gangs; their task on the eve of German aggression against Poland consisted in undertaking diversionary activity behind the lines of the Polish army. These instructions were closely followed by the Germano-Ukrainian nationalists. Moreover, the Germans enlisted the services of these persons on a considerable scale in their war against the Ukrainian and Soviet people, and against the united nations. They are the ones who exterminated the Polish population and massacred the Jews. To give only one example, I would remind you that during the war, the SS Galicia Division occupied technical positions in the Pyrenees. Side by side with the Germans, this formation fought against the English, American and French allies.

On the Ukrainian soil, they committed, hand in hand with the German Nazis, crimes without number; they formed part of repressive "Kommandos" and were enrolled in the punitive police forces. They helped the Germans to exterminate the Ukrainian population, to burn down towns and villages, and to recruit able-bodied Ukrainians for deportation to Germany. They also collaborated in German propaganda and helped German fascist propaganda institutions set up for the purpose. They fostered abhorrent theories, such as the racial doctrine, and sowed the seeds of discord and of new wars amongst the peoples.

The Germano-Ukrainian nationalists in Europe tried, and are still trying, to establish contact with their accomplices overseas, and it is unfortunately true that, at this very moment, groups of these peoples found refuge in Canada and America. The number of these criminals who fled from the Ukraine with their German masters, and are now seeking to hide in the crowd of refugees,



is considerable. The Ukrainian Government is in possession of detailed information regarding them. It is known to us that some of these people are in the western zone of Germany and Austria occupied territory, as well as in Italy, Switzerland and elsewhere. They are hiding in an attempt to escape justice, and to this end, they endeavour to take advantage of the tolerance of certain officials, as well as of the support of pro-fascist and reactionary elements which are still in evidence in certain countries.

In western Germany, these pseudo-refugees have managed to publish their own newspapers, through the medium of which they are pursuing their vile tasks of spreading fascist ideas. At Neustadt, a group of Ukrainian nationalists, who call themselves "Central Committee of Ukrainian Liberation," is publishing two newspapers, namely "The Ukrainian Informer" and "Our Path." In a camp of about 100 persons at Augsburg, there are at the same time Ukrainian citizens driven from their homes by the Germans, and traitors who were in German pay and who even formed part of the Gestapo. This camp is administered by UNRRA, and at its head is a pro-fascist organization called "The Ukrainian Popular Union."

In Camp No. 5 in Italy, are Germano-Ukrainian nationalists who served in the Germany army. Those Ukrainian citizens who show the desire of returning to their country are severely ill treated by the officers of this group. Many other examples of this type could be mentioned.

The leaders of the Germano-Ukrainian organizations have now fled from Ukraine. Under the cloak of harmless peaceable persecuted refugees, they are scattered in various regions of the western zone of Germany and Austria, as well as in Italy and Switzerland. We are well aware that they are getting ready to cross the ocean; amongst them are former German agents and heads of terrorist gangs, as well as the head of the principal Germano-Ukrainian collaborators' organization, and propagandists of Hitler theories.

The Ukrainian Government has detailed information regarding these people, and has drawn up a list of war-criminals and traitors. There is no reason why these criminals should escape the fate suffered by the Quislings, the Lavals and the Lord Haw-Haws, who were punished in their own countries.

It is the view of the Ukrainian delegation that the question of refugees is closely linked to that of war-criminals and to that of the general problem of the war-guilt of Hitler's supporters. All criminals, whatever their origin, must be extradited for punishment for their crimes to the countries where they perpetrated them. At this point, we are ready to accept the principle stated in the draft recommendation placed before our Committee by the Yugoslav delegation.

In summing up my remarks, I would like to state the following conclusions:

That with a view to solving the problem of refugees in the most uniform manner possible, and in accordance with the Charter of the United Nations, the following preliminary conditions must first be fulfilled:

1. The procedure for the repatriation of refugees should be facilitated to the utmost and international assistance should be made available to the governments concerned, in order that they may carry out this task;
2. All influences likely to be brought to bear by elements hostile to the work of the United Nations on the large mass of refugees, e.g. attempts to stop them from returning to their countries, must be checked once and for all;

3. The search for war-criminals should be vigorously pursued, and their extradition facilitated, so that they may be brought before the tribunals of the countries where they committed their crimes.

Human rights are safeguarded not by words but by deeds. The task entrusted to this Committee is so enormous and complex, that even the Economic and Social Council can hardly perform it. Therefore, we feel that it would be useful to create *ad hoc* international bodies, which would be concerned solely with these problems.

The CHAIRMAN: The delegate of Czechoslovakia.

Mr. BELEHRADEK (Czechoslovakia): Mr. Chairman, fellow delegates: In its recent history Czechoslovakia passed through a period during which our State President and many other ardent defenders of democracy and peace themselves were refugees, and many were kindly received by the allied democracies, especially by the United Kingdom, the United States, and the Russian Soviet Union. On the other hand, Czechoslovakia was one of the first countries to deal with the problem of refugees after the first Great War. We therefore know the problem only too well from both sides, and we entirely consent that it should be fully and clearly posed.

Nevertheless, even in this connection, we feel also that a definite danger for democracy and peace may arise from the existence abroad of certain remnants of evidently anti-democratic, that is, fascist and semi-fascist groups among the refugees, some of them very large in number. Recent history has taught us that equal democratic rights and freedoms should not be given to those who evidently are enemies of democracy. Yet it seems to the Czechoslovak delegation that the Yugoslav proposal need not necessarily involve any harm to the fundamental human rights, and that it does not exclude refugees of all kinds from being treated in a humanitarian manner, which, I think, is a point upon which all of us will agree. The Czechoslovak delegation, having compared the texts of statements presented by the United Kingdom, Yugoslavia and various other members, and having also considered the historical evolution of the question as presented with much useful detail in the proposal of the delegate for the United Kingdom, came to the conclusion that there are not such fundamental differences of opinion as to exclude an amalgamation of the social and humanitarian, that is to say, the non-political, part of the question in a joint statement. The delegation of Czechoslovakia therefore recommends that several of the delegations having taken part in this discussion should be entrusted with the task of preparing such a joint statement which would be joined as an introductory statement to the whole material disclosed in this discussion. Perhaps they need not be very numerous, and I think that this *ad hoc* working group should be composed of the delegates of the United States, the United Kingdom, Yugoslavia, Belgium and Poland.

The CHAIRMAN: The representative of South Africa.

Mr. EGELAND (South Africa): The question before us is too urgent, too fraught with fateful consequences, not merely for the happiness and health of the very great number of displaced and uprooted persons, but also for the future security and peace of Europe, and thereby of the world, for my delegation even at this late stage of the debate to be able to record merely a silent vote in favour of the United Kingdom proposal.

The South African delegation in the Preparatory Commission consistently recognized the gravity and



insistency of the refugee problem and supported the proposal for the setting up by the United Nations of a special body to deal with it.

My delegation gladly supports the United Kingdom proposal, but I confess I do not feel altogether happy that the final of the General Assembly decision is to be deferred till the second part of the present meeting. I would have preferred to see this Commission, and the Assembly, here and now, decide the primary question of policy, namely, that the United Nations Organization assumes the responsibility for dealing with refugees or displaced persons, and leave it to the Economic and Social Council to get on expeditiously with the task of working out the details of the proposed organization before the second part of this meeting. In any event I hope the Assembly will, if I may quote the phrase used by both the United Kingdom and the Netherlands delegates, pass on the United Kingdom proposal to the Economic and Social Council "with positive directives of principle," and "after drawing up specified recommendations."

The problem involved by the existence of the probably million or more still uprooted persons is too big and too complex to be as lightly or summarily dealt with as the speech of the Yugoslav delegate might suggest. The delegate considered the problem had ceased to be important, and that because it had proved possible in nine months for the allied military authorities to repatriate over ten millions, mostly ex-prisoners of war, slave labourers, and inmates of former concentration camps, it should be a simple matter to return the remaining million or more, either voluntarily or otherwise, in a matter of months.

The discussion in the Committee here has already shown that the position is far from simple. These million or more persons (and when I refer to displaced or uprooted persons I am not referring to any of the war criminals or collaborators, whom every delegate here, as much as my colleague from Yugoslavia, desires to see properly dealt with) who for a variety of reasons dare not, or will not return to their countries of origin, represent the hard core of the refugee problem. Their cases fall, as the Danish delegate has enumerated, within widely differing categories, and they call for detailed personal investigation. They present difficult psychological problems, they involve negotiation with the prospective reception country in which they are to settle, and the obtaining of that country's consent in each instance to individual refugees' re-location or resettlement.

As has already been pointed out by the United Kingdom delegate and others, they present problems not merely of immediate or temporary care and relief (which UNRRA can, for the time being, try to provide, and which some of them need) but problems of consular protection in view of their statelessness, and problems of eventual resettlement, which all of them need. These are clearly long-term, calling for concerted technical humanitarian services, as the long and valuable, and still continuing, record after the first world war of the League of Nations Organization originally associated with the honoured name of Fridtjof Nansen shows in regard to the refugees from the first world war. They are problems which will remain, even if the international organization to deal with them is not set up, for they would still have to be faced by the various countries affected.

I admit that the problem would be simple if the forcible repatriation, actual or implied, which seems to me, I hope wrongly, implicit in the Yugoslav proposals, were resorted to. I trust and believe, however, that this Committee in the Assembly would regard any attempt to repatriate against his free will any refugee other than war criminals or collaborators or other extraditable

persons, as a betrayal of the ideals for which the United Nations have fought and won the war, and those ideals which are enshrined in the preamble of our United Nations Charter. The South African delegation accepts and endorses the clear statement made on Monday by the Netherlands delegate of the rules that should be observed in applying the basic principle that each uprooted person should be free to decide whether or not he desires to return to his country of origin.

Preceding speakers have already pointed out that the existing machinery is inadequate for dealing with uprooted persons. Delegates know that UNRRA must be ruled out as a possible organization because of its temporary nature, valuable though its provision of immediate relief during these immediately coming months may be; and also we know that the High Commission's Office of the League of Nations for refugees is necessarily confined to dealing with those remaining refugees from the first world war period, the care of which was originally undertaken by the Nansen organization of the League of Nations.

There remains the Intergovernmental Committee. This was created in the first place to deal with the special emergency arising and resulting from Nazi persecutions. Its terms of reference are not wide enough, nor do all members of the United Nations belong to it. Its financial aspects are necessarily unpromising and inadequate, depending as it does, and has hitherto done, almost entirely for its operational costs on contributions from the United Kingdom and the United States, and, more latterly, also, on France.

The political aspects of the refugee question cannot be ignored, and this is already clear from the present discussions. Attention has been sharply drawn by notable speeches in this Committee by the Yugoslav delegate and by the speaker who just preceded me to such problems, and they cannot, in my submission, be satisfactorily dealt with by any specialized agency or any intergovernmental body on which all members of the United Nations Organization are not represented. It is neither desirable nor is it possible for the executive of a body like the Intergovernmental Committee to justify assistance being given to certain classes of refugees, when others in the same difficulties are excluded because of objections made by certain members. It is essential that before the body to handle refugees can begin to discharge its tasks properly, decisions on policy should be taken for it by the Assembly of the United Nations Organization, which has been established specifically for the purpose of tackling such difficult political situations, and the floor of which offers the best platform for the defence of the rights of the oppressed.

Now, the proposal before us does not actually raise the question of the type of organization destined to carry out the policy of the organization; this is a matter for consideration and report by the Social and Economic Council. Without going into details, however, I would emphasize, first, the desirability of having an organization which will derive its funds from the United Nations Organization and not from separate subscriptions having to be specially asked from and voted by individual States. I feel sure that all those who have had past experience of similar ventures will agree with me on this point. Secondly, I would also emphasize again the necessity of the proposed bodies being intimately responsible to the Assembly so that its policies reflect immediately the decisions of the most comprehensive international body of all, namely, the United Nations Assembly itself.

The Yugoslav delegate the other day and the Czechoslovak delegate again today has in a degree



corroborated him, expressed great fears that the setting up of an international body to deal with refugees would help to perpetuate or normalize an existing situation in which refugees through being maintained abroad "keep up nests of fascist propaganda." These fears are very largely illusory and can be easily allayed. I believe, Mr. Chairman, on the contrary, that these fears would be more justified if the international machinery to handle the problems of the uprooted or displaced persons were not set up.

I believe profoundly that a Refugees Committee of the United Nations Organization can do so much to reduce the threat of economic and social instability and the consequential threat to future peace which these entail. For that reason I urge the assumption by the United Nations of responsibility for the eventual re-settlement of the destitute and desperate, often starving, stateless persons, who to-day are milling about, particularly in areas suffering from the devastation and dislocations of war. To apply Mr. Bevin's striking phrase at the opening of the General Assembly, such desperate and destitute malcontents are the likeliest recruits for nazi or fascist propaganda in the future. In proportion, however, as these now stateless and unprotected victims of war conditions or persecution are given the opportunity of useful occupation, of a new life in a new land, with new interests, the risks of their falling victims to subversive or nazi propaganda would be reduced. But for so long as they remain uncared for and without hope as refugees, they constitute a potential threat not merely to the stability of the country in which they, for the moment, reside, but also to countries from which they came, and even to every other country, however remotely situated geographically, which has a stake or an interest in the promotion and preservation of the security and stability in Europe, and of the promotion of goodwill and peace among nations.

Apart, therefore, from the purely humanitarian aspects, apart from the considerations, eloquently urged by the delegate from the Netherlands, of the true significance of the rights of man, of the elemental right of every individual to freedom from fear and freedom from want, for which the United Nations fought and won the war, every peace-loving nation has a direct stake in the just solution of the complex and necessarily, I fear, long-term problem created by these million and a half uprooted persons in Europe. Each peace-loving country, no less those like my own who have been spared the horrors and devastations and dislocations of war within their own borders, the creation of a refugee problem in their own borders, has a vital interest in the removal of the threat which the refugee problem in Europe presents to international security and stability. For that reason, no less than for other good reasons that can be advanced, the South African delegation believes in the prompt and effective setting up under the direction of the United Nations Organization of concerted technical humanitarian services for all such displaced or uprooted persons, excluding, of course, the categories of war criminals, collaborators or other extraditable individuals.

The delegates for Yugoslavia and the Ukraine have in their speeches effectively made the point, a point with which, as the Canadian and Belgian delegates have pointed out, we here are, I am sure, entirely in agreement, that war criminals and collaborators, refugees with criminal or fascist or subversive records, should not be allowed to escape justice. My submission is that the setting up of adequate international machinery by the United Nations to administer the problem of refugees will facilitate and not impede the tracing and rounding up and the repatriation of such as by

decision of the appropriate war crimes authorities should be handed over for trial.

I would submit further that the setting up of an international organization has further, equally great, advantages; advantages, first of all, in regard to problems of pooling of experience and investigating them. Secondly, arranging for the consent of reception countries who accept refugees for resettlement more efficiently and economically; and thirdly, securing the services of an impartial international trained secretariat.

In regard to this matter I listened with appreciation to the suggestions made by the delegate for the Netherlands regarding the continuance in the meantime of the existing Intergovernmental Committee and the office of the High Commissioner for League of Nations refugees till the new machinery comes into operation. The earliest possible date when any new organization could be started would be in May next; but there is every risk that there is not likely to be, for several months after that, even that possibility. In the meantime, problems going beyond mere care and maintenance for which UNRRA can temporarily provide are crying out for attention, including preparatory work of re-settlement.

The currently authorized programme of the Intergovernmental Committee includes only two classes of displaced persons, being either, firstly German and Austrian refugees from Nazi persecution, or, secondly, refugees from Spain, and Spanish Republicans. Whether the mandate of the Intergovernmental Committee can be interpreted to apply to all refugees or not, in actual fact the policy decisions of the governing body of the Intergovernmental Committee are restricted to these two classes. For the residual, perhaps the three quarters of a million displaced or uprooted persons who do not fall within the two classes I have mentioned, there will on the present authorized programme be no assistance whatever, apart of course from the immediate relief of the temporary maintenance available from UNRRA.

In those circumstances, I venture to suggest and hope that it may prove possible, firstly, within the currently authorized programme of the Intergovernmental Committee for every effort to be made in the interim period even to expand its activities, and not to restrict them or allow them to be neglected because the Intergovernmental Committee is likely soon to be replaced. Then, secondly, I would also suggest that the existing Intergovernmental Committee and the High Commissioner for League of Nations refugees should be encouraged to have detailed plans worked out and ready to be put into immediate operation against the event of the Assembly at the second part of its session deciding to assume responsibilities going beyond the present restricted programme.

Before I conclude, I should also like to express gratitude for the devoted work and the results, within their restricted scope, of the organizations which have hitherto been dealing with the refugee question, and to express our gratitude for the fact that we have at the moment a body of highly experienced valuable scientific workers, available for consultation when the Economic and Social Council is busy with the working out of the proposed new machinery, and equally, I hope, available for wider service in the more comprehensive international machinery soon, we hope, to be set up. Likewise, I feel, our thanks are due to those countries, primarily the United States and the United Kingdom, latterly also France and Norway, who have borne and are still bearing the burden of financing the operational working of the Intergovernmental Committee.

As regards certain countries who are not members of the United Nations, but who have been



participating actively and generously, and are doing so today, in the humanitarian work, notably Sweden and Switzerland, I express the confident hope that the Economic and Social Council will take full account of the advisability of their continued association with the work of whatever international machinery is set up to deal with refugees.

May I conclude by expressing the hope that this discussion, and this Committee's and subsequently the Assembly's endorsements of the United Kingdom's resolution, if not unanimous, then as nearly so as possible, will give the clearest indication to the Economic and Social Council that there is an overwhelmingly strong desire on the part of the United Nations represented here that the refugees problem is rightly the United Nations Organization's baby and must not be left a day longer than necessary on the doorstep even of the existing organizations, the Intergovernmental Committee and the League of Nations High Commissioner for Refugees, which are doing their best, with their present limited scope and within their present limited resources.

I hope, likewise, that this discussion will have revealed how wide and how insistent and how justified is the demand for the speediest setting up of a truly representative and effective organization under the auspices of the United Nations organization, which will be given full authority to deal with all classes of displaced and uprooted persons and which must be assured of the necessary funds properly to cope with this urgent, complex and inevitably long-term problem. (*Applause.*)

The CHAIRMAN: The delegate for France.

Mrs. LEFAUCHEUX (France): Of all the countries in Europe, France is probably the one that for twenty-five years has welcomed the greatest number of foreign refugees on its soil. In doing this, she has merely been following that traditional hospitality which has been peculiarly her own from time immemorial and which, having been extended to the victims of all political regimes in turn, cannot reasonably give umbrage to any regime or any government. She recalls this fact merely because it has provided her with a certain practical experience of this question.

Other countries are also taking an interest in the problem and are proposing to make their own contribution towards its solution by their advice and even by subsidies, but they have not been called upon to deal with it on their own territory. France, indeed, need but turn to her memories, to call to mind her own difficulties, her successes and her failures, the misfortunes from which she was not able to preserve some of her refugees during the German occupation, as also the unanswered appeals which she had earlier addressed to the rest of the world on that subject, in order to be able to draw a lesson which may prove useful to all the United Nations at a time when they propose to widen their sphere of action to include the delicate question of refugees and displaced persons.

The first lesson to be drawn appears to be that, in the accomplishment of its beneficent task, the United Nations should define, at the start, as clearly as possible, the object that it proposes to attain, and to avoid at the beginning any confusion in terminology; in particular, a distinction must be made between "statutory refugees" and the "displaced persons."

By "statutory refugees" is meant people belonging to one of the categories defined before the war who enjoy a legal status in their country of residence. By "displaced persons" is meant people who, through the upheavals arising out of the war, are at present in search of a place of refuge. The question is different in each case and international action could not be planned on the same lines. In the first case, action should tend to

standardize and unify the status already granted to refugees, and to prepare for their re-assumption by the national administrations of the receiving countries, or, better still, by some appropriate national organization, of the duties concerning them; the action need not go beyond that. In the case of displaced persons, international action should show some initiative to avoid a reversion to the chaotic pre-war position where, through force of circumstances, the nearest frontiers were forcibly overrun by streams of unfortunate people; any action on these lines could not, however, be usefully taken against the wishes of the States concerned, or even without their consent.

We will now consider the forms of international action to be taken in each of these cases.

### 1. Statutory Refugees

After the very complete statement contained in the British memorandum it seems unnecessary to go into the history of the various regulations governing statutory refugees.

In order to give some idea of the scope of the problem, it is enough to recall that, at the present moment, France is giving shelter to approximately 400,000 of these refugees:

Spanish Republicans ... ..	200,000
Nansen refugees (Russians, Armenians and Saar nations) ... ..	135,000
Jewish refugees from Germany and Austria ... ..	25,000

These figures are far in excess of those of statutory refugees in any other country.

From a legal and administrative point of view, there are at present two separate systems of protection for statutory refugees; the first applies to the Nansen refugees, and was extended in 1935 to the inhabitants of the Saar who left their homeland as a result of the plebiscite; the second concerns the refugees from Germany and was recently extended, at the request of the French Government, to refugees from Spain. The fact that the director of the Intergovernmental Committee in London was also High Commissioner of the League of Nations was not sufficient to eliminate this dual system which is the result of constitutional texts.

The Intergovernmental Committee has at its disposal relatively large funds, whereas the High Commissioner of the League of Nations exists almost exclusively on the revenues accruing from the sale of Nansen stamps.

The French Government considers that this dual system, which can be accounted for on historical grounds, is no longer justified at the present time and involves unnecessary complications and psychological drawbacks. It is difficult to admit that certain categories of statutory refugees have, as it were by statute, the right to international financial assistance, while others have not.

The French Government is therefore prepared, so far as the statutory refugees on French soil are concerned, to do away with this dual system by extending to all the advantage of the widest international agreements, and by undertaking to cover the maintenance costs of both categories. The administration of all the statutory refugees in France would be handed over to a French administrator to whom the Government would be prepared to grant powers equal to those of the representative of the High Commissioner of the League of Nations, and under whose responsibility the revenue derived from the Nansen stamps would be distributed among refugee welfare societies. The French Government would also agree that this administrator should appear regularly before an international advisory committee, organized on



the lines suggested in part III of the present memorandum, to give an account of his stewardship.

The French Government takes the view that a solution on these lines, if it were accepted by the other States and put into force on their territory, would allow of a fair and rapid liquidation of the two international organizations dealing with refugees. Without wishing in any way to prejudge the action of other Governments with statutory refugees on their soil, who may still be in need of international financial aid, it suggests that the Advisory Committee, as a first step, should consult the States concerned on the lines of the above proposal.

It is hardly necessary to point out that this proposal relates exclusively to statutory refugees already in France, and that so far as access to its own territory is concerned the French Government is not disposed to renounce those rights on which, so far, no other democratic State has ever contemplated any restriction.

## 2. Displaced persons

The situation of displaced persons is different from that of the former refugees, for the latter were ultimately granted the benefit of legal status and more or less became members of the community which received them. The upheavals brought about by the war and the planned deportations of people by the Germans have raised problems regarding the movement of populations on a scale hitherto unknown. Steps must be taken for the repatriation or settlement in other countries of the large numbers of persons of various nationalities, some of whom are now still in camps in Germany and Austria, and others who are more or less free and at present in receipt of the various forms of assistance granted to them by UNRRA.

The transfer of these populations cannot be regulated in a uniform way, nor can it be left to chance circumstances. Some displaced persons wish to return to their country of origin. For these, verification of identity, health measures, relief, supplies and transport will be required. There are, however, others who would rather postpone their return; but they cannot remain indefinitely in camps or form unassimilable groups. In this way, France received the Spanish survivors from the German extermination camps and she would like to offer them hospitality worthy of their courage. And, since we have mentioned the frightful memory of these camps, let us note that, if the large majority of persons escaping to freedom were filled with the desperate desire to return to their country, even if only to die there, some unfortunates would dread a return there as it would be a trial beyond their strength: their relatives are dead, their houses have been destroyed, their womenfolk executed in the crematoria of Auschwitz, their children have disappeared for ever . . . I know full well, for I tried to find comrades of the resistance movement amongst the political deportees a few days or even a few hours only after their liberation, I know, I say, that nothing can describe the horrible living conditions, or rather dying conditions, which the German imagination has devised. And I know that these conditions produced the debris of mankind, persons who have not yet regained their place in society and who are entitled to our understanding and our pity.

Amongst these displaced persons, there are, lastly, those who, as the Yugoslav delegate reminded us, have lost all claim to international assistance because of their attitude during the war and who are, in some cases, even liable to criminal proceedings.

These unfortunate exceptions in no way, however, justify the United Nations in adopting a policy of indifference covering all displaced persons. The question at issue is in itself too serious; it is fraught with consequences too serious for the peace of Europe, and carried too many implications, demographic, political, social or economic, to be approached without a comprehensive plan and merely under the pressure of events.

It is the opinion of the French Government that it is incumbent on the Economic and Social Council to undertake or arrange for the study of these questions. The body entrusted with these studies might be the Advisory Committee mentioned above in connection with the statutory refugees, such Committee to work in contact with the Demographic Commission and possibly in certain cases with the ILO (as regards the conditions of employment of labour). The task of this Committee should, in the opinion of the French Government, be merely of an advisory nature; there would be no question of deciding on any steps to be taken, a matter which properly falls within the province of governments or of such executive organizations under their direction as might be created in the future to take over part of the duties of UNRRA. Its task should rather be to elucidate the various aspects of the problems and to indicate, by laying down rules for general guidance, the direction in which governmental action might most usefully be undertaken.

Of these rules, the following ought, in the view of our Government, to be made clear from the outset: in any event every effort should be made to persuade the greatest possible number of displaced persons to return to their country of origin; in exceptional cases where a different settlement may have to be considered, every possible guarantee should be given to ensure that this settlement shall be of a lasting nature.

## 3. Conclusions

The French delegation would be prepared to accept the setting up of an Advisory Committee under the Economic and Social Council, entrusted with matters concerning the statutory refugees and displaced persons, subject to the following conditions:

(a) As regards the statutory refugees, the task of the committee should consist in preparing the standardization in all countries concerned of the system for dealing with refugees and the liquidation within a specified time limit of existing organizations.

The proposed committee would be especially charged with the following duties: to advocate in each country concerned the substitution of a system of national administration of refugees for the international system at present in existence; to define the guarantees to be given by the country where refugees are to be settled; to study the consequential alterations in conventions at present in force and in the Nansen Pass system, as well as any other alterations which might be entailed by this change.

The national administrators in charge of refugees might report periodically to the Advisory Committee.

(b) As regards displaced persons, the Advisory Committee might, on its own initiative, study all questions concerning these persons; work out draft recommendations addressed to the Economic and Social Council for the purpose of bringing about negotiations and the conclusion of agreements between the governments concerned; to lay down the general principles of a demographic and social policy for the various categories of displaced persons.



It might make recommendations to the Economic and Social Council regarding contacts to be made with any executive organizations already engaged on the problem of displaced persons or possibly regarding the creation of a specialized agency which might take charge of the questions in lieu of the contemplated Advisory Committee.

The CHAIRMAN: Before calling upon the delegate for Panama, I want to state the position as far as the motions and amendments are concerned.

There is a motion from the United Kingdom delegate with which you are acquainted; there is an amendment by the delegate for Yugoslavia; there is a further amendment circulated this morning by the delegate for the Netherlands. These are the three proposals before us at the moment. It was suggested by the Ukrainian delegate that there should be an *ad hoc* committee set up, and a proposal from the delegate for Czechoslovakia that a committee (which he indicated) should be set up to look into the matter. I did not understand that the delegate for the Ukraine or the delegate for Czechoslovakia actually moved any amendments. I understand they just made suggestions. I should like to be assured as to their intentions in regard to their proposals. At the present moment there is just the United Kingdom motion, the Yugoslav amendment and the Netherlands amendment.

Mr. NOEL-BAKER (United Kingdom): On a point of order, as our French colleague has put forward very precise and detailed proposals in her most interesting speech, I wondered if we might ask her if her delegation could have her remarks mimeographed and circulated to the Committee.

The CHAIRMAN: I can inform the delegate of the United Kingdom that that has been done. The French delegation took steps this morning in that direction; they approached the Secretariat in regard to the matter.

Mr. BAJAN (Ukraine) (*First interpretation*): The Ukrainian delegation has just received the proposition of the Netherlands delegation; therefore, we shall not be able to circulate our amendment until tomorrow.

The CHAIRMAN: Has the delegate for Czechoslovakia anything to say?

Mr. BELEHRADEK (Czechoslovakia): No, Mr. Chairman, it was just a recommendation.

The CHAIRMAN: Thank you. The Yugoslav delegate wishes to make a short explanation.

Mr. BEBLER (Yugoslavia) (*Interpretation*): I think we decided at our last meeting, Mr. Chairman, that the remarks of the Yugoslav delegate, which were my own, would be roneoed and circulated to members of the Committee. We have not yet had this document, and the *Journal* only published a very short extract from what I said.

The CHAIRMAN: The statement has been circulated.

Mr. BEBLER (Yugoslavia): I did not have it.

The CHAIRMAN: I am sorry. There are plenty of copies available, if the delegate will kindly apply to the Secretariat. Delegates will also see that there is an amendment included and there is also the speech which the delegate made. It has been circulated. Now, it is about seven minutes to one o'clock and we have eight further speakers.

Tomorrow the plenary session is unfortunately monopolizing the whole day. I thought we would finish by tomorrow, because I was very anxious that our work should be finished on Monday, including a short discussion on the educational and cultural proposal of the Cuban delegation.

Unfortunately, that is not the case. I had a suggestion to make, which I discussed with some of my colleagues who did not receive it very favourably, that as this refugee question is pre-eminently one of necessity and mercy, we might meet on Sunday morning. I do not think the Sabbath could be celebrated in any better way. I am not sure whether delegates would approve of that. Personally, I would like to see the discussion closed. I am afraid the Secretariat would not be very keen about it, but we shall have to consider that. However, we will endeavour to arrange a meeting on Monday morning, and I should like if there could be some departure from the ordinary orthodox routine, that we could go on. The plenary session is meeting and doing a lot of work and probably will dispose of its work which it has in hand at present on Saturday, and I think that some effort should be made, somehow or other, for us to get on, even if we had two sittings on Monday, because if we drag this thing out it will not be possible to have a discussion in the Assembly at all. I am most anxious, therefore, that this Committee should finish its work as early as possible. That is all I can say. We do not want to overburden our Secretariat, but I think we should endeavour to meet at least twice on Monday, if that is at all possible.

Mr. NOEL-BAKER (United Kingdom): Mr. Chairman, I only rise to say that I am in agreement with all you say about having at least two more meetings. I hope we shall give the time we need to this discussion because I think it is proving to be one of very great importance and of the greatest possible interest. A great many practical proposals are being put forward on the basis of what has been evidently a close and practical study of the matter. I understand that, whilst some other committees have almost finished their work, nevertheless the Legal Committee and probably the two *ad hoc* Committees have still to meet some time next week, and that as the Bureau has decided that the plenary sessions should not meet at the same time as committees, there will be committee time available to us during next week, and I think your proposal ought to meet the case.

The CHAIRMAN: A meeting in the calm of Sunday morning appeals to me very strongly indeed; and, as a good many of the delegates, perhaps all of them, will be in St. Paul's in the afternoon—well, an all-round cause would be served; but I do not know how the delegates feel about it. Are you opposed to it?

Mr. DEHOUSSE (Belgium): Could not we meet tomorrow evening, Mr. Chairman? I gather from Mr. Spaak that it is quite possible that there will be a plenary meeting of the Assembly on Sunday, which would knock on the head our plan for a Sunday meeting. The Saturday meetings of the Assembly are in the morning and afternoon; the evening is free.

Mr. NOEL-BAKER (United Kingdom): We all have a lot of work outside committees, and as we are going to have a good deal of committee time next week I hope we will not resort to the absolutely desperate expedient of having a Saturday afternoon meeting yet.

The CHAIRMAN: I have almost been persuaded that San Francisco is the right place for the seat, since we sat Saturday night and Sunday and every day there, and got through the work. Well, I think we had better just leave it to the Secretariat to give us a full opportunity as quickly as possible. I have no great ambition to be the last Committee to report, and gain the least attention.

At our next meeting, which will be announced, the delegate from Panama will be called upon first,



and then the delegates for Egypt, Byelorussia, Australia, Lebanon, Iraq, Soviet Union and New Zealand.

I declare the meeting closed, the next meeting to be announced.

*The meeting rose at 1 p.m.*

#### (4) Seventh meeting

*Held at Central Hall, Westminster,  
on Monday, 4 February 1946 at 10 a.m.*

Chairman : Mr. P. FRASER (New Zealand).

The CHAIRMAN: The meeting is called to order. Since the delegate for Panama and the delegate for Egypt were not here when the meeting was due to begin, I will call upon the delegate for Byelorussia.

Mrs. URALOVA (Byelorussian S.S.R.): The refugee question requires very careful study before a satisfactory solution, political and humanitarian can be found. It is natural that it should have given rise to a lengthy exchange of views within the Committee concerned, in order to ascertain the best and the most appropriate method of finding a solution.

The territory of Byelorussia was in German occupation for more than three years. During this time the Germans tried to enslave more than 380,000 Byelorussians, a great number of whom were women and children. The Germans took boys and girls from their parents for forced labour and compelled them to do work which was beyond both their capacity and their strength. The Byelorussians therefore suffered under specially difficult and distressing conditions. These facts made a profound impression on the minds of our people.

After the fall of Hitler Germany, thousands of our people who suffered inhuman torture in German camps were finally able to return home. The Government of my country took a series of steps to bring them together and to settle them in normal and decent living conditions. On the journey home, welfare, supply and rest centres were organized. Necessary medical assistance and clothing were provided. Everyone who was able to return home was provided with housing accommodation and work. A total of 200,000 people returned to Byelorussia. The others have not yet returned, and there are grave fears that they may have fallen victims to disease, hunger, ill-treatment and overwork.

I myself welcomed home more than a thousand children, mostly between the ages of 11 and 13. I saw their emaciated faces and their wretched pinched appearance. Most of them were in urgent need of medical assistance. They were taken to hospitals and, after suitable treatment, were handed back to their parents or placed by appropriate organizations in special children's hostels.

The grateful thanks of my country are due for the friendly help given by the Allies when our fellow-countrymen returned home. I extend my country's gratitude to the Polish Government for its assistance and co-operation during the transit through Polish territory of the people returning to Byelorussia.

At the present moment, under the agreements concluded by the Soviet Government with other States, we can repatriate all our fellow-countrymen. Those who return home are in immediate need of assistance, to enable them once again to find their families and their homes. All the work to be done in connection with the return of displaced persons must be undertaken by the country whose nationals they are, and to which they are returning.

It must not, however, be forgotten that, under the guise of refugees, there are people who fought side by side with the German aggressor, who carried out his ruthless designs for the extermination of populations, and who fought against the freedom-loving nations. I will briefly recall certain atrocities committed by the Germans and their henchmen in my country.

Hundreds of thousands of men and women of Byelorussian origin were exterminated, a great number of these being women and children. People who had sold themselves to the aggressor helped in this criminal work, and now dread being called upon to answer for their misdeeds, before their own country. They left our country at the same time as the retreating Germans. Now these criminals are not anxious to return. I consider that this class of person has no right to receive international help, nor any possible pretext for appealing to the United Nations, even under the guise of refugee. In accordance with the declaration signed on 2 November 1943 by the three leaders, Roosevelt, Stalin and Churchill, these criminals are to be hunted down, extradited by the countries on whose territory they have taken refuge and handed over to the States on whose territory their crimes were committed, to be brought to justice in accordance with the laws of those States.

The experience of the work of the Commission on Refugees, which sat after the last world war, shows that, failing reciprocal agreements, no satisfactory solution of this question can be found. At the present moment, no committee will be able to carry out any effective work unless the governments undertake to conclude some agreement on the question. The problem of refugees must be surveyed and settled by means of inter-governmental agreements.

Considering that this question requires a specially extensive and detailed study, the delegation of the Byelorussian S.S.R. emphasises that it is in complete agreement with the main ideas expressed by the delegations of Yugoslavia and the Ukraine, and proposes that the question be referred to the Economic and Social Council for consideration in greater detail.

The CHAIRMAN: The delegate for Panama.

Mr. PARROS (Panama): The discussion of the last few days, which I have the honour of continuing today, shows how urgent and necessary it is that the General Assembly, through this Committee, should define in no uncertain fashion the fundamental rights of man.

In his struggles for survival and during the various phases of his history, man has worked out, albeit tentatively, his code of rights. I have only to mention the American, the French and the Russian Revolutions. But these rights, seen against the background of history, were scarcely more than the reflection of the views of certain groups of men at the time considered.

After the terrible ordeal from which we are making such painful efforts to emerge, and during which mankind, with all its civilization, culture and science, came near to a collapse which seemed to take us back to the Stone Age, it is our duty, Gentlemen, to erect the permanent structure of a society based upon certain fundamental rights, without which it would be impossible to carry through the great work of organization which confronts the Assembly of the United Nations.

The forces of evil have been defeated, but they have not been destroyed, and the sacrifice of fifty million human beings will have been in vain if we turn a deaf ear to the appeals which come to us from their graves, among them the inspiring and noble utterances of the greatest figure of our time,



Franklin Delano Roosevelt. We owe it to them to rebuild the world physically and morally, without hesitation but with courage, not looking back but keeping our eyes on the future, unless, like Lot's wife, we are to be turned into pillars of salt. Let us look up at the sky, where the red star of socialism shines, the only light which can guide us, like the Magi in the Bible story, towards the real God of liberty and peace.

This refugee problem, which has an international character, is, as Mr. Noel-Baker and Mr. Dehousse have so well said, the direct consequence of the tragedy itself, and will only be solved if we give to the peoples of mankind a universal code of their inviolable and essential fundamental rights. The violation of one of these rights by whomsoever it may be, great or small, strong or weak, would represent a great danger to peace, and it would be the duty of the United Nations to see that punishment for such violation is exacted. It is on the basis of this idea that, I venture to submit on behalf of Panama a declaration of the Rights of Man which has been drawn up by an international group of eminent jurists.

Let us now return, Gentlemen, to the real subject of our discussion. I should have really very little to say after the brilliant speeches of the delegates for the United Kingdom, Yugoslavia, Holland, Belgium, and of Mrs. Roosevelt, that great lady who was the worthy companion of him whom we shall ever regret and whose spirit of human solidarity still watches over us, and of so many other eminent colleagues whose names for the moment I do not recall, if the darkest and most tragic aspect of the problem had not been omitted.

The victory of the United Nations over Italian and German Fascism has made it possible to solve the problem of refugees in Central Europe, and to punish the war criminals without pity. The Jews, who aroused the sympathy of the whole world, can now return to their homes and re-enter their synagogues. Those democrats who survived can go back to their own countries and proudly defend liberty and justice. A revival, a new springtime of democracy, not only the political democracy of our ancestors but the progressive democracy of Saint-Simon and Jaurès, of Marx and Engels, of Iglesias and Besteiros, of Plejenoff and Lenin, of Macdonald and Henderson, of Bernstein, of Matteotti and Kauski, and that of Roosevelt, is upon us like the sun with its myriad rays rising above the horizon.

But, Gentlemen, the earliest victims, the most noble and the most courageous, those on whom the beast first whetted his appetite and tried his vile methods of extermination, and his total war, which later on was to ravage France, England, Poland, Belgium, Holland, Yugoslavia, Russia, Norway and Greece, these earlier victims have no such hope, and are still living in exile and oblivion. Alone, France with her generous heart, has given them a thought. It is as though victory had made us forget that it was in Spain that this dreadful war began, crushing that unhappy country which is still under the tyranny of Fascism, this heroic people who have been sustained by the idea of one of their heroines, "It is better to die on one's feet than to live on one's knees." It is as though victory made us forget against whom the peoples rose up; it is as though Fascism had disappeared from the surface of the earth and with it all danger of new hecatombs, which this time would mean final destruction for the disintegration of matter, a force which makes even the thunder of Jupiter seem puny by comparison, would condemn us all to perish.

Yesterday, Mr. Bevin explained how deep was our debt of gratitude towards Persia, whose country helped us to keep Fascism at bay.

That is all very well, but if that is so, what do we not owe to the heroes of Guernica, of Guadalajara, of Madrid, of Toledo, of Narvik in Norway, the French resistance in the Pyrenees and the Jura, in Syria and in Crete? Why should we forget them?

Let the mute eloquence of figures speak for themselves. There are 30,000 political prisoners in Barcelona, 15,000 in Madrid, 12,000 in the Province of the Asturias, 10,000 at Valencia, 7,000 at St. Miguel de los Reyes, 8,000 at Malaga, 6,400 at Ocana and 7,500 at Astorgas. Thousands and thousands of others are living under constant threat of death, but with the hope of being freed by the combined action of all the freedom-loving nations, and do we not all love freedom? Concentration camps such as those of Bota, Nenclares de Ocoa, the dungeons of the Central Security Police in Madrid and the prison of Alcala de Henares, are veritable extermination centres like the well-known camps of Auschwitz, Dachau, Belsen, et cetera. Of the 500,000 exiles scattered over Europe, 130,000 are now living in France. You know what present conditions are in France, and how, weak though she may be, she is making heroic efforts to rise again. How are these unhappy refugees to live? Several thousands perished at Narvik, in Commando regiments, in Crete, in the mountains of the Jura and the Pyrenees, beyond the Sahara with General Leclerc, in the district of Tchad, and throughout France, in the glorious march towards Paris side by side with their brothers in the French Army, in Russia with the Red Army, and some as volunteers, enrolled in the incomparable American Army, fighting sturdily for human freedom and against Nazi Fascism.

Of the 8,000 Spanish prisoners at one time in the concentration camps of Dachau and Mauthausen, only 1,300 have survived. The men of the Spanish Republican navy and merchant fleets, exiled all over the world, were the first to enrol as volunteers in the cause of the United Nations. Most of them took service in ships belonging to my country, which had been put at the disposal of the United Kingdom and United States. One group of them navigated the Panama ship *Ronin* into the China Seas, where war supplies were being sent to Hong Kong on behalf of the British Government. Another Panama ship, the *Lindhia*, taken by surprise by the Japanese aggression, was confiscated, and the crew, all Spanish, were taken prisoners and interned in concentration camps with other English and American sailors. A large number of them died of privation and ill-treatment. The survivors were set free; but, since they are neither English nor American, they are at present left to their own devices, belonging, as it were, to no one and ineligible for inclusion in any Allied evacuation plans. They are still in China, with no possibility of returning to Europe, which they left to fight against the common foe.

Among the treaties signed between Hitler and France, a great number of which are well known to the five Great Powers, one particular treaty allowed Hitler to enrol 50,000 Spanish skilled workers in his army of slaves; where are they now? Lost for ever. They found their burial place in the ruins of Hitler Germany. 50,000 Spanish workers and refugees were withdrawn from France on Hitler's orders. Out of these 50,000 men, we have proof of the death of 25,000; the rest of them came back in a bodily and mental state which defies description. Never again will they be able to work.

Again, in Latin America, there are many thousand Spanish refugees. We certainly do not look upon them as refugees; indeed, how could we, since they are our own people, our own flesh and blood, our own brothers. If we cut ourselves



off from Spain, our mother country, it was not the fault of Spain but the fault of the Visigoths, still her tyrants, as they once were ours. Latin America owed her freedom, not only to Bolivar and San Martin, Hidalgo and O'Higgins, Marti and Santander, but also to the great Spanish patriot Riego.

Gentlemen, the United Nations has a sacred debt of honour towards these refugees and towards the Spanish Republic.

The CHAIRMAN : The delegate for Egypt.

Mr. HAKKI (Egypt) : Egypt never refrained from participating in any international effort to deal with the problem of refugees. During the second world war Egypt was represented in the Inter-governmental Committee in London, and not less than 70,000 refugees, chiefly Poles, Yugoslavs and Greeks, were allowed into the country and afforded free housing, food, clothes and other amenities. Egypt is still willing to play her role in any humane solution of the refugee problem. Therefore the whole Egyptian delegation supports the proposal for referring the refugee problem to the Economic and Social Council for examination. No doubt the Council, when discussing this problem, will take into consideration the demographic condition of each country concerned. The Egyptian delegation sincerely hopes that the Council will also distinguish between the political side of the Jewish problem in Palestine and the humanitarian side of the problem of refugees in general.

The CHAIRMAN : The delegate for Australia.

Colonel HODGSON (Australia) : As the representative of Australia at the Inter-governmental Committee on Refugees in Paris in November last, I, along with most other delegates there, arrived at the conclusion that this problem, and it is a problem, of refugees and displaced persons (for the sake of simplicity I will refer to them later on purely as refugees) was one which demanded early and imperative attention. It was raised in the Preparatory Commission by the United Kingdom, ever in keeping with her tradition of fighting for justice, for freedom, for protection of human rights irrespective of race or creed or religion or political views. In the belief that it was an urgent problem I opposed the view that the question should be sent direct to the Economic and Social Council. Here was an international problem which demanded the co-operation and the close attention of us all for its solution, and it was at the Assembly that the matter should be discussed, principles laid down and the directive framed for the Council. Further, this would be regarded by world opinion as a test case, a test of the will, the determination and efficiency and effectiveness of the new world Organization to face up to and settle these questions. That view prevailed. I think you will agree that it was a wise decision, for this debate has proved to be one of the most informative, and one imbued with the spirit and determination of us all to serve humanity.

At the outset of this debate I was disappointed to find so few facts, so little information about this question of refugees and the categories and conditions. On the one hand we had the assertion of the United Kingdom that it was an urgent problem. On the other hand we had the statement of the Yugoslav delegate that the problem would solve itself in no time, that as in nine months there had been eleven-twelfths of these refugees already settled, surely in another year the remaining million could be disposed of. But having carefully looked at his figure, I saw that only related to the area of military occupation in Germany ; it took no account of the hundreds of thousands of refugees in other countries ; it even gave no figures of the refugees in his own country. At that time

I was inclined to support the view of the delegate for France when he said " Is there a problem ? Let us send it on to the Economic and Social Council to ascertain if there is a problem and they can tell us what we might do about it." But I have made enquiries of my own, and I have a figure of at least one million quite apart from the 14 million displaced persons in Germany itself. The whole thing is a political and social and humanitarian problem. Some delegates seem to think we can separate the political content from the social and humanitarian content. I can find no line of demarcation ; it is both political and humanitarian. We are going to face up to both issues.

As I see it, there are two main classes. First, the pre-war, the people covered by the Nansen certificates, the stateless persons, and they are gradually being assimilated in the body politics of the countries in which they were originally refugees, and strange to say, the war itself has largely assisted in that assimilation. So we are left with the aftermath of the recent world war. I want to make it clear that I am not speaking now of war criminals and people like that. Every one of us heard the resolution at the plenary session when somebody asked for a roll-call as if there was a doubt in some minds. We are all settled on that ; of course they are to be delivered to justice.

What are the agencies to deal with them ? I only refer to two of them. First, UNRRA. As you know, it has a limited life and limited functions. Its task is immediate relief and rehabilitation, not migration and resettlement to new homes and new countries. Secondly, the Inter-governmental Committee on Refugees, which deals with individuals only, with a stateless class, not these political groups. Further, that Committee only has £35,000 for administration. The operational expenses are paid by three countries only, France, Great Britain and the United States, amounting to some £2,300,000. Is it fair, is it right, if we accept the proposition that this is an international obligation and responsibility for us all ?

How then are we to deal with it ? I think the first thing is to refer it in accordance with the United Kingdom proposal, which I indicate here that I shall vote for, to the Economic and Social Council, but I do not go as far as the delegate for the Netherlands wants to go, to give that Council full power to go ahead and set up machinery. I think that decision has got to be made by this Assembly, because there is all the preparatory work to do for which they can appoint a temporary commission if they desire. And I think it will be necessary to get further facts and all the information they can to consult the specialists who are engaged in this field, the international experts who have been handling this work for a considerable time. And then, knowing the nature of the problem, they can decide what is the most adequate and effective machinery to set up.

It can be done in three ways. In the first place we should not forget that under article 22 of the Charter this Assembly can establish machinery on its own authority, and from the interest taken in this debate there is a lot to be said for the machinery coming directly under the Assembly. In the second place it can be established as machinery coming directly under the Economic and Social Council.

In the first place we can set up a specialized agency. Personally, I do not like specialized agencies scattered all over the international landscape. They cost more in money and want more in personnel. They establish their own constitutions, their own principles and their own methods of work, and they cannot be so effectively controlled or directed as an instrument directly responsible to one of the main organs of the United Nations.



There is the further point that under chapters 9 and 10 of the Charter the responsibility for matters such as refugees is directly on the United Nations. Whatever method is adopted, it will not work unless it has the whole will and determination of the United Nations behind it and, further, that it has the active support of every country. Australia will support and co-operate with any agency which is established, and I would like to say that at the Conference in 1938 Australia accepted a quota of European emigrants and the inflow was only stopped by the outbreak of the war, and the Australian Government has recently announced a large scale immigration plan. The details have not yet been fully worked out because there is one decisive and limiting factor at the present time, namely, that of shipping, but it is intended to go ahead as soon as the shipping and the facilities are available, and in that way we hope we will be able to make a material contribution to the solution of this problem.

Referring it to governments, as some delegates wanted to do in the Preparatory Commission, will not solve it. A perpetuation of the methods of the imperial machinery erected during the period between the two world wars, with all its chopping and changing, will not solve it. This is a question of the protection of fundamental humanitarian rights, with all its implications on the principles of freedom for which we fought and suffered. It is a solemn obligation we have assumed under the Charter. Its solution is a challenge to us all, but I have enough faith to believe that we will not be found wanting. (*Applause.*)

The CHAIRMAN : The delegate for the Lebanon.

Mr. SALEM (Lebanon) : The problem of refugees as a whole, has been so completely covered in all its aspects that I hesitate to discuss it further.

My country is far from being indifferent to the question. May I remind you that after the 1914-1918 war, the Lebanon gave a welcome to more than 80,000 Armenian refugees, on whom it conferred Lebanese nationality, and whose representatives sit in the Lebanese Parliament, and that, during the conflict from which we have just emerged, thousands of refugees from different parts of Eastern Europe, turned out of their own homes by Nazi and Fascist aggression, found asylum in the Lebanon.

This being so, I should hesitate to pass over in silence a passage in the speech of the delegate for Poland, from which it emerges that the problem of refugees has a political aspect and—I am still quoting the delegate for Poland—that the problem of Jewish refugees should not be separated from that of Palestine.

There is a confusion of thought here which the Lebanon and all Arab countries continue to regret and to combat. In point of fact, and this must be made quite clear, the problem of Jewish refugees is entirely distinct from the problem of Palestine.

The refugee question, as considered by the United Nations, is, in the first resort, humanitarian and social. Our task is to look after the people expelled from their own countries as a result of Hitlerian aggression, or those who left their country, apparently of their own accord, but in fact as a result of the unbearable conditions of life to which they were subjected, either through war conditions or by the public authority on which they were dependent. The mission which devolves upon the United Nations is to consider the practical means of help and shelter and even of repatriation which their position requires.

I say again that this mission is primarily humanitarian.

The Zionist problem in Palestine is entirely different, and its character is not humanitarian but exclusively political.

The problem becomes political from the moment when, as in the case of the solution usually proposed in the case of Palestine, it is proposed to bring into this country the greatest possible number of Jewish refugees, to give them Palestinian nationality, and through emigration on a large scale, artificially to change the majority of the country so as to lead to the partial elimination of its Arab population, and therefore the creation of a Jewish State.

The two questions are so entirely separate, that many eminent Jews have publicly condemned Zionism, precisely on account of its anti-humanitarian character.

On this important question, the Lebanon delegation is especially glad to express its point of view quite clearly. It avails itself of this opportunity to proclaim publicly the sympathy of the Lebanon for the unfortunate victims of Nazism and similar systems. The Lebanon knows no religious or racial discrimination. On its territory, and under the protection of its laws, lives a large Jewish community, whose members enjoy the same rights, and are under the same obligations, as other Lebanese nations. Lebanon is entirely ready to consider with the other United Nations the most effective means of putting an end to the unhappy position of the Jews whose repatriation may prove to be out of the question and, if the other United Nations do the same, to make itself responsible for a number of refugees in proportion to its population and its means.

But, whatever feelings there may be for the European Jews, whose sufferings are still fresh in the eyes of the world, it is clear that the United Nations would be false to their own ideals if, in order to right the wrong of which the Jews have been victims, they were to allow another injustice towards a people no less important, and whose contribution to the common cause is not unknown to the Allied nations. That, Mr. Chairman, is the point which I desired to make clear. I apologise for having had to deal with a question which seems to be outside the strict limit of the subject under review, but, after what the delegate for Poland said, some clarification seemed desirable.

The CHAIRMAN : The delegate for Iraq.

Mr. ABBASS (Iraq) : We are quite aware of the complexity and the seriousness of the problem of refugees. There is no doubt our sympathies are with those who are being forced to flee from their homeland and suffer a sense of deprivation and frustration. We know from our own unhappy experience in many an Arab land how painful and heartbreaking it is to force people to sever their ties with their homeland. For this reason, we support the United Kingdom proposal to entrust the Social and Economic Council with the study of the problem of refugees and report on it to the General Assembly during the second part of the first session.

But the remark of the delegate for Poland that the problem of the Jews cannot be separated from the problem of Palestine has injected a new element into the discussion and forced us to say a word of caution. Frankly, we do not see any legitimate connection between the Jewish migration to Palestine and the problem of refugees. It is true that before the second world war, and sometimes during the war, European Jews were subjected to discrimination and persecution. This situation, which we have always abhorred and condemned, would compel some Jews to turn their eyes to, among other places, Palestine as a possible place of refuge. But owing to the unhappy circumstances prevailing in Palestine, this was of necessity mixed with other issues, and worked to augment the conflict already taking place between the people who were living for centuries in their own country



and the newcomers, who were violently attacking them by every means, aiming at dispossessing and uprooting them.

Now that the war is over and the Charter of the United Nations has made it obligatory on the Member States to observe and respect fundamental human rights and essential liberties for every human being, we think Jews in Europe of whatever nationality must come to enjoy the same, and cease to be refugees forced to flee their homeland. If, in spite of these guarantees, some Jewish individuals still desire to leave their original countries and go to Palestine or elsewhere out of personal preference and not out of dire necessity, I submit that this is not a question of refugees. That such a situation exists is too obvious to us all. I hardly have to quote the reports of General Morgan about the situation, reports which have brought on their author a great deal of abuse for trying honestly to describe a factual situation.

The CHAIRMAN: If possible, I would like the delegate to keep away, as far as possible, from specific cases, which will only complicate the general question.

Mr. ABBASS (Iraq): I will do so.

The CHAIRMAN: I would like him to keep away from General Morgan and every other case, which would only confuse the issue.

Mr. ABBASS (Iraq): Very well, sir. Since this case is not a question of refugees, I think it is beyond the scope of this Committee and this is not the time and place to deal with it, but if, however, it is brought up here by any delegation for any reason, we reserve our right to deal with it in the manner appropriate to the case.

The CHAIRMAN: The delegate's right will be fully preserved.

Mr. ABBASS (Iraq): I thank you. In conclusion, we would like to support the proposal of the United Kingdom to send this question to the Economic and Social Council for study and report, but if the amendment of the Netherlands is accepted, we shall move an amendment to the amendment to substitute the word "country" for the word "State" in section 2, paragraph (d), so that the passage would read: "If the country of refuge considers his settlement on its territory undesirable, his resettlement elsewhere should become the concern of an international body specially established."

The CHAIRMAN: The delegate for the Soviet Union.

Mr. ARUTIUNIAN (Soviet Union): The question of refugees has been given considerable attention during this session of the General Assembly. This is evidence of the importance the representatives of the United Nations attach to the question of refugees. I would like to express a wish that the deed in lending help to refugees should correspond to those encouraging words which were heard in this room. I have become accustomed to the fact that in our country people do not like it when words go separate ways from deeds, and I think that every representative of the United Nations at the first session of the General Assembly shares with me the feeling of responsibility which is left on him by the discussion of refugee questions in an international assembly.

What does every refugee expect from the Organization of the United Nations? I would not make a mistake if I say that he expects help to be able to return to his native country. It is this kind of help refugees expect from us.

Love for a motherland is a great feeling which ennobles a man, encourages him to great exploits on the battlefield and in the field of peaceful labour.

The man separated from his motherland stretches out his hands to her as a child to his mother. Without motherland a man's life is not complete. The only dream of refugees, I mean real refugees, and not pseudo-refugees, and there exists such category of refugees also, it consists of various Quislings, traitors and war criminals disguised under the mask of refugees, I repeat, the only dream of the refugees is the earliest return to their motherland. It is the duty of the Organization of the United Nations to give all possible help to provide this.

The Soviet Government on their part have done everything they could and will further do whatever possible to help refugees to come back to their motherland and return to peaceful labour. I should say that our Government has done more than any other in the cause of helping refugees in their repatriation, both in respect of Soviet citizens, who found themselves outside the borders of the USSR, and in respect of subjects of the countries of the United Nations, Poles, Frenchmen and others, whom the Red Army found on territories liberated from the enemy.

The Soviet authorities are displaying great concern in repatriation and settlement of refugees, guided by noble, human principles of rendering help to this group of citizens who suffered from the war. A large amount of work was done by Soviet organs also in repatriating refugees, citizens of other United Nations. The characteristic features of treatment which refugees receive from Soviet organs are: a humane attitude towards them, the earliest possible return of refugees to their motherland, and the providing of jobs. It is interesting to point out that the returning Soviet citizens come back to peaceful labour with greater and warmer feeling of devotion and love for their motherland, the great Soviet Union.

The question of refugees is one of the most intricate international questions. The experience after the first world war shows that the course adopted by the League of Nations for the solution of this problem has not led to success. I think this was due to the fact that the problem was very often approached not from the point of view of helping refugees but rather from the point of view of a political game in an attempt to use certain groups of refugees against new democratic forces of the world. There were some volunteers who wanted to turn the matter of refugees into an instrument of political struggle. Hence our Organization of the United Nations should come to this conclusion: all help for refugees must be organized on purely humane principles, excluding the possibility of using the refugees for political and anti-democratic purposes.

Unfortunately, at the present time this principle is not observed everywhere. We have information that in certain refugee camps in the western zones of occupation in Germany, in Italy, and other places, political propaganda is carried on against the interests of the United Nations. Persons who collaborated with Hitlerites during the occupation are completely free to go on with their treacherous job in these camps. It is necessary to do away resolutely with this state of affairs. The United Nations Organization cannot tolerate this treacherous activity against the interests of the United Nations, carried out under their flag. It is absolutely impossible to put up with the situation when Quislings, traitors and war criminals are fed under the cover of helping refugees, as is taking place in several refugee camps now.

The first and foremost task in the matter of helping refugees is to stop rendering help to Quislings, traitors and war criminals hiding under the disguise of refugees. Many of the delegates who spoke here have put forward that demand. We have to



write this down in the recommendations of the General Assembly to the Economic and Social Council and to see to it that rendering help to various quislings, traitors and war criminals, hiding under the guise of refugees, be stopped not in words but in deeds. Unfortunately, the British memorandum on refugees does not say anything about stopping this practice of giving help to these pseudo-refugees. I think it is a casual omission, and wish to express the hope that the British delegate will join the general opinion demanding to distinguish real refugees from quislings, traitors and war criminals.

I must say that undoubtedly there are still certain forces interested in preserving cadres of quislings and traitors. They are various reactionary elements who are not anxious to see the strengthening of the cause of the United Nations. That is why we should be very careful not to be deceived by sweet words about humanism and we should not feed quislings, traitors and war criminals under the screen of helping refugees. The real humanism gives to traitors and war criminals what they deserve, to punish them as justice requires and not to confuse these hitlerite agents with unfortunate refugees who were forcefully chased away from their native places by hitlerites. Those who are mixing various kinds of traitors with real refugees are giving a very bad service to the humanitarian cause of refugees.

It is necessary to bear in mind that quislings, traitors and war criminals in their desire to escape justice are using all kinds of tricks so as not to return to the places where their crimes were committed. Some of them are appealing for justice, and these hitlerite agents have enough courage to do so, because they reckon on the support of certain quarters. Others are even recalling the right of asylum and begin to speak about their political divergencies with one or another of the United Nations.

It goes without saying, gentlemen, that the United Nations have important political differences with quislings, traitors and war criminals, these hitlerite agents. And it would be strange if hitlerite agents were in sympathy with the political and other ideas of the United Nations.

We know that democratic countries afford the right of asylum to foreigners. In connection with the consideration of the refugee question certain delegates spoke here about this right. The question comes out whether it is really possible to afford the right of asylum to quislings, traitors and war criminals. Only one answer should be given to this question, and this answer is "No".

This category of people is the most dangerous group of disguised hitlerite agents. They should be treated as is required by justice, and by the interests of the maintenance of peace and security.

The Soviet Union, as a democratic State, also practices the right of asylum. Article 129 of the Stalin Constitution of the USSR reads as follows:

"The USSR affords the right of asylum to foreign citizens persecuted for defending the interests of the working people, or for their scientific activities, or for their struggle for national liberation."

Our people highly respect this right of asylum and always respect political emigrants. Hitlerite agents, however, cannot be included in this category of people.

I was particularly shocked here when one of the delegates offered us, the United Nations, the example of the Vichy policy concerning refugees. I have to keep resolutely aloof from this example and to state that I would not like to follow any examples of the Vichy policy. This is a treacherous policy, condemned by gallant French people. The

mentioned speech surprised me all the more because great masses of Frenchmen were driven by the Vichy regime to forced labour in hitlerite Germany, which means that this regime was contributing by every effort to the creation of the refugee problem which we are discussing now. No, the United Nations do not have to follow examples of Pétains and Laval.

If we exclude various kinds of traitors, pseudo-refugees, from the real refugees, then refugees may be divided into the following groups. The first group includes those persons who were expelled from, or had to leave hitlerite Germany and other fascist or semi-fascist countries. These are first of all various kinds of democratic elements. I wish to refer in this connection in particular to the Spanish Republicans. In the first group are also included those who had left Germany because of their racial and national denomination. For example, Jews. The second group of real refugees consists of those persons who were forcefully taken away by hitlerites during the war, from occupied countries. I should say that this category covers an overwhelming majority of refugees, or as they are called now, displaced persons.

The main task in giving assistance to refugees is to help them to return soon to their respective countries. This approach is a quite different one from that which was used by the League of Nations. The League of Nations practically preserved the institution of refugees. This is quite clear if one remembers that the League of Nations approached this question from the point of view of a political game against new democratic forces of the world. The United Nations Organization cannot turn the institution of refugees into a permanent one. We should take all possible measures in order to settle all the refugees and put an end to this problem once and for all. There should be no permanent refugees.

I should say that the experience after the second world war gives a hope and shows the right way to solve the refugee question in a different manner from that which was adopted after the first world war. Less than a year has passed since the end of the war with hitlerite Germany, and hundreds of thousands of refugees have already been returned to their homes. We did not see such results after the first world war. These results after the second world war are due to the correct formula which has been found for the solving of the refugee question, namely the formula of bilateral agreements between the governments concerned, between the country whose citizens are the refugees and the country where they are found. This is quite understandable because each respective country whose citizens were displaced to other countries is interested in the early return of her people. On the other hand, the countries who have refugees are interested in their early repatriation. Therefore when the governments of two such countries negotiate between themselves on repatriation of displaced persons, this naturally brings positive results.

Such a successful experiment in solving the refugee question naturally raised doubts as to the expediency of the creation of a particular international refugee body all the more when it is operated under the auspices of countries which have no immediate and direct connection with the refugee problem.

Ultimately it is not important whether this international body will be created to handle the refugee problem or whether it will be left to the interested countries themselves. If the majority insists on creating a special international body for handling refugee matters, I will not oppose it. However, if the international refugee body is created, then in the interests of the refugees it should be mainly composed of the people of the



countries concerned, who can better than anybody else understand the interests of the refugees.

The Soviet Government have made every effort to help great numbers of displaced persons to return home: Soviet citizens, citizens of other United Nations, Poles, French, et cetera.

Our people welcome the returning displaced persons with great care and affection, and help them in every way to settle and return to peaceful constructive labour.

The Soviet Government's assistance has been requested by many citizens of Russian and other nationalities who found themselves out of their fatherland as a result of the first world war. Willing to meet these requests the Soviet Government is rendering assistance to this group as well, in returning to their native country. To illustrate this I would make reference to the decision of the Council of People's Commissars of the USSR relating to measures to be taken in connection with the return of Armenians from abroad to Soviet Armenia. This, I would like to say, in relation with the words of the Lebanese delegate, that after the first world war a great mass of Armenians did find a refuge in this country. I avail myself of the opportunity to express my gratitude to the delegate for Lebanon and in doing so, to his nation for the kind words addressed to the Armenian refugees, the first victims of the first world war, for those words express the true feeling of the people of Lebanon towards the refugees of Lebanon.

The resolution adopted by the Soviet Government on behalf of the return of the Armenians, about which I spoke, was published in the Soviet press on 2 December 1945. The following is provided in this decision:

"Taking into consideration the request from Armenians living abroad for granting permission to them to return to their fatherland, Soviet Armenia, and also an application of the responsible bodies of the Armenian SSR, the Council of People's Commissars of the USSR has made a special decision relating to measures to be taken in connection with the return of Armenians from abroad to their fatherland.

The Council of People's Commissars of the Armenian SSR has been permitted to organize the return of Armenians living in foreign countries and expressed their desire to do so, and also it has been directed to provide for individual house building of Armenians returning to the fatherland by a state credit equal to fifty per cent of the cost of building the house.

The Armenians returning to the USSR from abroad are free from any customs duties for their property, transported to their new homes."

In conclusion, with your permission, I am submitting for the consideration of our Committee, proposals which, I believe, generalize the discussions held here on the question of refugees and outline corresponding recommendations to the Economic and Social Council.

I am reading these proposals:

*The General Assembly:*

recognising that the organization of the United Nations has to solve the question of refugees urgently, decides

(a) to refer the question of refugees to the Economic and Social Council for its thorough and elaborate consideration and for working out of measures to solve this question as soon as possible;

(b) and to instruct the Economic and Social Council to report to the General Assembly about the measures taken on the question of refugees;

(c) recommends to the Economic and Social Council to take into consideration in working out measures on the question of refugees the following principles:

(i) The main task of the United Nations concerning refugees is to give all possible help to their early return to their native countries.

(ii) Those refugees who are not subject to paragraph II below of this decision and who do not wish to return to their countries of origin should receive assistance in their early settlement in a new place with the consent of the government of the country whose citizens they are.

(iii) No propaganda should be permitted in refugees camps against the interests of the Organization of the United Nations or her members, nor propaganda against returning to their native countries.

(iv) The personnel of refugee camps should be comprised mainly of representatives of States concerned, whose citizens are the refugees.

(v) To help countries concerned in carrying out joint measures on repatriation of refugees to their native countries.

(vi) To establish a specialised international agency on matters of refugees.

*The General Assembly considers that:*

(a) Quislings, traitors and war criminals, as persons dishonoured for collaboration with the enemies of the United Nations in any form, should not be regarded as refugees who are entitled to get protection of the United Nations, and that Quislings, traitors and war criminals who are still hiding under the guise of refugees, should be immediately returned to their countries.

(b) Germans being transferred to Germany from other States or who fled to other States from allied troops, do not fall under the action of this decision, their situation may be decided by allied forces of occupation in Germany, in agreement with the governments of the respective countries.

These are the proposals which I submit to the attention of the United Nations Organization on behalf of the Soviet delegation. Thank you.

The CHAIRMAN: The delegate for Belgium wishes to make a brief personal explanation.

Mr. DEHOUSSE (Belgium): I beg leave to speak on a purely personal matter, and I thank you for giving me the opportunity.

I wish to correct a very clear statement made in the speech of the delegate for the Soviet Union, and I will do so both courteously and clearly.

I am afraid that the delegate for the Soviet Union did not completely understand the meaning of what I said. I did not quote the Vichy Government as an example. I repudiate this government just as much as he does. I fought against it in secret, even though it was only when I went to France to take part in the secret meetings of my party.

I said that in 1940, there were Belgian political refugees in the South of France liable to be handed over to Germany who, at that time, was occupying Belgium. A certain number of these refugees were not handed over, the majority—I made this quite clear—thanks to the sabotage for which the French officials were responsible; the others—and I have to accept this because it is true—because the Vichy Government did not hand them over; and I concluded: Are we, the United Nations, going to prove less liberal than the Vichy Government?



Subject to that, I am only too willing to leave the Vichy Government to the Soviet delegate, as I have very good reasons, both personal and general, for disavowing it at least as much as he has.

The CHAIRMAN: We are not going to worry about the Vichy Government; thank God it is finished for all time.

Now we must finish. I was hoping that my colleague from New Zealand would have an opportunity of putting the case for New Zealand but that will have to wait until tomorrow at ten o'clock, and we mean ten o'clock. I think it is indicated on all your watches and all your clocks and it is very important that you should be here at ten o'clock. There is just a brief speech by the woman delegate from New Zealand, brief as all of the women delegate's speeches have been. There is just the delegate for Peru, who I know also will be brief; then the delegate for the United Kingdom, Mr. Noel-Baker, wanted to sum up and reply on his motion. That ends the general discussion and then we will come to the concrete motions and they may be put very rapidly and if delegates are not here well they just simply cannot vote and we cannot effect anything at all. So it is advisable if they want their votes to count to be here on time because we are going to start at ten o'clock sharp tomorrow morning.

The meeting is now closed. Thank you for your attention.

*The meeting rose at 1.05 p.m.*

#### (5) Eighth meeting

*Held at Church House, Dean's Yard, Westminster, on Tuesday, 5 February 1946 at 10 a.m.*

Chairman: Mr. P. FRASER (New Zealand).

The CHAIRMAN: The first speaker is the delegate for New Zealand.

Miss McKENZIE (New Zealand): The New Zealand delegation support the proposal made by the Netherlands delegation which is really an amplification of that put forward by the United Kingdom. We think the Economic and Social Council should be asked to examine the long-standing and complicated problem of refugees in its entirety and to report thereon to the General Assembly at the second part of its first session.

Two kinds of objection appear to have been offered: The first objection is that the need is temporary and can be met by UNRRA. We gladly recognize the value of the work done by UNRRA in regard to displaced persons, but the operations of UNRRA will be concluded in a year or two while the needs of various categories of refugees will remain pressing for a number of years.

The second argument is that all the refugees who are deserving of assistance can now be repatriated and that the rest should be left to fend for themselves.

The New Zealand delegation cannot accept this very much over-simplified statement of a grave problem. They feel that the able analysis made by the Belgian and French delegates in their speeches presents a much truer picture.

It will be well understood that New Zealand has not fought for six years against German, Italian and Japanese aggressors in order to make the way smooth for any who have aided and abetted them. It is no part of the United Nations to protect war criminals, or traitors. There are legal processes for the extradition of such persons. But the United Nations cannot possibly recognize as war criminals

or traitors all the numerous refugees who for one reason or another are unwilling to return to their countries of origin. Such action would be to deprive the age-long right of asylum of all meaning.

Revolutionary situations, such as those which have arisen in Europe over the last decades, always produce numbers of exiles. There is nothing new in this. What is new is the largeness of the number. What is new is the severity of the punishment which loss of identifiable status imposes upon the individual in the age of the ration card and work permit. What is new is the burden which the presence of refugees places upon the chief countries of refuge, unless this burden is to some extent equalized by international action.

We cannot believe that if the United Nations follow the course which is now proposed and thus succeed in reducing to some extent the load of human misery, such action will in the long run be regretted by any Member of the United Nations. Even though it may happen to benefit some persons whom one or other of the United Nations deem to be undeserving, we cannot believe that that nation would refuse to vote the credits necessary for the common enterprise.

With reference to a comment made by the Yugoslav delegate on the subject of such contributions, I must point out that the League of Nations budget, including the funds for refugee work, was voted unanimously by all Members not excepting those members of whose territories the refugees had been nationals. The United Nations can hardly do less. It must not be supposed that by helping the refugees the United Nations will be expressing approval of the political attitudes of all of them. If the United Nations supply some aid, and from the point of view of the individual refugee such aid will be little enough, they will do so as an elementary human duty. In the Charter we have affirmed the dignity and worth of the human person, not merely of the politically co-operative person. We are now offered a practical opportunity of acting in the spirit of the Charter, and thus of promoting, for these things hang together, the greatness and security of the Members of the United Nations.

The CHAIRMAN: The delegate for Peru.

Mr. ARCA PARRO (Peru): We have before us two proposals on the same subject, namely, the way in which the problem of the refugees is proposed to be dealt with by the United Nations Organization.

Therefore, I think it is a matter of procedure to clear up the matter and decide on the following:

Does the proposition of the Soviet delegation exclude the British proposal, or, on the other hand, would it be considered as a complementary one?

The Soviet proposal, according to its nature, might be considered, I think, as complementary proposal to the British memorandum on the question of the refugee problem. It seems that the Soviet proposal tries to establish certain lines along which, on the basis of the British proposal, the Economic and Social Council would have to draft its recommendations to the General Assembly of the United Nations on the problem of refugees. It is on that ground that the Peruvian delegation is going to support the Soviet proposal, but at the same time it would like to make a few remarks in connection with the following points:

(a) The legal standing of the Spanish Republicans before the United Nations Organization.

(b) The extent of the refugee problem as an up-to-date and urgent political and humanitarian question.

(c) The refugee question as one of the aspects of the general population problem of the world, which is mainly economic and social.



(d) How to promote migration in order to establish a better distribution of world population. I would like to make a few remarks on each of these points.

In the first place, the Peruvian delegation strongly supports the proposal made, or at least the expressions contained, in the speech made by the delegate for Panama yesterday in regard to the situation of the Spanish Republicans. On the other hand, the Russian delegate, in dealing with this problem of refugees, admits that the Spanish Republicans should be considered as being within this group of refugees for any benefits that they may be entitled to receive from the organs of the United Nations. But in coming to the text of the proposal, the Russian delegation does not mention at all the situation of the Spanish Republicans before this United Nations Organization.

I suggest that, in some way, within the text of the proposal itself, the situation of the Spanish Republicans should be clearly established. I do not mean that they are not refugees. I mean, if we take the exact wording of the Charter and all the references that are made to this problem in the Report of the Preparatory Commission, we have to come to this conclusion, that technically refugees, at least, for the sake of interpretation, are just those displaced persons who have been displaced on account of the war. And literally speaking, the Spanish Republicans could not be considered to come within the benefits that are granted to refugees by any of the organs of the United Nations.

But in making such an interpretation, as has been done by the Russian delegate yesterday, and in view of the way it was presented by the Rumanian delegate, I think we should come to the conclusion that the Spanish Republicans should be entitled to any of the benefits that may be granted to refugees. Of course, we have to make this distinction, that, while all other refugees are now free to go back to their homes, because there are no political objections to their doing so, in the case of the Spanish Republicans, we have to realise that that political objection to their going home will remain as long as the present regime remains in Spain. Nevertheless, we shall have to grant them certain benefits under the refugees scheme. This is my point of view with regard to the Spanish Republicans.

The second point is as to the extent of the refugee problem as a present day and urgent problem. Well, everybody agrees upon that. I mean it has been recognized that the refugee problem is mainly of a humanitarian and political character. But, on the other hand, the refugee question is just one of the aspects of the general population problems of the world, because, if they were expelled from their native countries, it was not only on political issues but on economic grounds; it arose out of the population problem, as a consequence of the congestion of population in so many parts of the world. So that in the future we have to consider it not as a refugee problem but as a world population problem with regard to which something has to be done. That is why I think that even if, as we hope, the refugee problem can be settled in the near future, we shall still have to think in the coming years of some scheme by which to deal with this population problem.

Of course, migration can be considered as one of the solutions. That is why I put as my last point the suggestion that migration should be promoted in order to establish better distribution of population. Now, this is a matter on which the Peruvian delegation, and I may say South American countries in general, would like to have a very clear point of view. This refugee problem so far has been discussed just from the European point of view and just as a political and

humanitarian question. Of course, we support that point of view, but inasmuch as this problem has become so much bigger than we expected, something has to be done in order to develop certain areas of the world which cannot be developed in many cases because they are short of population; while, on the other hand, there are so many areas in the world, particularly in Europe and certain parts of Asia, where the pressure of population is so great. That is why I think something could be done to encourage migration.

But to do so necessitates having headquarters under international control so that countries which are short of population may take advantage of this organization. Most of the South American countries are willing to accept population from other parts of the world regardless of race, colour or any other discrimination, but they are unable to get into touch with those groups that are willing to move to South America; from the practical point of view, they may not be able to finance the transport and all the other necessary expenses involved in the movement of such groups of population from one place to another. But if such an international organization could be established, under the Economic and Social Council or generally under the United Nations Organization, these countries could take advantage of the situation, while, at the same time, those groups of people who are willing to look for better places in which to live will find, I think, such places in South America where they will be welcome. Thank you.

The CHAIRMAN: This room is not a good place for hearing; the acoustics are very bad and I do not think the loud speakers are helping much. If those at the other end of the room cannot hear, just let us know. You may hear the translators all right, but that does not mean that you will hear other speakers; and you cannot hear the translators, who are experienced speakers, unless we have quiet. Will those who have to converse, and that is necessary in the course of the business, do so in the softest whispers possible. I now call upon the delegate for the Ukraine. After he has finished and the translation is concluded, I am going to call upon the delegate for the United States who has a proposal to put forward in the name of the United States.

Mr. BAJAN (Ukrainian SSR): The Ukrainian delegation have prepared a draft resolution on the subject of refugees but we do not think it is necessary to present this project now. We support, however, the proposal put forward by the Soviet delegation. This proposal has not been circulated to delegates but it is to be found in the *Journal*.

Mrs. ROOSEVELT (United States): I would like just to say a few words in presenting this proposal. We have before us now the original proposal of Great Britain, the Yugoslav amendment or proposal, the one from the Netherlands. We have had a great many speeches. The French made some interesting suggestions. We finally yesterday had the proposal from the Soviet Republics. We are today bringing forward a proposal from the United States delegation.

I would like to say that we hope very much that everyone here has recognized the spirit of co-operation in the settlement of the refugee problem which was manifested in the proposal of the Soviet delegation. We are happy that the Soviet delegation supports the reference of this question to the Economic and Social Council; also that they support a number of the principles stated in the United Kingdom proposal which are in accord with the basic approach of the Netherlands proposal. For this reason we hope the Soviet Government will agree to take, as the basis of our



action, here, the United States proposal, which incorporates the United Kingdom proposal and certain features of the Netherlands and Soviet proposals. I would like to say a few more general things.

(Mrs. Roosevelt then read document A/C.3/20 of 5 February 1946.)

We feel that, as regards the Netherlands proposals, in many ways there is basically very little difference. It is a difference in emphasis and a difference in the way we approach the work that shall be done by the Economic and Social Council. There is a basic difference where the Yugoslav proposal is concerned. The basic difference lies, I think, in the actual feeling that there are only, from their point of view, two categories of people to be considered: the people who want to go home and the people who are war criminals.

As a matter of fact, there are, and it has been brought out here that there are, a number of other people. For instance, the Spanish refugees are now refugees. There are, I think, people who cannot go home because they may love their homes but they differ with the present government. Now, if all governments were so established that differences could always be resolved within the countries without the use of force and purely by the use of the ballot or the law, there would be no difficulties because we could all live together and wait until by persuasion the majority changes, perhaps, as it does in many countries, in its thinking. I have a feeling that this basic difference is not a difference that will always exist between us; it is the difference between long accustomed practices in democracy and the beginnings of new workings of forms of democratic government; and so I hope that, since these difficulties cannot be completely agreed upon, what we have proposed here may seem to all concerned a proper compromise and a basis on which we can have a meeting of minds at the present time. I therefore make this proposal and hope you will give it your consideration. (Applause.)

The CHAIRMAN: I call on the delegate for the Netherlands.

Mrs. VERWEY (Netherlands): The Netherlands delegation thinks that this American proposal, which contains the essence of the principles laid down in our proposal, has indeed some advantage over ours. There are, of course, some differences. While we call upon the Council to prepare machinery for taking action, this American proposal does not go that far. Still, we are prepared to support it and the more because Mrs. Roosevelt herself in her first address in this Committee on this subject has asked for speedy action. Therefore, I hope that the Committee's recommendations to the Council will cover too the taking of preparatory organizational steps. We think it is very necessary in view of the near ending of the UNRRA activities. We are very grateful, of course, for the support which a number of delegates have been kind enough to give us.

It is important that there is a far-reaching agreement in respect of principles. We do not think that the elaboration of principles made by the delegate of the Soviet Union can meet all cases. For instance, what would be the position of the Spanish Republican refugees if it were necessary to ask the consent of the Franco Government for their resettlement elsewhere? We agree, on the other hand, with the Soviet delegation, as my colleague Dr. Sassen pointed out the other day, that repatriation must be encouraged as much as possible, but without compulsion.

If this Committee and the General Assembly accepts the United States proposal I should like to suggest that the verbatim records of our meet-

ings here be submitted to the Council. I think that the valuable contributions made by several delegates may be of good use to the Council.

Although this American proposal does not go as far as we should like to go we are willing, in facilitating the adoption of the American proposal, to withdraw our proposal in favour of that so ably made by Mrs. Roosevelt. (Applause.)

The CHAIRMAN: The Netherlands delegation have announced that they are quite prepared to accept that in place of their own and consequently the Netherlands ask leave to withdraw their proposal. I would ask permission of the Committee to allow the delegates of the Netherlands to withdraw their proposal. All in favour of giving that permission will say "Aye" against "No." As there are no objections the Netherlands proposal is withdrawn.

The United Kingdom had a proposal and I would like to ask their opinion. Also there are the Yugoslav and the Soviet Union proposals and I propose to ask them what their position is also. I want to say that we regret very much that as the United States proposal only reached the Secretariat at midnight it has not been possible to have it translated into French. It will be ready, I am told, in a few minutes, so that it can be studied in both languages. I would now ask the United Kingdom what their attitude is towards the American proposal.

Mr. McNEIL (United Kingdom): The United Kingdom, of course, will be very glad to facilitate the work of this Committee, I hope, by withdrawing their resolution. We make no undue claims for our resolution. It was a very thin one, but it was the first child and it has had the virtue of promoting a discussion which has displayed an urgency and a comprehension which I am fairly certain no other organ within the United Nations has displayed, if for a moment we forget the Security Council.

The CHAIRMAN: It has got to prove itself yet.

Mr. McNEIL (United Kingdom): I was talking about the quality of urgency. Moreover, it has been quite plain in this Committee that, with one exception to which I will return in a minute, there has been no difference in the principles which most of us have sought to apply to this problem.

I would like to say just one word about the excellent contribution made by our French colleague. There I think this problem of the refugee was taken a step further by the proposal that French sovereignty should be applied to the people inside their boundaries and I hope that the Economic and Social Council will not lose sight of this conception.

We feel we have one minor reservation to make here. Where the refugee voluntarily opts to accept the nationality of the host country, then, of course, that country and that person have entered into a contract which I do not think concerns anyone else, but I think that perhaps our French colleagues will agree on the fact that until such a contract is made it is desirable that there should be some international supervision of the conditions under which the refugee exists. We had other speeches of marked value which, I agree with our Dutch colleague, should all be made available to the Economic and Social Council. The Dutch resolution, of course, had a clarity of expression and a charity of thought to which no Englishman could possibly object, much less a man from a minor subject country like Scotland!

The CHAIRMAN: I think I shall have to call you to order!

Mr. McNEIL (United Kingdom): Well, I happen to know that you had the good sense to get out and get a dominion status for yourself.



The CHAIRMAN: That does not justify reflecting on the country that you live in.

Mr. McNEIL (United Kingdom): I shall take that as a kind of qualified assurance that you are coming back to help us.

To be brief, the only qualified opposition we have had has come from our colleagues from Yugoslavia, from the Soviet Union, from Byelorussia and from the Ukraine; and even there, quite plainly, these four colleagues have been most anxious to address themselves to whatever problem here existed, and, let us be quite fair, in the same spirit as the rest of us. But I thought perhaps our Yugoslav friend was just a little too logical; and of course again, it comes very hard, as you will appreciate, for a Scotsman to make any reflections on that issue. He said quite plainly that there is no problem, and he referred to his own experiences to illustrate a point which I fear was the background that made the difference between us.

I think it proper that I should here refer to the reflections which perhaps he inadvertently made upon the Nansen organization. Any of us who have had the most superficial connection with that organization would feel that we had to repudiate that it operated upon any political basis at all. Of course, we greatly sympathize with the experience of our Yugoslav friend. But I think the point he did not offer us was, whether he had asked for assistance from the Nansen organization. If he had, and had been refused on political grounds, then of course certainly my country would have been immediately interested and on his side. I want to say emphatically for the United Kingdom, and I know for other countries associated in this approach, that there is no intention to manipulate politically, or for political ends, any refugee group, or indeed any one single refugee.

My Russian friends say we have to write it. Of course we have written it. We said it in our resolution. It is again made provision for in the American resolution. Of course we must make provision for it. I completely and whole-heartedly agree, and I know we do want to meet any reasonable fears on this subject; it is met in paragraph 3 (c) of A/C.3/20; "No action taken as a result of this resolution shall be of such a character as to interfere in any way with the surrender and punishment of war criminals, Quislings and traitors in conformity with international arrangements and agreements." There is a basis upon which we will move forward.

Wherever a case can be made out in normal conformity to prove that there is a case against a man seeking to pose as a refugee, then let our colleagues be assured that the United Kingdom and the other countries associated in this effort will line up to see two things: (a) that these people are delivered to justice; (b) (and perhaps this is even more important, in our view) that any refugee or group of refugees shall not be punished or penalized in any way because of these people who seek to dwell on their rank. And if all that prevents anyone joining with us in this provisional movement is that they want more definition or more clarity on this subject, then we will be anxious to meet them.

There is just one other point which I think may meet our friends who are a little doubtful of this resolution. We are a bit short of facts. In a sense I do not want to clash with my Yugoslav friend too sharply, who says there is no refugee problem, or with my Russian friend who says our first job is to assist to take people back to their motherland and thereafter we shall discover very little left to deal with. We do not really have the information. My conclusion is that there is a problem here which, in times of peace, has never been greater in terms of human misery. I can

double my figures and say there are a number of souls involved; therefore, let us get on with this inquiry, and let us have the facts tabled as soon as possible. But I would be doing less than credit to my own country if I suggested for a second that our main intention here was to seek facts. Our main intentions is, as our Dutch colleague pointed out, to tackle the extensive and complicated problem affecting human souls. It is souls we are concerned with here, not figures.

Perhaps I ought to add this. Mrs. Roosevelt dealt with it by inference. In most of our countries there always have been some things above politics in relation to these miserable and stateless people. Our Russian friends, and let us not allocate any virtues to ourselves, have displayed the same behaviour. We do not always do it in terms of groups. We have had a refugee of whom we are very proud, a gentleman called Karl Marx. He came to our country. Using our libraries and his brains, he laid down a series of principles which were directed dramatically and basically against the kind of society in which he was sheltering. Of course, it was right and proper, and it was in the tradition of our country that we should offer that shelter and that refuge, and we have continued to do so. But, let none of us be so vain and to imagine that all the prophets are dead; there are still some among traitors, and it may be that some are among refugee traitors. Many of the countries associated with us will always have concern for that kind of person, which may come quite near to something like a religious concern, and we will not apologise for being motivated in a religious or a moral fashion. I think I have already indicated that we do not want to make anyone politically uncomfortable, and if there is no further definition needed in order that this Committee might present a united front, then my delegation will be anxious to make any reasonable accommodation for that purpose.

I have great pleasure, in the meantime, in withdrawing our resolution. (*Applause.*)

The CHAIRMAN: May I ask the delegate for Yugoslavia whether he is prepared to withdraw his proposal, in view of the United States proposal.

Mr. CEROVIC (Yugoslavia): The Yugoslav delegation is grateful to members of the Committee who have recognized the need for debarring war criminals and other collaborators from the protection of the United Nations. Nevertheless, it considers that it has provided a fair and practical basis for solving the problem, and therefore intends to maintain its proposal.

The CHAIRMAN: I would like to hear the comment of the delegate for the Soviet Union as to whether there is a possibility of the delegation of the Soviet Union agreeing to the proposal of the United States.

Mr. ARUTIUNIAN (Soviet Union): First of all I wish to thank the many delegates who supported our proposal. I hope that finally in this Committee we shall be able to find a unanimous solution of the refugee problem. I do not see great difference between our proposals. Here we have now three proposals, those of Yugoslavia, the Soviet Union, and the United States of America. I thank Mrs. Roosevelt for her support, but I still think that our proposal may be put as a basis for the unanimous decision of this Committee. I would like to propose to establish a small group of delegates in order to work out a final proposal, taking into consideration these three proposals, those of Yugoslavia, the Soviet Union, and the United States of America. If you permit me I would ask to establish that Committee from these delegations: the Soviet Union, the United States of America, Yugoslavia, France, the United Kingdom, and one of the Latin American Republics: Panama or Peru.



The CHAIRMAN : I had hoped that the Committee might have agreed unanimously to the very comprehensive draft of the United States. I myself did not see it until this morning, just when we started business, and it struck me as covering all the important points on which there is a possibility of getting agreement. I want to draw one or two matters to the attention of the delegates present and to point out that any decision must be in the light of what we are pledged to in the constitution of the United Nations.

Here is what we are pledged to : " To achieve international co-operation in solving international problems of an economic, social, cultural, or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion." That is a governing article of the United Nations to which all our countries have pledged their word to support.

Then again in regard to international economic and social co-operation we have the matter put forward also in article 55 in sub-paragraph (c) : " Universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, language, or religion."

The question of refugees must be settled under those conditions, and there are difficulties. We have to have the matter clearly understood by us all before a vote is taken or votes are taken. I propose to sum up the matter to the best of my ability. There is not a great deal of difference between the expressions of opinion given round these tables : all are agreed that there is a problem ; all are agreed that it is an extensive problem and in many respects a tragic problem that weighs upon the conscience of the world and that it must be solved : that the unfortunate people of all nations concerned who are refugees, I should say not only all nations but all peoples, must be provided for, because the two expressions do not synchronise. The question is, what is the provision.

Nobody has suggested that perpetual provision should be made for refugees. It has been suggested that efforts should be made to get them back to the countries that they had left. In some cases the speakers came perilously near to suggesting that they might be coerced. We want to clear the position in regard to that. Apart from those described as war criminals, traitors and Quislings, I did not understand any delegate to suggest that the refugees, any of them outside those categories, should be compelled to go back to their own countries. It sounded sometimes as if that suggestion was being made, but I have endeavoured to analyse the position as we have moved along ; and if I am wrong, then if there is any delegate who wishes that to be done he will correct me, but I have not been able to fix that proposal on to any delegate's remarks.

Delegates did say that, after an opportunity has been given to the nationals of a country where a government is established and that opportunity has not been taken advantage of, then that refugee assistance should stop. I would like again, if my interpretation is wrong, to be corrected, but I repeat that the maximum that I drew from the remarks of all the delegates was that if nationals of a country who had an opportunity or an invitation to go back to their country did not take it, then all assistance and help to them should be cut off. There was no question or proposal that they should be forcibly sent back to their countries if they were just citizens of a country who were not in any way involved in antagonism to that country or to any of the United Nations during the war. I would like, if I am not clear or correct

on that point, to be corrected, because it is very important and very essential.

We now come to the question of those who will not go back when they have the opportunity and the proposal that such refugees should be denied any assistance. I want to emphasize how difficult that is. I do not like to mention any country, but perhaps my friends from Poland will excuse my stating the difficulties associated with their nationals. There has been an invitation, a very cordial, a very hospitable invitation, to all their fighting men to go back to the country. Many have gone ; it may be that all should have gone and shown a confidence in that government, but many cannot see their way to do so. Many of them were fighting alongside the men from my country along all the length of North Africa, and at Cassino, one of the most terrible battles of the war, and I saw their dead laid out on the slopes of Cassino, after their attack had taken that formidable fortress. I cannot imagine myself agreeing that these men, who risked their lives in as fierce fighting as there was in any field of battle, in any sphere of war—I could not agree that they, because they cannot see their way to go back to their country, should have to have the option only of going back or starving. I could not be a party to that. They are not Quislings ; they are not traitors ; they are not war criminals ; they are men and boys, thousands of whom were flying from this country over Germany and taking their part equally with all other fighters, of Russia, of Czechoslovakia, of Yugoslavia, of the United Kingdom, of the United States, of all the British Dominions and all the other countries engaged, and side by side over here with our friends from Norway.

Now, we have a responsibility to these men. May I again be frank ? How far are they, or those among them who think that they are antagonistic to the existing government, to be assisted ? That is a problem to which the Economic and Social Committee must give earnest thought. I endorse everything that Mr. McNeil said about those countries : that the United Kingdom and France historically and the Netherlands, and many of the European countries, have been havens of refuge for the protagonists of freedom, the fighters for freedom, in the past, for the revolutionaries—for Lenin as well as Karl Marx was a refugee in this country, and this country has always been proud that Garibaldi and Mazzini and many of those who could not raise their voice in their own country without being clapped behind prison bars were given the hospitality of this country and of the United States and of the South American Republics, and, of course, of France, that great home of freedom and democracy. We must see to it that, even in these disturbing times, we do not surrender the right to give refuge to those who may be up against the governments of any countries. I have watched the proceedings here very carefully and so far as I can gather I do not think the suggestion has been made (if it has, I must say I regret it very much indeed) that the doors of mercy and refuge should be closed upon those who, whatever their political opinions may be, feel that they cannot live under the government ruling in their country for the time being.

Then if the question comes, " What is to be done in regard to propaganda ? " may I say this ; in regard to propaganda it would be a very good thing for us all if all the propagandists were closed up for about five years so as to give these United Nations a chance. We are not going to win out by means of propaganda, one country against another, or groups against their own countries. Surely this is a fundamental human problem, one of the four freedoms enunciated by President



Roosevelt and adopted in the Atlantic Charter, and fought for by all our countries—freedom of speech, freedom of thought, as well as freedom of religion and freedom from want. However difficult it may be for our countries, we cannot betray those principles; we cannot possibly be traitors to those fundamental principles of freedom. To further them is the purpose of this Organization, the reason why the United Nations has been brought into existence, and we cannot, to suit the convenience, the passing and temporary convenience, of any country, betray those principles. Are we to allow freedom of speech? I cannot see any other way. I cannot see us saying to people: You cannot express your opinions, whether they suit us or not. There must be liberty in the expression of opinion.

But, a step further: Are the United Nations, that have pledged support to each other, to allow any groups to conspire against any one of them? That is the problem to be worked out by the Economic and Social Council and ultimately by the Assembly. It is not easy, because you cannot have different measures for different points of view. Are we going to say to the Spanish refugees, to Negrin, Del Vayo and Caballero, and the others: We will not allow your propaganda; we will not allow you to agitate against the fascist power in your own country, now in fascist hands? Or are we, through the United Nations, to give some definite lead on that matter? But, if we allow that freedom to the Spanish constitutionalists (because that is what the men I have mentioned are: they are the constitutionalists and those in power are the usurpers; there is no doubt about that), can we refuse it those from other countries? Where is the line of demarcation to be drawn? It is not easy. It is the job of the Economic and Social Council and finally of the Assembly to decide that.

Now, these are the difficulties. The fundamental freedoms of speech and thought must be honoured. Our countries cannot be allowed, on the other hand, to harbour nests of enemies of any of our countries. That is the problem. We cannot settle it here; it has got to be examined very closely; and because the United States' resolution provides that opportunity, leaves the matter to be decided after close study, and after weighing up all the elements, I suggest the best thing we can do, because we are not finally determining the matter: that will come before the Assembly at its next meeting—and the thing I strongly advise as Chairman, is to accept the United States' resolution, and there will be ample opportunity for the Economic and Social Council or a Committee of that body to examine all the factors, look into all the details, weigh them up carefully and minutely, and give a proposal to the next meeting of the Assembly that will observe the freedoms that we are pledged to, and prevent any groups plotting against their countries.

Now that is how I see it and I personally would suggest that all of us should agree to the United States resolution, because no country will surrender anything. The question will still be open and time is passing and I would strongly urge my friend from Yugoslavia and my friend from the Soviet Union to agree to a form that still leaves it possible for them on the Economic and Social Council to advocate what they think should be put into the final decision. (*Applause.*)

The delegate for South Africa wishes to say a few words, and then the delegate for France.

Mr. EGELAND (South Africa): Mr. Chairman, I am most grateful to you for the observations couched, if I may say so, in moving and sincere eloquence, and observations with which my delegation cordially associates itself, observations

which I feel render unnecessary a good deal of what some of us might otherwise have felt impelled to advance at this stage of the discussion, and I hope that the observations which you have made may have on such of our colleagues as still wish to take part in this debate the same beneficial shortening effect which I hope you may perceive they will have had on myself. But I do wish to endorse your appeal that we should in this Committee at this stage accept the American proposal and accept it as the best interim course that we can take.

My delegation would quite willingly have supported with minor amendments the Netherlands proposal, which I realize did go further in some respects than, at this necessarily provisional stage and preliminary stage, many delegations would feel free to go. Although I was one of those who pleaded, at an early stage in the debate, that we should submit specific recommendations and specific directives to the Assembly, I think now that our wiser course is to endorse a proposal which will represent the highest common factor of recordable agreement, and not aim at putting in too much, or going too much into detail.

That we have achieved a large measure of agreement is implicit not only by the remarks which have fallen from the three speakers who preceded me, but from the course of the whole debate. It is in that spirit—I shall not say unanimity because on a matter so complex, of which the facts are not yet fully available to us, we cannot talk in terms of unanimity, but we can talk in terms of some large measure of agreement in this Committee, and of an earnest desire to do the right thing in ensuring that this problem, however serious, however wide in dimensions, does receive prompt and effective treatment—that there does appear to be unanimity in our Committee that the proper course will be for it to be sent to the Economic and Social Council for careful investigation, for report and for planning by that body of proposals for final consideration and acceptance by the General Assembly. As we have that almost unanimous reaction to the problem basically, and in spite of the fact that there exists, as the United Kingdom delegate pointed out, qualified opposition in certain matters of detail, my appeal is that we should not at this stage thresh out too far these differences, on matter almost of detail (or of detailed principle), but that we should be content with the wide (but in my submission not too wide) terms of the United States proposal.

My appeal to my colleague from the Soviet Union and from Yugoslavia at this stage would be for us not to try to attempt too much. We should eschew perfectionism so far as the phrasing of our resolution is concerned. What we want is to agree on something which we can pass on for the Assembly to endorse, so that the Economic and Social Council can get on with the job. For that reason, I would express the hope that it is not necessary for us to try to follow the course suggested by our Russian colleague, of appointing a subcommittee to try and fit in the various proposals and try and produce a jig-saw amalgam or compromise which might replace the American proposal which is now before us. My suggestion is that we do not at this stage prolong the discussion which has been valuable, which has been informative, and which has resulted in a lot of useful suggestions, and of information being made available for the Economic and Social Council in the form of speeches, which I also think should be made available verbatim to the Council; but that in view of that, we should not at this stage, having put most of the essential points in connection with this complex problem before the attention of this Committee, fall into the temptation of restating



our views or amplifying them, or trying to arrive here at a meticulous agreement in regard to detailing the points which may or may not prove possible to be included in a compromise proposal.

In conclusion, I would express the hope that we should accept this American proposal, which is in reasonable application as well as in substitution for the original (I admit rather thin) United Kingdom proposal, as recording the highest common factor of agreement at this provisional stage, bearing in mind what you, Sir, have told us about the essentially provisional nature of what we are doing here, and that the final form that the proposed international treatment of this problem will take will be dependent on the deliberations of the Assembly at a later stage than the present meeting, and that we accept this United States proposal as a workmanlike and a reasonable proposal which does honestly aim at recording views and aims, which we can fairly say are common to all delegations here. And I do associate myself again with the assurances which have been given to-day again by the United Kingdom representative, and by many of us previously, that we are absolutely at one with our Russian and Yugoslav colleagues in that no abuse of the refugee problem is in any way to be countenanced, by giving shelter to war criminals, Quislings or other extradited persons. With that assurance, and with the assurance also that this Committee is substantially agreed on the method, namely, reference to the Economic and Social Council, as well as on the urgency of doing it, I do express the hope that we may be able unanimously to accept the United States proposal, and to let that go forward as the best interim action which this Committee can take at this stage.

The CHAIRMAN : The delegate for France, and then the delegate for the United States of America.

Mrs. LEFAUCHEUX (France) : France is in agreement with the general spirit of the draft resolution submitted by the United States delegation, and will vote for it.

Nevertheless, we make one reservation, since the resolution deals mainly with displaced persons. In the case of statutory refugees who enjoy the status of privileged foreigners, and who are being assimilated, France is of opinion that, since she takes full responsibility for their maintenance, she is entitled to ask that their future be entrusted to a national body, it being clearly understood that this national body would report on its work to the international body which will undoubtedly be set up by the United Nations.

The CHAIRMAN : I call upon Mrs. Roosevelt, delegate for the United States of America.

Mrs. ROOSEVELT (United States) : It seems to me that with your summing up and with the remarks that have been made here, I would like to say one thing that I hope will be clarified. I have said it to my colleague of the Soviet Union. We seem to forget that what we are actually doing is to refer this question to the Economic and Social Council. We are not settling here what that body will do. We are making certain recommendations ; we are asking them to take into consideration everything that has been said by all the representatives of different nations here ; but we are not settling this question. Substantially we are all agreed that we do want to refer it to the Economic and Social Council ; we do want them to deal with it very carefully and with the best people possible on it ; but, beyond that, while we have stated things that we want to have them consider, we are only making suggestions, and here we have no power to settle this question.

Therefore, I think that the appointment of a Committee for getting an exact wording that

everybody could agree on delays us. Time is fleeting, there is much to be considered in the Assembly, and I hope you will give consideration as a group to the possibility of coming to a vote with the fact in mind that we are not deciding the substance of what the Economic and Social Council will decide. They will make recommendations and it will come back to the General Assembly. Therefore I would like to move that we proceed to the business of voting.

The CHAIRMAN : Now the situation that we have reached is that there is a motion that is in effect the closure, and I have to explain the procedure on this. The proposal is that we proceed to vote. Is there a seconder for that motion ?

Mr. EGELAND (South Africa) : I second that.

The CHAIRMAN : That is seconded by the delegate for South Africa. There are so many up that I want to read the rule dealing with this situation. The rule is : " A representative may at any time move the closure of the debate whether or not any other representative has signified his wish to speak." The fact that there are half a dozen or a dozen wanting to speak does not make the slightest difference. It has been moved that we proceed to vote, and the number of speakers is limited. " If application is made for permission to speak against the closure it may be accorded to not more than two speakers." In that case, if anybody wishes to speak against proceeding to the vote, they will indicate accordingly. We cannot go on with the general discussion now until we dispose of this matter. Once this matter is disposed of, if you think we should vote now, you will accordingly, after we hear no more than two speakers. If you think the discussion should go on, you will vote against the motion. Then, if the motion is carried, I will put the amendment of the Soviet Union without any further discussion ; that is that a committee be set up. Then, if that is not carried, the Yugoslav amendment will be put up as against the American motion, and the Soviet Union amendment will also be put. Now the delegate for the Soviet Union has indicated—he was the first to catch my eye—that he wishes to speak against the proceeding to vote. If so, I call upon him.

Mr. ARUTIUNIAN (Soviet Union) : I wish to speak on a point of order.

The CHAIRMAN : Surely.

Mr. ARUTIUNIAN (Soviet Union) : The object of conducting the debate in this way is to bring pressure to bear on the Soviet delegation to withdraw its proposal. I can only express my disapproval of such methods.

The Chairman has voiced his disagreement with certain forms of propaganda, yet we note that he has used certain arguments to induce the Soviet delegation to withdraw its proposal. The Soviet delegation feels that it is the Chairman's duty to be absolutely impartial and objective.

The items on which we have failed to agree seem relatively unimportant. We must try to reach a unanimous decision, and we could do so if the Soviet delegation were given an opportunity of seeking, jointly with the United States delegation, some formula to which we might all subscribe.

Mrs. Roosevelt stated that the object of the American proposal was not to make recommendations to the Economic and Social Council ; but in that case, we note that the American resolution should end with paragraph (c) (ii), since from paragraph (d) (iii) onwards the resolution does in fact make such recommendations.

If the object of the debate is to make recommendations to the Economic and Social Council,



then the Soviet delegation thinks that the best thing would be to set up this small panel, which could easily agree on principles.

The question is highly important. It would be a mistake to rush the discussion. Besides, a solution could be reached in a comparatively short time without resorting to propaganda methods.

The CHAIRMAN: In regard to this matter the procedure adopted has been according to the rules. The motion has been moved that the vote be taken. It is entirely in the hands of the Committee as to whether that should be done or not, but it is my duty to sense the feeling of the meeting and, as far as possible, to give guidance, and I would suggest, in regard to this matter, that it would be better to take some little time and, if there is a chance of getting unanimity, to endeavour to get it. I would suggest, therefore, in view of the fact that the delegate for the Soviet Union feels the matter so very strongly, that his motion be adopted. I should like to suggest that. I would accordingly ask the delegate of the United States if she would ask leave to withdraw the motion to put the question to the vote forthwith. It is again a question for the delegate of the United States and for the Committee entirely as to whether we proceed immediately to the vote or not. That is the question. I had hoped we would be in a position to do so, and I think if it was put to vote it would be carried by a majority. I believe that, but, on the other hand, if there is a chance for unanimity I think every possibility should be explored. A committee could be set up and could meet tomorrow morning and could report tomorrow afternoon if the plenary session is over. I looked at that.

The other matter, of course, I cannot allow to pass. The impartiality of the chair has been challenged and on that point I want assurance from the Committee that they do not share that feeling. I want that assurance from the Committee that they do not feel that I have been endeavouring to prejudice the case either way. The question is reminiscent of what happened on Saturday afternoon, when Mr. Manuisky was charged with doing exactly the same thing. Perhaps the delegate for the Soviet Union would think that we are a good combination of Chairmen! I am going to ask now, quite frankly, those who think that the Chairman has been unfair in any action to hold up their hands.

*(The delegate for Canada held up his hand.)*

Now those who think the opposite: that the Chairman has been fair.

*(There was a show of hands.)*

Well, I think that is a fair majority. We will leave it at that.

Now, could the delegate for the United States accept the suggestion?

Mr. KNOWLES (Canada): May I raise my point of order now?

The CHAIRMAN: The delegate for the United States has the floor.

Mrs. ROOSEVELT (United States): As I understand it, you asked me a question as to what I was willing to do in these circumstances. Is that right?

The CHAIRMAN: That is right.

Mrs. ROOSEVELT (United States): It is very difficult for me to say that I am unwilling to have you appoint a committee to discuss these questions. I think, however, there is little point in going on with the discussion, because we have had so much here already that we know our differences and we know what the difficulty is. I understand why my colleague from the Soviet Union feels that we should make no recommendations. That was the

reason originally why the United Kingdom resolution was a bit thin. It was to meet that point that we were only turning this over as a problem that we all thought had to be dealt with by the Economic and Social Council. However, a number of people, including the delegation of the Netherlands, felt very strongly that in the resolution we should at least indicate what were some of the things we felt should be considered, and that was why those things came into being, plus the major part we felt we were in agreement on with the Soviet Union. Naturally, if you wish to appoint a Committee, I am not going to stand in the way of having you do so. I would not agree to having any one of us as delegates appoint the Committee for you. However, I feel that there is very little need for prolonging this. I feel that very little will come out of appointing a Committee beyond what we all know now. We have to vote in the long run on whether we want it sent to the Economic and Social Council and everything that has been said will be before us, but I will abide by your decision in the matter.

The CHAIRMAN: In regard to this matter the delegate for the United States has stated that very reluctantly, against her own judgment, she would acquiesce in the withdrawing of the motion to proceed to the vote. Again it is for the Committee. If the Committee does not want the motion withdrawn they will vote against giving leave to withdraw.

Mr. KNOWLES (Canada): On a point of order.

The CHAIRMAN: All right, we will take that. We have before us a motion in effect for closure of debate. Then there can be only one other speaker on it. Now the delegate for Canada on a point of order.

Mr. KNOWLES (Canada): I realize I am treading on dangerous ground if I raise a point of order which involves disagreement with the Chairman.

The CHAIRMAN: It is the delegate's prerogative.

Mr. KNOWLES (Canada): My point of order is this: when Mrs. Roosevelt stood the previous time and again this time I did not understand that she was moving closure of debate. I understood that she was opposing the Soviet motion for the appointment of a subcommittee and that what she was urging us to do was not to go through that procedure of appointing a subcommittee but to carry on and settle it by a vote in this Committee. My contention is that Mrs. Roosevelt does not have to withdraw a motion for closure because actually she did not make one and all she was doing was opposing the Soviet Union motion for the appointment of this subcommittee.

While on my feet, having raised one point of order, may I express approval of another procedure?

The CHAIRMAN: No, I will not allow you to do that. You will just speak to the one point of order.

Mr. KNOWLES (Canada): It is on procedure.

The CHAIRMAN: No, one point of order at a time. The point of order is not upheld. Mrs. Roosevelt moved that we proceed to the vote and that is in effect a motion of closure and the rules dealing with closure apply. That is my decision on the matter.

Sir George RENDEL (United Kingdom): On a point of order. Did I understand that you proposed that the Committee should decide by a vote whether it will vote on the American motion or not?

The CHAIRMAN: No, the position is this, that Mrs. Roosevelt has expressed, and if there is a misunderstanding that can be cleared up, her



willingness to withdraw a motion to proceed to the vote if the Committee is agreeable. The point is that any motion put forward is no longer the property of the person making it, it is the property of the Committee, and once something is moved it cannot be withdrawn without the consent of the Committee. If Mrs. Roosevelt still wishes to proceed to the vote, well, we proceed to the vote, but if she is adhering to her willingness to withdraw, then I will have to put that motion that she be permitted to withdraw.

*(The delegate for Yugoslavia raised his hand.)*

The CHAIRMAN: Is it a point of order?

Mr. CEROVIC (Yugoslavia): The question that now arises is whether or not the United States' proposal is to be put to the vote. I am convinced we can easily reach a unanimous decision. We noticed that the United States delegation has displayed a very understanding spirit towards all the arguments advanced in the Committee, and it deserves to be congratulated on this. I believe there is every reason to hope that we shall reach unanimity very quickly and easily, and to that end I propose the appointment of the subcommittee.

The CHAIRMAN: Before I can do anything I must get this matter cleared up of whether we are going to proceed to the vote or not, and I understand Mrs. Roosevelt asked permission to withdraw her motion that we proceed to the vote. Is that right?

Mr. EGELAND (South Africa): On a point of order.

The CHAIRMAN: All right, what is the point of order? We can deal with any number of these.

Mr. EGELAND (South Africa): This suggestion is only made to try and expedite the decision you want. As the seconder of Mrs. Roosevelt's motion and appreciating from Mrs. Roosevelt's remarks that she is in a rather difficult position, but, as you say, rather reluctantly she might be prepared to withdraw, might I suggest the simplest way would be for the Committee, having heard everything, including the debate on this point, to proceed with the original motion that Mrs. Roosevelt made and if they think there is substance in the observations you and others have made then they will vote Mrs. Roosevelt's resolution down.

The CHAIRMAN: The position now is whether we have got to proceed to a vote. I can take it as a straight-out issue, whether we proceed to the vote or not, but I still think, as Chairman of the Committee that if there is a possibility of getting unanimity we ought to explore every possibility. I think that is part of our duty to do that and in that case I would suggest that we could agree that the motion to take the vote, that is in effect a motion of closure, should be withdrawn. I would earnestly urge that, because I am very anxious that no delegate should feel at any time that they have not had their point of view completely considered. I would suggest that, but, of course, it is for the Committee to say. Might I say that if the subcommittee is set up—I will just indicate this—I would be quite prepared to move that the names mentioned by the delegate for the Soviet Union plus the Netherlands and the Rapporteur and the Chairman should form the subcommittee. If the subcommittee should be set up it could meet at three o'clock this afternoon and could report here tomorrow and the whole matter could be finally disposed of.

Sir George RENDEL (United Kingdom): May we have those names?

The CHAIRMAN: The names are as follows: the United States of America, United Kingdom, the Soviet Union, France, Panama, Yugoslavia,

the Netherlands, Lebanon, the Rapporteur and myself. That would be the subcommittee I would nominate from the chair if the motion is withdrawn. Now can we agree unanimously on this?

*(Cries of "Yes," and applause.)*

I think the feeling of the meeting is that Mrs. Roosevelt should be permitted kindly to withdraw the motion that we proceed to the vote. *(Applause.)*

That being decided I will put this motion: that the delegates I mentioned: the United States of America, United Kingdom, the Soviet Union, France, Yugoslavia, Netherlands, Lebanon, the Chairman and the Rapporteur, be appointed a subcommittee to report tomorrow if there is agreement as to the form of a resolution. All in favour raise their hands.

*(Show of hands.)*

All against.

That is carried. The subcommittee will meet at three o'clock in room C.

Mrs. ROOSEVELT (United States of America): Would it be possible to make it 3.10 p.m.?

The CHAIRMAN: Yes, we will make it 3.10 p.m. The meeting is closed.

*The meeting rose at 1.13 p.m.*

#### (6) Ninth meeting

*Held at Central Hall, Westminster,  
on Friday, 8 February 1946 at 2.30 p.m.*

Chairman: Mr. P. FRASER (New Zealand).

The CHAIRMAN: As all the delegates have the printed copy of the report, I will ask the Rapporteur to read it before we have a quorum, and by the time the quorum is here we shall be ready to discuss it.

Mrs. DALEN (Rapporteur): As delegates know there was a subcommittee appointed at the last Assembly meeting. This subcommittee has had three meetings, and I will now read the report of those meetings.

*(Document A/C.3/23 was read.)*

The CHAIRMAN: Can we dispense with the reading of the report in French, seeing that everybody has copies in front of them?

Mrs. LEFAUCHEUX (France): Not if all the members of the Committee have the French text in front of them.

The CHAIRMAN: Thank you very much; I am much obliged to the French delegation. Now the Assistant-Secretary has to make a reference to some of the numbering in the French translation; it will have to be renumbered to coincide with the English translation.

The ASSISTANT-SECRETARY: Mr. Chairman, the French text has only recently come through, and we find that the old numbering has been preserved, whereas in the English text it has been changed to the standard form, that is to say, numerals have disappeared and the letter A replaces the figure one (1), and the letter B replaces the figure two (2), and so forth. Those sub-paragraphs, which in the French version are lettered (a), (b), and (c) have become, in the English version, small (i), small (ii), et cetera.

The CHAIRMAN: I do not think it will make very much difference, except that reference has been made to it.

The task of the subcommittee was to endeavour to achieve a reconciliation of ideas and the Committee has succeeded to a very considerable extent, though not altogether; but there is a complete unanimity down to (c) (i); and unless



anybody is very anxious to speak about that section, we could agree to all that down to (c) (i).

Then, after that the first I would call upon would be the Netherlands, in regard to (c) (ii).

Mr. BEASLEY (Australia) : I do not agree with that, Mr. Chairman.

The CHAIRMAN : All right, wait a moment. There will be plenty of opportunity. I was only saying that if there was general agreement we could go on. The other matter is, the Soviet delegation have prepared a different text. The first speaker, and I do not know how far the speaker wishes to go in regard to this matter, is the delegate for Ukraine, but I would like to say before anybody speaks that our time is tremendously limited if we are going to get the report in at all, and if ever there was a meeting at which there should be brevity it is this meeting. At the meeting of the General Committee this morning the urgency of having all the work completed at the very latest by Tuesday or Wednesday, or else dropping everything and taking it on to September, was pointed out. I do not want to impose time limits or rules about two speakers speaking and then if there is no objection putting it through, but it really will be necessary unless we are very expeditious in dealing with this.

Then again the interpreters have to leave this meeting at five minutes to five, whether we have finished or not, and if we do not conclude our business at five minutes to five it means a meeting on Sunday. We cannot meet on Monday because there will be Assembly meetings, and we are not allowed to meet when the Assembly is meeting, and therefore, after the long discussions we have had—we have had the most tremendous discussions of the whole Conference—I would ask delegates who feel it is inevitable that they must speak to be as brief as possible.

The delegate for the Ukraine.

Mr. BAJAN (Ukraine) : With regard to the report of the drafting subcommittee, we urge the inclusion of a paragraph designed to ensure that propaganda in prisoner-of-war camps be brought to an end. I would stress that the position is aggravated through propaganda in the camps of the western Occupied Zone of Germany and Italy which is carried even to the length of violence and shooting against those who propose to return to their own country.

The CHAIRMAN : Might I just tell the delegate that he will have ample opportunity of dealing with this matter on (c) (iii) ; (c) (iii) is the place where it will come in. In the meantime we are just discussing from (1) to (c) (i).

Mr. BAJAN (Ukrainian SSR) : I was just speaking in a general way, Mr. Chairman.

The CHAIRMAN : That is exactly what I want to try to avoid, if possible. We have had a general discussion, a full-dress debate, for three or four days. Now that is what I want to avoid, and to keep to the text, so that we can make progress, and if the delegate would permit me I will call on him again to deal with the question of propaganda only.

I would therefore suggest that we include a point in (d) (iv), stating that no propaganda should be permitted in the prisoners' camps, in the refugee camps, tending to say that these refugees should return to their native countries and no propaganda which is directed against the United Nations or against any of its Members.

Mr. BAJAN (Ukraine) : I propose that a subparagraph under (c) (iii) be included in the draft Resolution, as follows :

"No propaganda should be permitted in refugee camps against the interests of the United Nations Organization or her Members, nor

propaganda against returning to their native countries."

The CHAIRMAN : I would point out that there is an amendment which will be moved dealing with that particular matter, and when we reach that we will take the discussion on propaganda ; but, at present, I have to rule, and I hope that I will be backed up by the Committee, that only questions on (a) and (b) of (1), and (c) (i) down to the words "this problem is international in scope and nature," should be discussed now. There is complete agreement in the subcommittee on that matter and I want to get the opinion of the full Committee on this from the beginning down to those words, so that we can make some progress. The other questions, on which there is disagreement, will be discussed fully later on.

Mr. KNOWLES (Canada) : Mr. Chairman, on a point of order : I think you should be supported in the proposal that you are making, that we discuss details at the proper point ; but I do think, if I may say a word on behalf of the Ukrainian delegate, that there may be a slight misunderstanding in this connection. If I understand him correctly, he was speaking not about propaganda in refugee camps, which is the item to which the Chairman has referred ; he is introducing a new matter, namely, propaganda in prisoners' camps.

The CHAIRMAN : No, no, refugee camps.

Mr. KNOWLES (Canada) : Well, "prisoner" is the word he has been using.

The CHAIRMAN : Yes, but it is refugee camps. He is only dealing with refugees.

Mr. KNOWLES (Canada) : Can we have that clear, whether he is talking about prisoner-of-war camps or refugee camps ?

Mr. BAJAN (Ukraine) : There must be a misunderstanding. I was not speaking of the draft Resolution before us, but referring to point (iv) on page 3. I have seen refugee camps, but not prisoner-of-war camps.

The CHAIRMAN : Yes. Well, now I would ask the delegate not to proceed on that. He will get the chance later on ; the full chance later on. There will be ample opportunity for dealing with that.

Mr. BAJAN (Ukraine) : I have no objection to the proposed Resolution in respect of page 1, paragraphs 1, 2 and 3 up to and including point (a).

The CHAIRMAN : We will discuss that later on.

The CHAIRMAN : (c) (i) down to the words "this problem is international in scope and nature" : these words and all before them are under discussion. The rest will come later in order, because the subcommittee was agreed upon every word of that and they are reporting full agreement on that. Now, I have indications, I think, from the Australian delegate that he wanted to speak, from the delegates for Panama and the Soviet Union.

Mr. BEASLEY (Australia) : Yes, I made a mistake : I thought you were taking (c) as a whole. I am satisfied up to the point you state.

The CHAIRMAN : Very well. Does the delegate for Panama wish to speak on that early part ?

Mr. PORRAS (Panama) : No, Mr. Chairman.

The CHAIRMAN : All right ; that is grand. Does the delegate for the Soviet Union wish to speak on that part ?

Mr. ARUTIUNIAN (Soviet Union) : No, Mr. Chairman ; but I would ask your permission to speak on our amendment in general ; not on any one, because it would take a long time.



The CHAIRMAN: I really think the Soviet delegate would help us if he just took them as they come, one by one, in Committee. He will get four speeches instead of one that way. I guarantee this, that when we come to (c) he can refer to all dealing with (c). When he mentions the first one, I will be very glad for him to deal with the whole range of them, when we reach there; the whole range of them at once, provided that we dispose of them at once. I am very anxious that everybody should express his opinion, but I do want to make progress. The best suggestion I can make is that when we come to (c) (iii), you then deal with the whole lot of your amendments on (c) (iii).

Mr. ARUTIUNIAN (Soviet Union): All right. Mr. Chairman, I thank you very much; but I do not speak English very well.

The CHAIRMAN: I have never accepted that; I have never believed that.

Mr. ARUTIUNIAN (Soviet Union): And therefore I do not want to make five speeches; I want to make only one.

The CHAIRMAN: Then the motion is that up to and including the words "This problem is international in scope and nature," be agreed to. In favour say "Aye"; against, "No." The "Ayes" have it. That is agreed. Now, on (c) (ii) the Netherlands delegate wishes to speak because the Netherlands delegation have a reservation.

Mrs. VERWEY (Netherlands): Mr. Chairman, the Netherlands delegation regrets to inform this Committee that it is opposed to the last sentence of paragraph (c) (ii) as it stands now, because the Netherlands delegation feels that in this last sentence the principles laid down in (iii) below, which are essential for us, have lost their practical value. There is no guarantee that these bilateral arrangements are subject to the recommendations laid down in paragraph (c) (iii). Thank you, Mr. Chairman.

The CHAIRMAN: Any further speakers? The delegates for the United Kingdom.

Sir George RENDEL (United Kingdom): Mr. Chairman, my Government has had some opportunity of considering this draft this morning, and the result of that consideration has led us to support the amendment proposed by the Netherlands delegation.

The CHAIRMAN: There has been no amendment moved.

Sir George RENDEL (United Kingdom): I'm sorry: to support the view of the Netherlands delegation that the draft would be better if the second sentence in paragraph (c) (ii) were omitted. We feel that the reference to bilateral arrangements is obscure and unnecessary and may easily lead to confusion. The only examples we have had of such bilateral agreements do in fact run counter to the principles enunciated in paragraph (c) (iii). There is one bilateral agreement which has been voted which did not provide essentially for the forcible repatriation of refugees and displaced persons, and we feel that in all the circumstances it would be very much better that this sentence should be omitted. I shall move the amendment that that sentence be omitted.

The CHAIRMAN: Any further discussion? I take it the Netherlands delegate seconds Sir George Rendel's motion?

Mrs. VERWEY (Netherlands): Yes.

The Chairman: It has been moved and seconded that the words "Such assistance may include such bilateral arrangements for mutual assistance in repatriation as may be agreed upon" be deleted. The delegate from the USSR.

Mr. ARUTIUNIAN (Soviet Union): I oppose that motion. I think that the most practical way to solve this problem of displaced persons is by bilateral agreement between the two countries concerned: the country of origin and the country of refuge. The experience of world war II shows that really that is the best way to return the displaced persons to their homes or to find another way to settle them in a new place. The experience of the first world war showed quite the opposite way. There was no bilateral agreement between countries concerned, and the refugee or displaced persons problem was not solved.

I think the experience of the second world war shows that the best way to solve this problem demands the inclusion of this sentence in paragraph (c) (ii) and not to admit the motion made by the delegate for the United Kingdom.

The CHAIRMAN: The delegate for Denmark.

Mr. FEDERSPIEL (Denmark): Mr. Chairman, the Danish delegation is inclined not to accept the proposal of the Netherlands delegation. We consider it to be an unhappy thing if this question cannot be solved in the spirit of mutual confidence. It is the general principle of our Organization not to resort to the organs of the Organization until bilateral arrangements have been attempted, and to a large extent the refugee problem is one between one power and another. We consider that there may be considerable delay in the solution of the question concerning repatriation of refugees if the questions cannot be solved directly by the powers concerned. If the matter has to be referred to the Organization and be taken up as a matter of principle it may involve a lot of questions and take a long time to resolve. There are so many aspects of the refugee question. The particular Danish aspect is not so much one of refugees in the ordinary sense as one of intruded persons. There are numerous categories of refugees, and if all these questions have to be considered internationally in a way which excludes the possibility of arranging these things between member States of this Organization it will take a much longer time to complete the repatriation of the refugees and to get to the bottom of these questions.

We therefore support the draft in its original form and oppose the amendment proposed by the Netherlands.

Mr. PORRAS (Panama): Mr. Chairman, I am sorry but I cannot agree with the statements made by the delegate for Denmark. I think that the problem of refugees does not concern any two countries, the country of their origin and the country of their refuge, but is the responsibility of all countries.

May I ask you to turn to the past? There is one example which I wish to quote. It concerns the Vichy Government and the Government of Spain. A bilateral agreement was signed between those two countries, and that agreement was made in respect of two eminent Spaniards only; one being the President of Catalonia, Mr. Companys; he was to be returned to Spain for the sole and only purpose of being killed there.

As the delegate for Panama, I would strongly support the position of the Netherlands and the British delegations. I believe that this is a problem which concerns all countries. It is an international problem, and it, therefore, concerns the United Nations as a whole. It is of vital importance to us all that we should prevent such matters being discussed bilaterally by two countries only, without all the United Nations knowing exactly what is going on.

The CHAIRMAN: Any other speakers?

We now proceed to the vote. The amendment has been moved, but the words already referred to be deleted.



Those in favour of these words coming out, please hold up their hands. Those in favour of the words remaining in? That is the best way to put it.

There are seventeen votes against and nineteen in favour. The words remain in.

The question now is that that paragraph be adopted.

Sir George RENDEL (United Kingdom): Might I propose an alternative amendment?

The CHAIRMAN: Very well. It is not a similar amendment?

Sir GEORGE RENDEL (United Kingdom): No, it is not similar.

The CHAIRMAN: We will take it.

Mr. ARUTIUNIAN (Soviet Union): If this amendment is not accepted, I do not think there can be an alternative amendment to this point.

The CHAIRMAN: Not an amendment having the same sense, no. That is why I want to hear the amendment stated before I can judge.

Sir George RENDEL (United Kingdom): The amendment which I propose follows on our consideration of this question this morning. We are, as you know, and as I explained in my first remarks, uneasy lest this reference to bilateral agreements might, in some way, be interpreted later as derogating from the force of the succeeding paragraph which we regard as extremely important, that no refugees who make a good case for not returning to their countries should be returned against their will.

We should, therefore, like to propose that the order of paragraphs (c) (ii) and (c) (iii) should be reversed. We feel that if paragraph (c) (iii) is put in the forefront and precedes paragraph (c) (ii), it will make clearer that those provisions do definitely govern and override the provisions of paragraph (c) (ii). I should, therefore, like to propose formally that the order of those two paragraphs should be reversed.

The CHAIRMAN: As I understand it, the proposal of the delegate for the United Kingdom is that paragraph (c) (ii) be inserted after paragraph (c) (iii), in a word, that they should change places, that paragraph (c) (iii) should become (c) (ii), and *vice versa*, so as to make it clear that no person can be compelled to do this against his will.

Sir George RENDEL (United Kingdom): Yes.

The CHAIRMAN: The only way we can deal with it at the moment, because I do not know whether there will even be a paragraph (c) (iii) in existence by the time we have finished with the discussion, is that further discussion of paragraph (c) (ii) be postponed until after consideration of the present paragraph (c) (iii), when this question of their particular position will be considered. The issue is quite clear. If the Committee wish to postpone the question as to whether (c) (ii) should be (c) (iii) and (c) (iii), (c) (ii), they will vote "Aye." If they think that it should remain as it is, they will vote "No." Perhaps we could agree to postpone the discussion and bring it up later. At least, I would suggest that.

Sir George RENDEL (United Kingdom): Might we have a show of hands, Mr. Chairman?

The CHAIRMAN: As long as I get it unanimously. If there is no objection from any quarter we will postpone paragraph (c) (ii) and go on with paragraph (c) (iii) without any show of hands at all, as we are doing. Paragraph (c) (iii) is now before the Committee, and the delegate of the Soviet Union proposed an alternative. I call upon him.

Mr. ARUTIUNIAN (Soviet Union): Mr. Chairman, I wanted to limit myself to one speech. I have made one already, and I am wanting to make just one more if you permit me. The delegation of the Soviet Union proposes to substitute for paragraph (c) (iii) a new paragraph to read as follows:

"Those refugees who are not subject to paragraph (d) below and who do not wish to return to their countries of origin, should receive assistance in their early settlement in a new place with the consent of the governments concerned: that of the country of their origin and the country of resettlement. The government of the country where the refugees are established may assume the complete cost and the responsibility for their protection."

A few days ago I suggested to the Committee that the General Assembly should recommend the Economic and Social Council to take all the necessary measures for the earliest possible solution of the problem of refugees and displaced persons, once and for all. I said, and I want to repeat it, that there can be no permanent refugees or displaced persons; that they should be returned to their countries, and that those who do not want to return should be re-settled in new places. I thought that that statement found a wide measure of response in the various delegation circles.

Then there is the question of those who do not want to return because they are war criminals, Quislings and traitors and who are afraid of just retribution. They are the so-called refugees and so-called displaced persons, and they cannot receive our assistance. Then the second group includes those persons who do not want to return to their countries and those who for some other consideration want to settle in a new place. We have to assist them. We are already agreed here that we should not confuse real refugees and displaced persons with Quislings, traitors and war criminals. That is stated in the preamble of the draft resolution recommended by the subcommittee. It is necessary to point out in the resolution that all the measures which will be taken in regard to refugees and displaced persons should not be extended to Quislings, traitors and war criminals. The other people, who are real, genuine refugees or displaced persons, but who for some reason or other do not wish to return to their homes, have to be re-settled in a new place. We cannot have permanent refugee camps and camps for displaced persons and so on. These re-settlements can and should be effected with the consent of the governments concerned, that of the country of origin and that of the country of resettlement. I do not know of any other way in which we can effect the resettlement of these various groups who want to find a new place for their home.

Therefore, I ask the Committee to substitute for paragraph (c) (iii) the new paragraph which is before you in the report of the drafting subcommittee.

The CHAIRMAN: I call upon the delegate for the United States.

Mrs. ROOSEVELT (United States of America): Mr. Chairman and fellow delegates, I feel very strongly that paragraph (c) (iii) as it now stands covers the necessary points, and I also feel that the amendment proposed has one very grave disadvantage. The people sitting round this table know that the Committee which will be appointed will have to screen the kinds of refugees that there are; it will be up to them to make a study of refugees and the kinds of refugees. Now, in regard to this particular point, that they have to get the consent of the country of their origin and the country of resettlement, it is the country of their origin which I particularly object to. If a man



does not wish to return to the country of his origin and he is not a war criminal or Quisling or a traitor, he has certain human rights. Now, the country of his origin may recognize those rights, and they may say that he may go.

On the other hand, there have been known cases where the country of origin would be extremely glad to have those people returned, and I think that where the country is glad to have him go, and agrees, that is all completely covered. We do not have to worry about that, but in doing this, in the substitute, we should be really, I think, creating a possible danger, and after great consideration I hope that you will see fit to uphold the original text and not to put in a particular point that I think is open to endangering human rights. We are here to do the best we can to create greater liberty, not restrictive measures.

The CHAIRMAN: I would like to get the opinion of the Soviet delegate. I can do one of two things. I can put the text. The way that the motion will be put is, that the text of the report stand and that that be adopted. Those in favour of that would raise their hands, and those in favour of the alternative text of the Soviet Union would raise their hands again, and I would take one against the other. But, however, there are two additions to the text of the Soviet Union, and what is his wish regarding that? I can either put them all in one, the whole lot at once, or else put the alternative clause in one and then take the other two separately. The quickest way would be to take it all in one, but I want to have the vote as clearly as possible. Are we to take the discussion on the whole lot now, and have the vote separately? I think that would be the best thing to do, to take the discussion on the whole text of the Soviet delegate, so that I can see the best way in the minds of everybody to deal with the matter. There are six speakers down already, and there may be sixty for all I know, but it is a question of what will suit the delegates best. I would like the opinion of the delegate from the Soviet Union.

Mr. ARUTIUNIAN (Soviet Union): We discussed just one paragraph (c) (iii), and I think that the vote should be taken just on this paragraph. Our amendment is to substitute for (c) (iii) in the draft a new paragraph, which is on page 3, and then we could further discuss the other amendments.

The CHAIRMAN: All right, we will adopt that method, but I will be in a difficulty about calling on the delegate, because he said he was only going to make one speech, and that will mean he will make three!

Mr. ARUTIUNIAN (Soviet Union): I apologize, Mr. Chairman, only I was provoked to make one more speech. However, if we are going to adopt that method there is no need for me to commit myself further by making two more.

The CHAIRMAN: All right, we will proceed, and in that case I will call upon the delegate for the Ukraine later. Here is the order of the speakers on that substitute paragraph: El Salvador, Brazil, Yugoslavia, Belgium and South Africa.

The delegate for El Salvador will now speak.

Mr. BARON CASTRO (Salvador): The draft Report represents a sound attempt to meet the various opinions advanced in the Committee.

I would, however, draw your attention to the question referred to by the delegate for Peru that of the final settlement of certain categories of refugees.

Among the refugees, there are many who for personal reasons will not desire to return to their country of origin. It would be a heavy burden for certain countries to keep these refugees inde-

finitely, even with the help of our Organization. Their continued presence would involve these countries in hardship.

On the other hand, there are other countries with small populations, mainly on the continent of America, who are only too ready to offer hospitality to refugees, in view of the help that they may give in agricultural development.

I propose that the Economic and Social Council, or the International Organization which may be created to deal with the subject, be invited to consider the possibility of approaching such Governments to facilitate the transfer of these refugees to the countries which are in a position to give them a welcome.

The CHAIRMAN: The next speaker is the delegate for Brazil.

Mr. CARNEIRO (Brazil): Immigration countries like my own are specially interested in this discussion and above all anxious that a clear definition be given in respect of genuine refugees; the exiled with no crimes or misdeeds on their conscience; the flotsam and jetsam of this war, who must be clearly distinguished from those who bear criminal responsibility.

The paragraph must entirely cover the principles which we wish to safeguard. It must be retained but, in order to avoid any possible friction, it might be desirable for paragraph (iv), suggested by the Soviet delegation, to be added.

The CHAIRMAN: The delegate for Yugoslavia.

Mr. CEROVIC (Yugoslavia): As you have pointed out, we have reached unanimity on many parts of the Report. The Yugoslav delegation, however, is opposed to the terms of paragraph (c) (iii) for the following reasons.

This paragraph makes no distinction whatever between refugees who, for years past, have been suffering on account of their anti-Fascist attitude (like Spanish Republicans and German Jews), and dishonoured "collaborationists" who, though they cannot be stigmatized as war criminals, openly opted for fascism and against the democratic governments of their countries.

The similarity of treatment accorded to these two categories of persons is not equitable, neither is it in conformity with the aims of the United Nations as an association of democratic states fighting against fascism.

Further, the terms of paragraph (c) (iii) that refugees or displaced persons shall not be compelled to return to their country of origin, are superfluous and incorrect. Superfluous, because no delegation has asked that force should be used against the refugees; incorrect, because it involves difficulty for certain states.

An added reason is that it might prevent the return of such refugees who did desire to return to their country of origin.

Lastly, it cannot be considered to preserve the rights of Spanish refugees who, in accordance with the desire so frequently expressed to the United Nations, will soon be able to return to a free and democratic Spain. For these reasons, the Yugoslav delegation is opposed to paragraph (c) (iii), and will support the amendment of the Soviet delegation.

The CHAIRMAN: I call on the delegate for Belgium.

Mr. PORRAS (Panama): Mr. Chairman, on a point of order.

The CHAIRMAN: Yes, on a point of order.

Mr. PORRAS (Panama): There is a difference between the English and the French texts: The French text uses the words "*ne sera contraint*," while the English has "shall be compelled."



The CHAIRMAN: No refugee shall be compelled. I must say, in fairness to the delegate for Panama, I think the draftmanship could be better, to bring the two things together, and that must be looked at in the final draft, without altering the sense. I think it could be made more apparent.

I call upon the delegate for Belgium.

Mr. LORIDAN (Belgium): The views of the Belgian delegation on this question have been fully expressed by my colleague, Mr. Dehousse. I shall therefore be brief. This discussion involves important questions of principle. Mrs. Roosevelt very properly referred to the principle of human rights. The principle of freedom for genuine and innocent refugees to remain masters of their own destiny is one which the Belgian delegation will uphold. Paragraph (c) (iii) no doubt affirms that liberty. It states that no refugee shall be compelled to return to his country of origin; but it lays down one condition, the refugee must express "valid objections."

What are these valid objections?

If a refugee states that he does not desire to return to his country of origin, because he is not in agreement with the political system in force, that is a valid objection. I quote the case of Spanish Republican refugees. Will it be enough for them to state that they are not in agreement with the Franco régime for them not to be compelled to return to their country of origin? I assume the answer to be "Yes"; but why leave any doubt and any possibility of misinterpretation?

I propose, therefore, an amendment to the text, that the words "express valid objections" be replaced by the words "express the desire to." The text would therefore run as follows:—

"No refugees or displaced persons who in complete freedom, and after receiving full knowledge of the facts, including adequate information from the governments of their countries of origin, have finally and definitely expressed the desire not to return to their countries and who do not come within the provisions of para. (d) below, shall be compelled to return to their country of origin."

The CHAIRMAN: Might I explain to the delegate for Belgium that this matter was very thoroughly gone into, and the Committee was unanimous that the word "valid" should remain, for the reason that otherwise people could give quite trivial excuses, just for their own personal advantage and nothing to do with freedom at all, and they might be an embarrassment to the country in which they were remaining. Just as a country has a right to keep people out, so it should have the right, and the international body should have the right, to say: Your reason is so trivial; you have a place which is your home; everything is right for you there, and your reason is a very trivial and specious one. The interpretation of the word "valid" will be entirely in the hands of the international body, and surely we can trust the international body which we set up ourselves to be fair in the matter. It was discussed and those who were the keenest to safeguard the rights of the individual refugee felt that there was a possibility that some refugees might take an undue advantage of the situation, just for their own aggrandizement and not for freedom and liberty generally.

Does the delegate for Belgium insist on his amendment?

Mr. LORIDAN (Belgium): I must press my point all the more, since the English and French texts are rather different. In the French text "raisons satisfaisantes" are referred to; in the English text "valid objections." Something more

than mere shades of meaning are involved and, for these reasons, I must maintain my proposal.

The CHAIRMAN: Well, I think the first thing we had better do is to see which text we will adopt before we amend the text that we have. So that we will take your amendment afterwards, because the one of the Soviet Union comes first. It really means that from the very first word of the passage the whole lot will be wiped out and something else inserted. So that we shall have to see whether these words stand, and then proceed to any amendment of them. So that we just go on with the discussion and I will tell you when to move the amendment.

The discussion proceeds and the delegate for South Africa has the floor.

Mr. EGELAND (South Africa): The South African delegation favours the retention of the original paragraph (1) (c) (iii) as drafted by the subcommittee, and we endorse and accept the observations made by the United States delegate in that connection.

In the second instance our attitude can be briefly stated; the more so, as you have yourself indicated, as we have already had a very full and comprehensive discussion and little purpose could be served by prolonging it. The amendment proposed by our Soviet colleague is in my view clearly incompatible with the original working of the subcommittee's draft, and after the discussion we have had I do not think any individual member of this Committee need be in any doubt as to which of these two incompatible courses ought to be followed. The draft of the subcommittee presupposes the existence among what my Brazilian colleague termed "authentic" refugees or bona fide refugees, not being war or other extraditable criminals who may happen to be politically out of step with the government of their countries of origin. It seems to me the Soviet amendment on the other hand implied the restriction of refugees who will be helped to those who can count on the continuing good will of the governments of what may happen to be their countries of origin, and in that issue it seems to me to be easy for each member to make up his mind, and our attitude is to vote for the original.

I would like to make reference to two further objections to the Soviet amendment. Firstly, acceptance of the Soviet amendment would make for administrative difficulties by whatever body was dealing with the refugee problem. It would involve additional delays, additional work in communicating not only with the prospective reception country, but also with the country of origin in securing the consent of the government of the country of origin to each individual application for refugees' resettlement, and that is going to add, in my submission, considerably to the already great administrative difficulties which will have to be faced by whatever organization is dealing with the refugee problem in the future.

The second point I would make is that the Soviet suggestion, to my mind, is impractical and unworkable in that if it is accepted it would defeat the very object of my Soviet colleague, namely, it would lead to the very result he fears: to perpetuate the existence of the refugee problem; because if only the refugees to whose resettlement elsewhere the government of the country of origin is a consenting party are to be dealt with, there will remain on the hands of the country of refuge for an indefinite time a number of people for whom the government of the country of origin is not willing to sanction resettlement. It seems to me the very purpose which our friend wants to avoid, namely, perpetuation of the problem of refugees, would be defeated.



For those two additional reasons, apart from what appears to be the fundamental difference of principle between the two amendments, I desire to restate that we support the draft as framed by the subcommittee and not the amendment of the Soviet delegation.

The CHAIRMAN: The delegate for Denmark.

Mr. FEDERSPIEL (Denmark): The Danish delegation sympathizes deeply with the human considerations expressed by Mrs. Roosevelt and we should very much like to accept (c) (iii) as it stands. Nevertheless we feel some hesitation in doing so because, in our opinion, it is not made quite clear what "refugees and displaced persons" covers.

The delegate for Yugoslavia very clearly drew up the problem of refugees who are not Quislings, traitors or criminals, but who are nevertheless not bona fide refugees in the proper sense, but imposters, people who fled from their country, who have no real footing in their country and find that they might feel more comfortable in another place. It is a problem whether other countries should be compelled to absorb such elements. The problem may be covered, but I am not sure that it is, by the words "valid objections to returning to country of origin."

We do not propose any amendment to the paragraph as it stands but we suggest that in the report it should in the first place be clearly defined that refugees or displaced persons means bona fide refugees, and in the second place, that some indication should be given as to who is to decide whether the objections to returning are valid or not.

We cannot for these reasons accept the Belgian proposal because we think it is very important that somebody should decide in the first place whether a refugee is bona fide, and in the second place whether his objections are valid. I shall not deal with the question which has been mentioned by the delegate for our country in this Committee, the particular question of intruded persons.

We would propose an addition to (c) (iii) which I think practically all delegates will agree to and which to some extent defines the categories. The amendment runs as follows. At the end of (c) (iii) we propose to insert the words "in the case of intruded persons no objection to repatriation shall be regarded as valid." That, in my opinion, only raises one of the points. There may be other definitions, but if the report makes it absolutely clear that there are a very great variety of refugees and displaced persons, I think the ground will be sufficiently covered by the Economic and Social Council to deal with. Should the Committee object to this amendment, I suggest that it be placed on record by vote of the Assembly that it is quite clear that this particular category of intruded persons is not regarded as refugees or displaced persons in the sense of this recommendation.

The CHAIRMAN: May I direct the attention of the delegate for Denmark to clause (e) which covers a great deal of the ground.

Mr. FEDERSPIEL (Denmark): I quite agree with you, but (e) gives the opposite of arranging the matter by bilateral agreements, and in case the bilateral agreements do not meet the complete result there is still recourse to the Economic and Social Council, and there the question will come again.

Mr. HODGSON (Australia): On a point of order, I understood you to rule just now that the present debate was to decide upon which text we were to adopt; that is to say, the subcommittee's text for the text suggested by the Soviet Union, and you said that when we had done that we could

then consider amendments to that text, and you asked the delegate for Belgium to defer his amendment.

The CHAIRMAN: Quite right.

Mr. HODGSON (Australia): You immediately have an amendment to the original text submitted. I should like to know where we stand.

The CHAIRMAN: Just at that end of the table delegates may not hear. The point is that the delegate for Denmark indicated that at the appropriate time he would move an amendment. We are not discussing the amendment of the delegate for Denmark, except in so far as it comes into the matter generally. Before there are any amendments, the Belgian amendment or the Danish amendment, we have got to decide the main question which I indicated first.

Mr. KNOWLES (Canada): Mr. Chairman, I wish to speak with reference to the matter that is before the Committee. May I, first of all, suggest that even when we have finished the general discussion on item (c) (iii), that would hardly be the place for the kind of amendment proposed by the delegate for Denmark. I suggest that if any amendment is necessary (I do not feel that it is) it should be made paragraph (e), and when it is made it should be made in specific terms. However, that is not what is before us at the moment.

We are now discussing whether we adopt the subcommittee's wording of (c) (iii), or whether we take the alternative wording proposed by the delegate from the Soviet Union. I should like to say that although the differences between us on the opposite sides of this question are quite clear, and there has been a real debate, perhaps a word of appreciation might be offered for the way in which there has been an effort on both sides to reach a common basis. May I point out that when this whole debate started most of us were on the side of the original United Kingdom proposal which had only one interest, and that was referring the problem of refugees to the Economic and Social Council, and the only matter discussed in that paper was that of refugees and displaced persons. On the other hand, shall I say at the other extreme, we had a proposal put forward by the delegate of Yugoslavia which contended that there was no continuing problem, so far as refugees and displaced persons were concerned; that we should only deal with the matter of war criminals and Quislings.

Now, Mr. Chairman, I point out that there has been a movement on both sides, and I trust that in so far as we have moved to the point where we are prepared to support statements making sure that this document does not interfere with the treatment of war criminals and Quislings, that will be appreciated by the Soviet delegate, the Yugoslav delegate, and so on. For my part, similarly, I appreciate the extent to which they have moved in that they have now proposed wording which does imply that there are certain legitimate refugees to whom consideration should be given. I offer that, just to lighten the sharp debate we are having. I think it is very true that there has been, on the side of my friends opposite as well as on our side, an attempt to move towards each other, but in my view, I think that in the subcommittee's draft we have reached, as closely as we can, common ground. I say that because it seems to me that we have in the subcommittee's wording nothing that my friend from the Soviet Union cannot agree with; he will go this far, whereas in his wording there are things which none of the rest of us can agree. In other words, he can support, I think, if he will consider it closely, the subcommittee's wording; it may not be all that he would like but there is certainly nothing in it which can give offence.



Now I offer this further comment. Mrs. Roosevelt has already emphasized our concern with the wording of the Soviet proposal, in so far as it places anything being done for certain kinds of refugees on consent not only of the country to which they are going but also on the consent of the country of origin; and there is that limitation on these human rights and the freedom of movement about which some of us are rather concerned, and we would have that limitation if we were to adopt the Soviet alternative. That is not all. If we adopt the Soviet alternative we do not just add it to the document that is now before us. We strike out the present (c) (iii), and I feel that the statement of principle that there is in (c) (iii) is too vital, too important, and, if I may say so, too sacred for some of us to consider giving up. It is no use anyone trying to suggest that we get around that difference by keeping both. Even my Soviet colleague himself does not propose that we add his wording to the wording that is already there, because they would be irreconcilable. His wording is that certain peoples' movements should be subject to the consent of the governments concerned, whereas the wording of the Committee is that there are some people whose future will be the concern of whatever international body may be recognized or established. Therefore, I feel very strongly, while I do sincerely trust the earnest efforts that have been made on both sides to get closer together, that the subcommittee's wording should be supported.

Just this other word before I sit down. It seems to me that we must keep it before our minds that under the heading now before the Committee we are dealing with the question of refugees and certainly we admit that there are refugees. Our concern is to open up some kind of liberty and freedom for them; but if we introduce into this document too much of the concern of war criminals, Quislings and traitors, we will turn this document, this proposal, from a document to do with refugees into one which is purely restrictive.

I am one who has said before, and I stand by it, that I am very glad to have in this document the protective clause that we come to next, paragraph (d). But let us, having got that, realize that the treatment of war criminals and Quislings is a different subject, and let us not confuse and spoil the fine thing we have in this document by introducing the kind of amendments that will completely change its tone.

I would like to end on a note of appreciation for the distance that our friends have moved as well. But I do feel that the wording which the subcommittee has given to us is the point at which we must reach agreement.

The CHAIRMAN: The voting in this matter is very plain.

Mr. ARUTIUNIAN (Soviet Union): I would ask you to consider our amendment not as a substitution for paragraph (c) (iii) but as an addition to that paragraph.

The CHAIRMAN: That is entirely a matter for the Committee. I am going to ask them whether they will allow that. But I see great difficulty in that. I have the amendment down here as "a substitution for paragraph (c) (iii), with a new paragraph which reads as follows", and so on, and we have debated that, and at this stage I could not recommend the Committee to accept that.

Mr. ARUTIUNIAN (Soviet Union): Mr. Chairman, I would ask you not to interrupt me, first, because my English is not so good, and, secondly, because I have a right to speak here, after all.

The CHAIRMAN: Will the delegate resume his seat for a moment. Please sit down. We can

have no question about whether people have a right to speak or not. Every delegate has a complete and perfect right to speak. I would ask the delegate not to manufacture imaginary grievances. He has a right to speak, but only in the proper order and when a member speaks on a point of order he just speaks to that point of order and nothing else. You are asking whether the Committee will agree to altering procedure and I have given an opportunity to the Committee to decide that.

Mr. ARUTIUNIAN (Soviet Union): Mr. Chairman, I am speaking only on the point of order, and nothing more. The amendment by way of substitution was my amendment, and I have to rise to change this amendment into one of addition instead of substitution. I am making that change now because I want to meet the opinion as expressed during the discussion. The delegate for Brazil said that it would be better not to have it as a substitution but as an additional amendment, and in order to meet that view expressed during the discussion I would ask you to vote on this not as a substitution but as an addition.

The CHAIRMAN: I have no hesitation in ruling that the delegate has no right to suggest anything of the kind; only the Committee can give him the right. Once a motion or amendment is moved it is no longer the property of the delegate moving it; it is the property of the Committee; and only the Committee can alter it or allow an alteration to be made to it. Therefore, I would proceed to ask the Committee whether they will permit the Soviet delegate to move his amendment as an addition instead of a substitution. That is entirely a matter for the Committee. The delegate for the United Kingdom wishes to speak.

Sir GEORGE RENDEL (United Kingdom): Mr. Chairman, we have a proposal before us, which is a new proposal, of the Soviet delegation, that the Soviet amendment, which was to substitute an entirely new paragraph for the particular paragraph of the majority report, should be withdrawn and replaced by a new proposal, that the paragraph should be added to the majority report. Am I in order in giving reasons why it seems to me that that procedure would be most unfortunate?

The CHAIRMAN: Yes.

Mr. ARUTIUNIAN (Soviet Union): May I interrupt, Mr. Chairman? If it is going to cause discussion I do not insist on my changing my amendment.

The CHAIRMAN: Very well. The delegate does not insist.

Mr. CARNEIRO (Brazil): I had requested that para. (iii) be approved and that para. (iv), of the Soviet amendment, be added, and that paragraph only.

Mr. BARON CASTRO (Salvador): I beg you, Mr. Chairman, with all the respect due to your office, to see that the translation of a working language shall be made immediately after the delegate has spoken.

The CHAIRMAN: That is another question altogether. I am sorry that there has been some confusion. There was no suggestion about that. It was only in regard to (ii). The motion now is that the text as suggested by the subcommittee stand. I put it in this form: those in favour of the Committee's words in that particular section of the report, will hold up their hands. Those in favour of the Soviet alteration will vote second.

Mr. HODGSON (Australia): Before you put that—to adopt as a basis for discussion, not to adopt the text—I have an amendment.



The CHAIRMAN: Let me make it quite clear. It is not to be adopted as a basis for discussion at all, but to adopt the text. I have already indicated that in connection with paragraph (ii). There was, however, notice given by two delegates, and those will be dealt with. If delegates will just wait and exercise patience everything will come all right.

Mr. KNOWLES (Canada): On a point of order, Mr. Chairman, rule 67 of the provisional rules of procedure reads: "When an amendment revises adds to or deletes from a proposal" (we have now an amendment to revise a proposal) "the amendment shall be voted on first, and if it is adopted, the amended proposal shall then be voted on." In my opinion, it does not make a very great deal of difference.

The CHAIRMAN: If that is the rule we will follow that procedure; but I think that some of these rules require a lot of amending even now. However, we have to follow proper parliamentary form and style. The motion is that the words be deleted. In that case you cannot substitute words until the words already there are struck out. That is the position. To simplify matters, I will put it in very simple language. Those in favour of the Soviet text will kindly hold up their hands—Those against the Soviet text, in favour of the Committee's text, hold up their hands.

*(There was a show of hands.)*

The Soviet motion is defeated; the Committee's text remains in by twenty-eight votes to six. Now we do not want any discussion at all about this because time is very limited. It is already five minutes past the time we said we should adjourn. As a matter of fact, I suggest we should go on at least till half-past five because it transpires that the sixth Committee does not now require this room and we have been able to get an interpreter. I should like to go on even later. I have engagements and appointments elsewhere, but I shall just have to put them off, like everybody else; perhaps if we went on till half-past five, or even later, we could get through. The motion now is this: it has been moved that the word "valid" be struck out. Those in favour?

Does the delegate for Australia wish to speak?

Mr. HODGSON (Australia): Yes, sir. Unfortunately, I did not have the benefit of the views of the subcommittee, not being a member of it. I do not want this whole text to be accepted as it stands with a vote taken on one word because I should like to have some explanation before I vote on the lot in this way.

The more I look at it, the more I agree with what the delegate for the United Kingdom said, that the question of (iii) is completely bound up with (ii); you cannot discuss them separately. We decided that this was an international obligation, this question of refugees, and not the obligation of any one country, not the obligation of two countries but the responsibility of all. What did we decide to do? To get the facts by the Economic and Social Council; get all the details, and so, having seen the problem, decide what machinery to set up. Now, Sir, they say "Oh no; governments will do that in the first place." Take the case of France. You have so many hundreds of thousands now: how can machinery be set up when you do not know what the problem is or if it is going to be solved between governments? As I see it, governments in the past failed to solve that during the period of the two wars, and it seems to me, Sir, that this Committee has largely made its own future machinery ineffective by that motion which they adopted on (ii). Now, as to the actual text of (iii), I would like some information as to the

words "after receiving full knowledge of the facts." Does that mean political facts, personal facts, economic facts?—"including adequate information from the governments"—what governments, Sir? There are thousands of cases of refugees from Eastern Poland, Estonia, Latvia, Lithuania. Their governments have gone. What governments? I know cases in my own country where we have been trying for ten years to get information from some of the governments without success. You are deliberately clogging the whole of your machinery by that phrase. I say that quite apart from the words "valid objection." Who is going to decide whether the objections are valid?

Personally, I favour the text, but I would like to see it read in this way: "and definitely, in complete freedom, and who have expressed valid objection to returning to their countries of origin and who do not come," et cetera, completely omitting the words "and after receiving full knowledge of the facts including adequate information from the governments of their countries of origin." I would like an explanation as to why those words were added, the reasons which actuated the subcommittee in including them, or, alternately, I will move a motion for their deletion. I would only like to say that I do ask the Committee, if it is possible, to reconsider, when you come to putting (ii) after (iii), to exclude that sentence, as proposed by the United Kingdom delegation, because if you leave it to governments, it is not their responsibility. If you make it the responsibility of the United Nations and you start bilateral negotiation between governments, you will get nowhere and the new body will not know with whom they have got to deal.

The CHAIRMAN: In reply to the honourable delegate for Australia, I have to say that this is a result of that reasonableness that our friend from Canada mentioned and extolled. It was pointed out that it would be fair to the governments of every country if in regard to refugees in the country, they were asked just for whatever information they had. There is nothing there to say that the information at the request of those governments will be adopted. It is simply for the information of the international body that will be set up under the Economic and Social Council; and I can assure the delegate that there is nothing sinister in it at all. It was pointed out by representatives of various governments: "Well, surely our government would at least be asked for an opinion in regard to the matter or for information in regard to certain of its nationals who are now refugees." That information might be helpful or it might be most unhelpful, it might be friendly or vindictive; but in the long run it would be the international body which would decide. I will ask the delegate to accept it, because that is the only intention of it. After all, all the governments concerned are Members of the United Nations and they are entitled to full facts and to be asked for full information; and then it will be for the international body to decide and over the international body the Economic and Social Council and the General Assembly. I think it is quite safe.

Mr. HODGSON (Australia): Sir, I would like to point out that there was no sinister suggestion or idea in my mind, but I think the whole trouble is due to my lack of knowledge of the English language, because the text reads: "no refugees or displaced persons who have finally and definitely, in complete freedom, and after receiving full knowledge." Surely, Sir, that word "who" governs it and refers to those persons—not to governments at all.



The CHAIRMAN: I think I must uphold the honourable gentleman's point; but we will get that adjusted. There is no doubt about that: the text requires adjustment: you cannot have a pronoun referring to two different people. So that it will be adjusted. I thank the honourable gentleman for calling our attention to that.

Sir George RENDEL (United Kingdom): Mr. Chairman, on a point of order: I am sorry, but, having had a finger at any rate in the drafting of that phrase, I feel bound to express a doubt as to whether your interpretation is quite correct. Certainly in my mind when that phrase was drafted the intention was that the refugees in question should have had adequate information from the governments of their countries of origin. I am afraid I did not very much like it: I think it is open to many objections; but we accepted it in the hope of having a unanimous text to which our Soviet colleagues would agree. But I think this quite definitely means that it is the refugees who are to receive full information from the governments of their countries of origin.

The CHAIRMAN: Well, will it mean both? The international body will have to have full information, and also the refugee ought to be put into possession of that, surely? May I say I think it involves both. If the delegate of the United Kingdom will listen: it involves both, surely. The international body will get the information. The refugee would not get it from the government—from his own government. There is no purpose in that; he has no standing to get it. The governments would get it, but the refugee would be placed in full possession of it. That is how I understand it, and I hope that is right. If the Committee does not understand it, it is a pretty bad job.

Sir George RENDEL (United Kingdom): Mr. Chairman, I should certainly understand that it meant that the governments of the countries of origin would be entitled to communicate to the refugees direct such information as they thought adequate. I think what we had in mind was particular camps of Polish refugees, and I think what we were thinking of was that the Polish Government would be entitled to send to those camps, who should pass on the information.

The CHAIRMAN: Quite right.

Sir George RENDEL (United Kingdom): I am not sure that we were not a little narrow in our conception, because what the Australian delegate has just said is very pertinent. I have no doubt it is a perfectly possible course to follow in regard to Polish refugees, but there may be certain refugees such as he has mentioned with regard to whom it would be extremely difficult to follow this, and I think he has mentioned a point which is of importance.

Mr. BAJAN (Ukrainian SSR): I am sorry to speak on a point that does not belong to what we are discussing. The delegate for Australia mentioned the fact that the nations of Esthonia, Latvia and Lithuania have more governments. I object to this. I think the delegate for the Soviet Union stated what was necessary, but I think this remark does not belong to the subject discussed.

The CHAIRMAN: I cannot really make out myself or the Committee as an authority on modern history and geography. We must not discuss this matter. Whether the delegate is correct or not, the other delegate can say he is wrong, and then we go on with the wrong job. Our work is too important to worry about words.

Mr. ARUTIUNIAN (USSR): A point of order, Mr. Chairman. I do not want to speak, but your

remark has made me. You know Esthonia and the other countries mentioned are members of the Soviet Union, and the Soviet Union is represented here, and I think everyone should know the history and geography concerning the Soviet Union which is represented here and not be in doubt as to what is the Soviet Union.

The CHAIRMAN: I rule that it is not a matter of doubt. The affiliations of Esthonia, Latvia and Lithuania are matters of fact, so really we cannot waste time discussing these matters. For example, if you said New Zealand is part of Australia, I would not raise an objection. For the purpose of getting on with the discussion Australia may be part of New Zealand!

Mr. HODGSON (Australia): I would like to make it clear to you and to the delegate from the Soviet Union and the delegate for the Ukraine that I was referring solely to past governments. I am quite aware of their present Government, but I merely pointed out a historical fact and how difficult the problem was in many cases to deal with these things in the way suggested in the text.

The CHAIRMAN: The delegate's explanation is accepted.

Mr. BARON CASTRO (El Salvador): I would very respectfully request the Chairman to rule that the interpretation should immediately follow a statement.

The CHAIRMAN: That is quite right. I was in such a hurry; I wish we could cut it out.

We come to the only substantial amendment, If the Belgian delegate wishes to persist, I will take a vote.

Mr. LORIDAN (Belgium): I should be prepared to withdraw my amendment if a twofold reference could be made in the Report, the first one referring to your reply to the question as to who would be the judge of the validity or otherwise of the objections. You replied that it would be the International Organization, but that is not clear in the text. It follows that the question may be settled through bilateral agreements. The second reference would indicate that political reasons are accepted as valid objections.

Mr. CARNEIRO (Brazil): On a point of order, Mr. Chairman, I would ask you to put to the vote paragraph (iv) and paragraph (v), instead of taking them together.

The CHAIRMAN: What the delegate requests can be done quite easily. The statement I made about validity, I think, is correct, and that can be included in the report quite well.

In regard to the second matter the opinion of the delegate with regard to political reasons, I do not want to start another discussion. May I suggest that he be satisfied with the opinion of myself, but not binding upon the opinion of the Council, that political reasons are valid. I think if he would leave it at that it would be all right. None of the nations of the Assembly would stand for people being compelled against their will. That is the overriding factor. That is why the British delegate wished to put (c) (ii) after (c) (iii) so that (c) (ii) would be the governing decision. I think if the Belgian delegate accepts that it should be all right. I would be glad to meet his wishes to the maximum degree.

Mr. LORIDAN (Belgium): Yes, sure. Thank you.

The CHAIRMAN: There is no objection, is there, to the delegate from Belgium withdrawing his amendment? Now the delegate from Denmark indicates to me that he would not insist upon



his amendment either, if it were noted in the report, and I suggest that we agree to that.

Mr. FEDERSPIEL (Denmark): I should be very glad if we could obtain a manifestation of some sort from the Committee that they agree with the point of view I expressed.

The CHAIRMAN: Well, of course, that is something I could not possibly do. The most that I can suggest to the Committee is that the opinion and the words of the delegate for Denmark be recorded. If we start a discussion on intruded persons we are going to have a long discussion, and, after all, it will be a matter for the Economic and Social Council, and their Commission, or whatever body is set up, to settle it. I would ask the delegate of Denmark to be content with a recording of his views on the matter.

Mr. FEDERSPIEL (Denmark): I shall be quite satisfied with that, provided it is also placed on record that no objection was raised to the point of view expressed.

The CHAIRMAN: I could not do that, because the matter has not been thrown open to discussion. I could not speak for all the delegates. I would ask the delegate not to insist upon that. The matter can be raised at any stage of the Economic and Social Council.

Mr. FEDERSPIEL (Denmark): I accept that, but with the reservation to return to the matter in connection with point (e) where it naturally belongs, as the delegate for Canada suggested. I withdraw it here.

The CHAIRMAN: Yes. The delegate withdraws it and reserves the right, which he has anyhow, to raise it on paragraph (e) dealing with intruded Germans.

The motion now is that the text, as it stands, form part of the report. Those in favour of that say "Aye"; against say "No."

The ayes have it, and it forms part of the report.

Now we have to consider the additional amendments, the new additions proposed by the Soviet Union, and we take one, to include in paragraph (c) a new sub-paragraph as follows:

"No propaganda should be permitted in refugee camps against the interests of the United Nations or her Members, nor propaganda against returning to their native countries; and further that the personnel of refugee camps should be comprised mainly of representatives of States concerned, whose citizens are the refugees."

I call upon the delegate for the Soviet Union.

Mr. CARNEIRO (Brazil): I would request, Mr. Chairman, that this amendment be divided into two parts: To put to the vote paragraph (d) and then afterwards to another vote paragraph (e); not to put them to the vote together.

The CHAIRMAN: That is a quite reasonable request, and it is provided for in the rules that where there are two questions involved a delegate may ask that they be put separately; and it is assumed in the rules that that request will be granted. Anything that will make the issues clear when the delegates vote will be accepted by myself.

Mr. ARUTIUNIAN (Soviet Union): Mr. Chairman and fellow delegates, the Soviet Union delegation is profoundly convinced that one of the main principles which should be recommended by the General Assembly to the Economic and Social Council is the principle of forbidding political intrigues, fascist and semi-fascist propaganda, or other forms of political activity, in camps for refugees and displaced persons under the auspices of the United Nations.

Experience after the first world war, and, unfortunately, that of a number of refugee camps in British and other occupation zones of Western Germany, in Italy and other places, shows that there are certain quarters which are trying to turn camps for refugees and displaced persons into centres of political intrigue and fascist propaganda. The United Nations cannot permit camps for refugees and displaced persons which are in any form enjoying the protection of the United Nations to be turned into sources of dangerous political anti-democratic adventures.

Therefore, the delegation of the Soviet Union moves the inclusion in paragraph (c) of a new sub-paragraph as follows:

"No propaganda should be permitted in refugee camps against the interests of the Organization of the United Nations, or her Members, nor propaganda against returning to their native countries."

I am ready to change the word "propaganda" if it is confusing to anybody to the words "political activity," but I do not insist on that change.

The CHAIRMAN: It is one motion, really, but I will put them separately to the vote.

Mr. ARUTIUNIAN (Soviet Union): I think it is proper to put them separately, Mr. Chairman, but I will not have another amendment.

Mrs. ROOSEVELT (United States): I will be very short on this point, Mr. Chairman. Nobody, unless we disagree entirely with the delegate for the Soviet Union, wants to see the refugee camps turned into small centres of political activity, but when you begin to restrict it and to say you can have no propaganda, who is to say what the propaganda shall be? We are here to establish as much liberty as possible; and I think we should leave rules of this kind to the Committee of the Economic and Social Council because we do not wish to do anything which, in any circumstances, might restrict the freedom of the individual. Under this, it seems to me, as it was worded, and I am not sure that even political activity might not make trouble, might restrict the liberty of the individual to speak his mind, or to receive certain types of information that were not, perhaps, entirely in accordance with what the camp authorities were in agreement with.

On the second point, namely the personnel of the camps to be largely composed of the nationalities of the refugees country of origin, I am completely opposed, and my delegation is opposed, to it. From the practical point of view, it would complicate the position; from the point of view of giving complete freedom. To the refugees it might occasionally make it a little difficult. I oppose both those additions.

Sir George RENDEL (United Kingdom): May I just say two words in support of what Mrs. Roosevelt has said? I wish to convince our Soviet colleagues that we have absolutely no sort of wish or thought of trying to use refugee propaganda against the interests of the Soviet Union; there is no such idea in our minds, and we are most anxious to prevent these groups of refugees becoming a politically disturbing element to any of the United Nations. I think we have stated that over and over again. There is no parallel at all to the situation that existed after the last war. We are now in quite a different political situation, and there is no sort of idea of refugee camps becoming centres of intrigue or propaganda; and every effort will, obviously, have to be made—it will be one of the first duties of the international organization which will be entrusted with the task of looking after refugees—to make sure that these groups of refugees do not constitute a danger or a menace of any kind to the countries of which they were once



nationals. But the word "propaganda" is a very dangerous word, and even the phrase "political activity" is an awkward one. When people get together they inevitably talk politics; they produce their little papers; they have their films; they have their debating societies; they have, in fact, their communal life; and if, at this stage, we insert in our recommendations a rigid prohibition against all propaganda or political activity we may find that we have gone rather further than we intended to go in this matter; and we may expose the organization which has to deal with refugees to accusations and complaints that it has failed in its duty and difficult controversies may arise, and the object we have in view will not really be assisted. I should, therefore, like, on behalf of the United Kingdom delegation to support Mrs. Roosevelt's plea that this amendment be not adopted. As regards the second amendment, I can really add nothing to the very convincing case which Mrs. Roosevelt has already made against its adoption. I am very glad, therefore, to support Mrs. Roosevelt in the objections she has raised to both four and five of the Soviet Union's proposal.

The CHAIRMAN: Delegates will recollect that at the beginning of this sitting the delegate for the Ukraine wished to discuss this very matter, and I asked him to be kind enough to postpone his remarks until we reached it.

I now call upon the delegate for the Ukraine.

Mr. BAJAN (Ukrainian SSR): At the beginning of our meeting I stated some facts, and, of course, our object is to defend freedom and equality. I should like to refer to the fact that in some refugee camps there is fascist propaganda going on. The delegate for the United Kingdom emphasized the fact that he does not want these camps to become schools of propaganda, with which we quite agree. Therefore, I am wondering whether we could not include quite a brief paragraph dealing with this matter. I must really emphasize that the propaganda that is going on is not wholly by word of mouth, but that it happens that people are beaten or shot. Therefore, as I say, I would like the paragraph to include some reference to that type of propaganda.

The CHAIRMAN: The delegate for Australia.

Mr. HODGSON (Australia): I feel that the Soviet first amendment is reasonable and I think that we might well accept it. You will notice it does not use the imperative words "shall be permitted" like the language throughout the rest of his resolution, and I think that should largely meet the point raised by the delegates of the United States and the United Kingdom. As to the second one, I propose to vote against it for reasons which have already been so clearly stated by the two delegates I have mentioned. I propose to vote for the first amendment.

Mrs. VERWEY (Netherlands): Mr. Chairman, I think the adoption of the Soviet resolution would lead us along a very dangerous road. If we say that no propaganda should be allowed in these camps, if we exclude all kinds of propaganda, and I am thinking now of the Jewish camps in Germany where Zionist propaganda is going on, we shall find ourselves in difficulty. I am well aware that there may be governments who are not inclined to turn a very friendly eye upon this Zionist propaganda, but I strongly oppose those who would not give them the opportunity of making that kind of propaganda; I think that if we adopt language like this we shall be excluding such people from the rights of free speech and of a free press. These people living in the camps must feel themselves second-rate citizens of the world. I am most strongly opposed to any measure that takes from them those fundamental human rights.

The CHAIRMAN: I call upon the delegate for the Philippine Commonwealth.

Mr. GALLEG0 (Philippine Commonwealth): We who for nearly four years had been under the occupation of Japan knew and experienced what it was to be deprived of freedom including freedom of speech. Consequently, we realize, perhaps equally with other people, what the violation of this fundamental freedom means. Repeatedly during the course of the war we heard through the radio that the Allies had sacrificed everything to the purpose of preserving the four human freedoms which I recall being pronounced by the late Franklin Delano Roosevelt of the United States of America. We also understand that one of the guiding principles which led fifty-one nations to recognize the United Nations Organization is for the protection of certain inherent and fundamental human freedoms, including the freedom of the press and freedom of speech. We believe that if the Soviet proposition is approved it will amount to a practical abridgement or derogation or modification of these inherent and fundamental human freedoms. It is true, as the delegate for Australia has said, that the proposed amendment uses the word "may" and not "should," and we admit that; but from the very moment that we accept an amendment using the word "may" we consider that that opens up an opportunity for restricting the very freedoms which we want to preserve and protect. For these reasons we believe that the Soviet proposition is incompatible with one of the purposes and objectives of the Charter of the United Nations.

Mr. CARNEIRO (Brazil): Having supported the Soviet amendment, I should like to make my position clear. There is no question whatever in the text that we have before us of limiting freedom of propaganda, but of restricting in refugee camps a specific propaganda which, as clearly laid down in the Charter, would run counter to the interests of the United Nations and the return of refugees to their country of origin. The text of the amendment is clear. It is in no way contrary to the supreme rights of man, nor to the objects at which all of us here aim. In my view, we must lessen the opportunities of friction caused by the strong feeling which prevails whilst war memories are still vivid. It is in the name of peace that these refugees enjoy a special status. They would be paying a tribute to the United Nations which protects them by avoiding any propaganda likely to be harmful to this Organization and to be contrary to their own resettlement in their countries of origin.

Mr. ARUTIUNIAN (Soviet Union): Mr. Chairman, I want to say that there is some misunderstanding here. Nobody wants to throw away in the camps of refugees freedom of speech. We understand very well that freedom of speech is one of the main human rights; but we did not win the last war in order to permit fascist propaganda or semi-fascist propaganda under the auspices of freedom of speech or under the auspices of the United Nations so as to create a new dangerous situation which will bring us to a new war. There is nothing in the Charter which permits fascist and semi-fascist propaganda under the auspices of the United Nations. On the contrary, we created our Organization of the United Nations in order to preserve the peace which we won in the war against the fascists, and how we can promote now a new fascist propaganda in the camps of the refugees under the auspices of the United Nations I cannot understand. Therefore I suggest this should not be defended in the name of freedom of speech. I respect freedom of speech very much; we want freedom of speech, but are we going to



allow these camps of refugees to become centres of political intrigue against the United Nations or centres of fascist or semi-fascist propaganda against the United Nations? That is the question we want to clarify. I think we want just not to permit propaganda or other political activity against the United Nations. That is not against freedom of speech or against the four freedoms, which we all respect very much.

Mrs. ROOSEVELT (United States): I will only occupy a minute or two of your time. I want to try to clarify this in our minds. In the first place, it is extremely difficult administration when you say you will allow people to say some things but will not allow them to say other things. That is administratively extremely difficult. Now I want to try to give an illustration of what I really think about this situation. My colleagues from the Americas will perhaps understand it a little better than some of the other people around the table. Let us suppose that we had, for instance, a camp of refugees from the island of Puerto Rica, which has in it many varied people at the present time, each group of which believes quite honestly that a certain thing should be done by the Government. Suppose you had them in a camp. We are Members of the United Nations. Do you mean to say they could not say, while they were in that camp: "We do not like the United States." I submit that under the terms of this proposal that would not be allowed, because it would be regarded as propaganda against the United Nations. But I believe that should be allowed; I believe it should be permissible to say what you think and what you believe is right, even though it may be for the moment against the United Nations or against a member of the United Nations. I am only using this as an example. We have no Puerto Ricans in a camp here and this thing may never arise, but in other situations I want to show that the administration of this is extraordinarily difficult and I think it involves the principle of liberty. I think we fought this war to give a maximum amount of liberty wherever it is possible to give it.

The CHAIRMAN: Those who are in favour of the addition proposed by the Soviet Union marked "4" will please hold up their hands. Those against? The motion is defeated by seventeen votes to ten.

Now we will vote on number 5. It reads "The personnel of refugee camps should be comprised mainly of representatives of states concerned whose citizens are the refugees." Does anybody wish to speak on this? If not, those in favour of the proposal hold up their hands. Those against? The proposal is defeated by 21 votes to 7. The words will not be inserted.

Now we come to the further addition, to add to paragraph (d) the following words—the Secretary has corrected me and drawn my attention to the fact that I must not take the motion of Sir George Rendel; I must take the motion of the United Kingdom that (c) (ii) be numbered (c) (iii), and (c) (iii), (c) (ii). It is just a question of the transposing of the two sections. Is there any objection? If there is no objection the sections are transposed.

Sir George RENDEL (United Kingdom): I think, Mr. Chairman, you said we would conclude the discussion of (c) (ii) after (c) (iii) had been taken.

The CHAIRMAN: The motion was that further consideration of (c) (ii) be postponed until after (c) (iii) is dealt with, and that is right. It is quite in order. The transposing has taken place but the further consideration is in order.

Sir George RENDEL (United Kingdom): I have a proposal to make.

The CHAIRMAN: The United Kingdom delegate wishes to move an amendment to (c) (ii).

Sir George RENDEL (United Kingdom): I am sorry to speak at this late hour, but it is rather important. I think the text as it stands, apart from not being English, is a little obscure. It says: "Such assistance may include such bilateral arrangements." Now the assistance is obviously to be given by the international body which we are trying to create, but the international body cannot conclude the bilateral arrangements. Therefore the assistance cannot include bilateral arrangements; it can only include the furthering of bilateral arrangements. Might I suggest, with some diffidence, an alternative wording which I think would not alter the sense? It would be: "Such assistance may take the form of promoting the conclusion of bilateral arrangements for mutual assistance in repatriation of such persons." And I would like to add: "having regard to the principles laid down in paragraph (c) (ii) above."

The CHAIRMAN: As the first words just make clear the meaning of the assistance, that puts it into grammatical order, and the second places the matter beyond dispute and just clarifies it, I do not see any objection to this at all, and if there is no objection I will just say the change is made. There is nothing substantial about it. We will pass on now to the final amendment by the delegate of the Soviet Union, to add the following words to paragraph (d) which, taken together with the original text, would stand as paragraph (1) (i) (c). "Quislings, traitors and war criminals, and persons dishonoured for collaboration with the enemy of the United Nations in any form should not be regarded as refugees or entitled to the protection of the United Nations."

The delegate for the Soviet Union.

Mr. ARUTIUNIAN (Soviet Union): I do not want to speak.

The CHAIRMAN: I am just informed that in regard to Sir George Rendel's amendment there is some objection that a vote was not taken. I will be pleased to take a vote. The reason I did not do so was that I just asked if there was any objection and there was no objection. I did not hear anybody say "objection," and I may have many capacities—I hope I have—and many qualities, but that of thought-reading and clairvoyance have never been among them. The amendment will be read.

The SECRETARY: "Such assistance may take the form of promoting bilateral arrangements for mutual assistance in repatriation as may be agreed upon, having regard to the principles laid down in (c) (ii) as it now is."

The CHAIRMAN: Those in favour of the amendment will hold up their hands. Opposed? No opposition. The same conclusion, so that is all right.

The Soviet delegate does not want to speak on this one, does he?

Mr. ARUTIUNIAN (Soviet Union): No.

The CHAIRMAN: Will those in favour of the final amendment of the Soviet Union hold up their hands? Those against?

The amendment is defeated by fourteen votes to nine.

There is another amendment by the Soviet Union. The following sub-paragraph d (ii) "recommends to the government concerned that Quislings, traitors and war criminals who are still hiding under the guise of refugees should be immediately returned to their countries?"

Will those in favour please hold up their hands?

Those against?

The amendment is lost by thirteen votes to nine.



We now come to (e) which reads: "Germans being transferred to Germany from other States, or who fled to other States from allied troops, do not fall under the action of this decision insofar as the situation may be decided by allied forces of occupation in Germany in agreement with the governments of the respective countries."

Mr. FEDERSPIEL (Denmark): I propose the following addition to this clause: "In the case of these persons, no objection to their repatriation shall be regarded as valid in the sense of paragraph (c) (iii)." I do not think I need give any reasons for that. I have explained it before.

Sir George RENDEL (United Kingdom): The amendment suggested by the Danish delegate is obviously suitable in the case of Denmark, and I imagine they are all real Germans and were put there by Germans, so that I cannot imagine any Commission or Committee for one moment having any objection to their repatriation, and, if the international body which we are hoping to set up is at all capable and fairminded, it will not regard any objections they make as valid. But there are cases where intruded people may have been put in by the Germans or by other people of doubtful nationality where it is extremely difficult for them to go back to their countries. There may be populations moved from one part of the country to another by the Germans, and who have intruded into another part, and they may have perfectly good and fair reasons.

Therefore, while I quite understand the views of the delegate for Denmark, the amendment as suggested as one of general application might be most dangerous and inconvenient.

The CHAIRMAN: Are there any other speakers on this question? If not the Chief of Section will read the amendment proposed.

The CHIEF OF SECTION: The amendment was a suggested addition of the words if I understood them rightly: "In the case of these persons no objection to their repatriation shall be regarded as valid in the sense of paragraph (c) (ii)."

Mr. FEDERSPIEL (Denmark): That is right.

The CHAIRMAN: If there are no other speakers, will those in favour of the words of the Danish amendment being added, please hold up their hands? Those against? The amendment is lost.

Those in favour of the clause as it stands, please hold up their hands. Twenty. Those against?

Mr. HODGSON (Australia): I invite your attention to the fact, Mr. Chairman, that you have rejected the Soviet objection to (d) but you have not actually put the adoption of (d) to the meeting.

The CHAIRMAN: I stand corrected. It is a question of (d) as it stands. Those in favour of (d) as it stands, please hold up their hands. Those against?

Carried unanimously.

Mr. PORRAS (Panama): I propose the following amendment:

"Spanish refugees shall not return to their own country until such time as a democratic régime, capable of upholding their rights, has been established. In the meantime, they will enjoy the same rights as the citizens of the country in which they have found asylum."

My remarks will be short. A distinction must be drawn between refugees from countries which have been liberated as a result of the action of the Allied armies, and those of countries which have not been so liberated. Spanish refugees cannot return to Spain. I request the Committee to consider this position, which is of quite a special kind, and I urge that my amendment be put to the vote.

The CHAIRMAN: As the amendment stands, it is not competent to be passed by this organization. It is very difficult to put the position because I do not think any Spanish refugees would want to go to Spain under Franco, and they certainly would not be sent there. That part does not seem to me to be necessary. The other part, however, really puts in words what all the United Nations have done. They cannot make them nationals but they have given them status, particularly the South American countries, Mexico, the United States, Great Britain and France, all the countries have given them that status so far as is humanly possible. The problem will be to get some of them back to Spain under any conditions because they are a lot of able men and women and have done remarkably well elsewhere.

I would suggest that, perhaps, the delegate would consult with the subcommittee as to the actual words that could be used to show sympathy, for the Spanish refugees: complete sympathy, assistance and help; and that we could consider the exact words tomorrow. Perhaps the representatives of the Soviet Union, the United Kingdom, the United States and Panama will get together to see if they can frame a suitable resolution expressing complete sympathy with and support of the Spanish refugees.

Mrs. LEFAUCHEUX (France): I would ask that I may examine the proposed formula with the delegate for Panama, for in France also we have many Spanish Republican refugees. I am entirely in agreement with the views expressed by the delegate for Panama.

The CHAIRMAN: I think that is very reasonable indeed, and I thank the French delegation. No country has so many refugees as France. Now, will the delegates of France, the Soviet Union, the United Kingdom, and the United States of America meet the delegate of Panama and endeavour to draft a suitable resolution that could be brought here? I should be very glad if they would do that.

Mrs. ROOSEVELT (United States of America): I wonder if the delegate would possibly consider putting what he wants said by simply asking to have it included in the report, because I feel that it is going to take a great deal of time for us all to get together again. The object which he wants achieved could be achieved by his simply phrasing something and asking to have it included in the report, as I am about to do on something else, because in my speech the other day I said something like this: "I do not want to include this in a formal resolution, but I would like to have it said in the report that the Committee stress the importance of existing inter-governmental agencies maintaining their activities for the benefit of refugees pending the outcome of the proposed study of the report." That is what I said in my speech. I do not want it as a formal resolution, but I would like it to be noted in the report, and I am wondering whether the other matter could not be also treated in the same way, which would save a great deal of our time.

The CHAIRMAN: I would like to meet everybody in regard to this particular matter. Mrs. Roosevelt read out what she wanted, and I think the Committee would have no difficulty in agreeing to that going into the report. I would further say that a statement could very well go to the effect that the Committee were in full sympathy with the sentiments towards the Spanish refugees. I think that would meet the situation. I think the Bolivian delegate wishes to speak, but before he speaks I think I should say that at the General Committee I was informed that there was a resolution, I think it was of Bolivia, in regard to Spain.



Mr. PORRAS, (Panama): No, it was Panama.

The CHAIRMAN: It was Panama. It was unanimously recommended to go before the General Assembly. It was a resolution dealing with Spain.

Mr. PORTILLO (Bolivia): I am sorry to prolong the discussion, but I should like to submit an additional proposal on humanitarian grounds. I hope that this proposal will not involve any discussion; otherwise, I should like the text to be included in the Report.

I have listened to the admirable statement made by the delegate for Salvador. I consider it urgent and essential to recommend that the committee to be set up by the Economic and Social Council, in accordance with para. (b), to consider the possibility of raising the necessary sums and providing transport for the transfer of refugees and displaced persons who are free from any suspicion of wrongdoing to the American Continent, within the limits of the quotas which the Governments concerned will notify to the competent Organization.

The CHAIRMAN: We are in a strange position where we cannot decide anything because we have no quorum; we are one short of a quorum. We have lasted out very well; it has not been bad. All I can do now is to ask that the references made be prepared for mention in the report. There are our friends from Panama and Bolivia. We cannot deal with a motion now, unfortunately. I will ask that the report be prepared. According to the answers to the enquiries I have made I do not think it is possible to have the report ready before Monday morning, and we shall have to meet on Monday morning.

In the meantime, there are two other matters to be disposed of. There is a notice of motion from the Cuban delegation dealing with the setting up of a committee or commission of the Economic and Social Council to deal with cultural and educational matters, not, I understand, antagonistic to the organization shortly known as UNESCO, recently set up, but to bring that into affiliation. That should be disposed of tomorrow. Also, there is a motion in regard to the desirability of women participating to a greater extent in matters of social, political, economic and humanitarian concern, which is in the name of the delegate for France. There was also an indication of the formation of a commission or body of the Economic and Social Council which would deal with the status of women. Now, these matters should be discussed tomorrow, and the question is, when we can meet. The meeting is already scheduled for 10.30 tomorrow morning in this room.

Mrs. LEFAUCHEUX (France): I should like to make a small correction.

The French proposal is not aimed at a greater participation of women in economic and social questions; it is a motion of a general kind, an expression of hope concerning the representation of women in the various delegations of the United Nations, which we should like the General Assembly to support.

The CHAIRMAN: Yes. This is the motion that was sent in by the French delegate:

"Considering the desirability of recognizing the part played by women during the war and their participation in the work of the resistance movements and the armed forces, and the desirability of interesting all the women of the world more directly in the efforts of the United Nations Organization as well as in the maintenance of peace and in social progress.

Considering the desirability of applying both the letter and the spirit of paragraph (c) of Article 55 of the Charter, which lays down that

the principal aim of the Economic and Social Council is to promote universal respect for and observance of human rights and fundamental freedoms for all, without distinction as to race, sex, language or religion.

The third Commission suggests the adoption by the Assembly of the following recommendation:

"Feminine participation should occupy a more important place in the various delegations to the next conference of the United Nations."

The CHAIRMAN: That motion will come up tomorrow after the Cuban resolution.

Sir George RENDEL (United Kingdom): Only one word, Mr. Chairman. It has been proposed that certain suggestions made by the delegate for Panama and the delegate for Bolivia should be included in the report.

The CHAIRMAN: Yes, it shall be prepared for inclusion in the report.

Sir George RENDEL (United Kingdom): Because you will give us an opportunity of discussing that? We do not dissent from it, but it might be difficult . . .

The CHAIRMAN: I cannot prevent it, because it is a new text. There can be no discussion on the rest, except as to whether it is an accurate interpretation of the decisions of the Committee. We cannot discuss the merits of any other section; but in regard to this particular point, of course, that is a new matter and we shall have to look at it. I hope that it will be drafted so that there will be no discussion about it.

Mr. ARUTIUNIAN (Soviet Union): I am in full sympathy with the Panama proposal on Spanish refugees. I think that we have in some way to express our sympathy with those refugees. If there is a resolution and we stand as you have told us, I think the best way would be to include in the resolution a paragraph expressing our sympathy with the Spanish refugees; that is to say, if there is any such resolution; if there is no such resolution, I would favour a special amendment to implement that. It could not be part of this resolution, which we have already, but it would express our opinion not only in writing in the report but also as the organized opinion of the General Assembly, our full sympathy with the Spanish refugees.

The CHAIRMAN: My information, and it is good information because it is corroborated by the delegate for Panama, is that such a resolution of sympathy would be a resolution against Franco's Government. That is so, is it not?

Mr. PORRAS (Panama): My resolution?

The CHAIRMAN: Yes. What we want to know is whether you want the suggested resolution of the Soviet delegation to be amended and put before the Assembly?

Mr. PORRAS (Panama): The Resolution which I submitted to the Chairman of the Committee takes into account what was decided at San Francisco (Articles 4 and 2). It also takes account of what was decided at Potsdam, and I do not suppose that the three Great Powers are likely to go back on what they have already decided. There is also a Resolution of the Assembly designed to ensure that all the United Nations take into account the spirit and the letter of what was done at San Francisco and Potsdam in future relations with Spain. This question was discussed by the General Committee this morning, and I was much honoured to learn that the delegate for the United States of America had warmly supported the motion, asking that it should be referred forthwith to the General Assembly and not to the Committee.



The CHAIRMAN: Well. We shall have to leave that matter and see what the delegate for Panama does. If we can we shall have to see about a resolution or an addition, whatever the Committee want, on Monday morning. In the meantime, the Committee will meet here tomorrow morning at 10.30.

Mr. KNOWLES (Canada): At the moment, in connection with the matter raised by the delegate for Bolivia, like the delegate for the United Kingdom, I do not dissent from the idea, in fact, I rather like it, but it seems to me that it is covered by the words on page 2, (c) (iii), where it says: "The future of such refugees or displaced persons shall become the concern of whatever international body may be recognized or established as a result of the report," and so on. It does seem to me that it might be pointed out to the delegate for Bolivia that his wish that something be done about these refugees is already covered in the document.

The CHAIRMAN: In this uncertain world, at this most uncertain conference, we are not sure that we can meet here at 10.30, because another meeting is being held at 11 o'clock, and in my most optimistic moments I would not think that we could get through in half-an-hour. However, if delegates like to risk it, well and good; if not, they will have to refer to the *Journal* for the place and time of our meeting tomorrow. All I am sure of is that this meeting is closed.

*The meeting rose at 7.15 p.m.*

#### (7) Eleventh meeting

*Held at Central Hall, Westminster, on Sunday, 10 February 1946 at 11 a.m.*

Chairman: Mr. P. FRASER (New Zealand).

The CHAIRMAN: As this meeting is for the purpose of determining the accuracy of the text, and the text represents the decisions of the Committee and has nothing whatever to do with the merits of the decisions, we have twenty-four delegates here now and, with your permission, we will start reading it. If there is no objection, I will call upon the Rapporteur to commence reading the document. The Rapporteur will also have a few interjectory remarks which she proposes to make at the time to the Assembly and she will read them as a preliminary to commencing the report.

Mrs. DALEN (Rapporteur): In presenting the report on the question of refugees which it is proposed to submit to the General Assembly, I think the Committee will agree with me that the importance of the subject has been proved by the length of our discussion and by the keen interest and concern that have been shown by many delegations. No doubt, the Committee will approve the suggestion already put forward by more than one delegation that the verbatim record of the Committee's proceedings should be made available to the Economic and Social Council which is now called upon to make a thorough study of the question of refugees and displaced persons and report its findings in due course to the General Assembly.

In section I it is explained how the matter of refugees came before the Committee and the various proposals made to the Committee are enumerated. It was not possible to give in the report a detailed description of the discussion of the Committee, but it was thought that it might be of some help to the General Assembly and, in turn, to the Economic and Social Council, to include in section II of the report a summary analysis of some of the main points of view put forward regarding both the nature and importance of the problem and the machinery for dealing with refugees and displaced persons.

Section III, as you will note, contains the resolutions as finally adopted for submission to the General Assembly, as well as certain invitations made by the Chairman, together with statements by certain delegations for inclusion in the report.

The CHAIRMAN: There are three parts of the Report. We will take part I, which is very brief and introductory.

*(The Rapporteur read part I of the report: document A/C.3/24.)*

The CHAIRMAN: That is the first part. Is it necessary to read the translation? The delegate for France says "No," and I am sure the delegate from Belgium concurs.

Mr. AGLION (France): I will merely say that I agree with the proposal to omit the reading of the French text. The text itself, however, has not been translated in a satisfactory manner. I think the translators have been overwhelmed with work to such an extent of late that they have been unable to revise all the small details. Nevertheless, I am obliged to make reservations with regard to the language of the report.

The CHAIRMAN: That is very fair. Perhaps the French, Belgian and any other delegations perfect in French would see the Secretariat and make the necessary adjustments in the text. Sometimes one cannot get the exact shade of meaning in a translation.

If there is no objection to part I, I shall consider it as adopted.

*(Part I was adopted.)*

Mrs. DALEN (Rapporteur) then read part II of document A/C.3/24.

The CHAIRMAN: You have heard part II read, and the question is, does it give a fair representation of the discussion? I think it is very good, personally. I think it has balanced up the whole thing. I think it is a remarkably good job. It is not intended that every delegation should be mentioned by name, but it does balance the argument for information. It is really for the information of the Assembly, and mainly for information through the Assembly to the Economic and Social Council on the various points of view.

The delegates of the United States of America and the Soviet Union.

Mrs. ROOSEVELT (United States of America): I only have a very brief remark to make. The delegation felt that on page 5 it would be a little more accurate under "Existing agencies" if it could be worded this way: "Pending whatever reorganization might be undertaken as the result of the proposed study and report, there was general agreement as to the importance of the existing agencies carrying on their activities for the benefit of refugees." I do not want to delay things; that just seemed a little more accurate.

The CHAIRMAN: Would you repeat the words slowly?

Mr. CONFINO (Interpreter): I will read the English. Under "Existing agencies," paragraph 12, page 5 of the English text, the United States delegation suggests that this should read: "Pending whatever reorganization might be undertaken as the result of the proposed study and report, there was general agreement as to the importance of the existing agencies carrying on their activities for the benefit of refugees." Strike out the word "desirability" and the words "temporarily was emphasized by many delegations."

The CHAIRMAN: Perhaps the Secretary will read it as he has got it.

Mr. PICKARD (Associate Chief of Section): There are only two sets of words that disappear.



The words "the desirability" go out and the words "temporarily was emphasized by many delegations" also disappear, and then it reads: "Pending whatever reorganization might be undertaken as a result of the proposed study and report there was general agreement as to the importance of the existing agencies carrying on their activities for the benefit of refugees." Strike out the words "the desirability" and the words "temporarily was emphasized by many delegations."

The CHAIRMAN: Is there any objection to this alteration? Is it accepted? The alteration is carried and the paragraph will appear in the amended form. The delegate of the Soviet Union.

Mr. ARUTIUNIAN (Soviet Union): Mr. Chairman, a point of order. This second section of the report of the third Committee is a very important one. General considerations are to be taken into account in the formation of policy. It is not an easy job to give a general review of the discussion which has taken place in this Committee, and although I am in sympathy with what you have said about the report, at the same time we have a rule that any document should be in the hands of the Committee twenty-four hours before discussion so that they may have time to study it and give consideration. From my point of view there is necessity for some alteration in this section 2, and it is very difficult now to give that consideration, and therefore I would ask you to give an opportunity for the delegates to study this second part and then to give their remarks.

The CHAIRMAN: As the delegate has raised the question of getting more time to study the report I could not oppose that. I had hoped we would be able to meet here because I thought that the best thing to do would be to put in section 3 the findings of the Committee. I think under normal circumstances that would be the best thing to do and not to worry much about what has been said, but it so happens that in this case it is very desirable that the Economic and Social Council should have a précis of all the points of view given, and this section 2 is really only a reporting effort. It is not the executive part of the report, but it must be an accurate report, and if delegates feel, if even one delegate feels, uneasy about the matter I would have to say there must be time to consider the report, because I do not want it said in the Assembly that delegates had not a full opportunity of studying the text, and I think it may expedite matters if they do. We must get the report in if possible at all before the Assembly tomorrow, and I am at a loss to know when. I do not think we can meet again today because there are certain important matters coming up in the Assembly at five o'clock, and personally I must be there. I am afraid it will be a question of meeting tonight or tomorrow morning.

*(Several delegates expressed a desire to meet tomorrow morning.)*

The CHAIRMAN: That seems to be heart-felt. If a delegate raises a question and says that he has not had time to study a document, then obviously our duty is quite plain in this matter; there is no question about that at all. The question now is: When can we meet?

The delegate of the United Kingdom.

Sir George RENDEL (United Kingdom): Mr. Chairman, obviously the course of the discussions which have taken place in this Committee must be correctly known to the Assembly and to the Economic and Social Council; but there was a proposal made in our earlier discussions that the verbatim text of the speeches made in this Com-

mittee should be made available to the Economic and Social Council when they are considering this question; so that I was wondering whether, perhaps, that fact might not make it a little easier for the Soviet delegate to accept this as it is, because it would mean that the actual words spoken by delegates, and particularly the Soviet delegate, would all be before the Economic and Social Council when they came to consider this question. I do not think the danger of any possible misunderstanding is a very serious one. It is only a suggestion that I am making in case it might help. If, of course, we do not meet till tomorrow morning, I presume that the Assembly will also require twenty-four hours in which to study the document, and perhaps that might mean that it could not come before the plenary session until Tuesday. I suppose that is practical, and I am not opposing the Soviet delegate about this; I am only wondering what is the best way of saving time. While I am speaking, might I draw attention to one, I think, misprint in this text? At the bottom of page 3 of the English text there is the phrase: "... the danger would arise, they believed, from leaving the problem of political dissidence to take care of itself," and so on. The word "dissidence" is spelt with *ce* at the end. That means abstract political disagreements; and I think it should be dissidents with a *ts* at the end, applying to the concrete problem of those people who are in disagreement. I do not think it should be the business of the Committee to discuss the abstract problem of political dissidence.

The CHAIRMAN: Yes, that is quite right: there is that verbal alteration to be made which is obviously correct, and I think we can agree to that.

The delegate of Iraq.

Mr. ABBASS (Iraq): We all want to get through our business as soon as possible; but I really cannot help associating myself with the demand made by the representative of the USSR. I have read through this report and I have found at least one point missing, and that is a point which was brought up by the delegates of Egypt, the Lebanon and Iraq. We wanted it made known that we wanted the Economic and Social Council to study this matter and to differentiate between humanitarian questions and other considerations which are concerned, especially in the case of Palestine. That point is not mentioned here. Besides that, there are many other general sentences which might lead to the conclusion which might be objectionable to my delegation, and I should not be able myself to be in a position to vote for the report or against it unless I had time to consult my delegation. For this reason I ask that we be given more time to study it. As to the point raised by the delegate for the United Kingdom, that we should have the verbatim report of speeches, I think that is a very good idea. We could do both. I think there is a good deal to be gained by getting the verbatim speeches and by studying the report more carefully.

The CHAIRMAN: I wish to make it clear, in regard to the point raised by the delegate of Iraq, that the only question for the Committee is the accuracy of the report. If something essential has been left out, if something essential that has been said has been left out, then obviously it ought to go in. If something is in which does not represent a particular point of view it will have to be adjusted, but I think it is a remarkably accurate report so far. However, there may be adjustments required. Whether certain statements that are made please delegates or not, that is a different point, and any discussion on those lines would be out of order altogether: that will not be discussed, whether they are pleased or not with the sentiments expressed, because that is all past and gone and done



with. If the delegate of Iraq does not like certain statements that are made, that is irrelevant. It is irrelevant whether a particular statement pleases a delegate or not. The question is: was it made or was it not, and is it a fair representation of the statement that was made? That is the only point at issue. All the discussion has gone by, is finished and closed and could not be reopened. But if anything was left out as to what was said, then that would be included. The only point is the accuracy of the report and does it fairly report and does it fairly represent the different points of view expressed; not a question of validity or whether those points of view are accepted. That does not matter.

Mr. ARUTIUNIAN (Soviet Union): I should like to refer to the remarks made here by the British delegate, concerning the verbatim records of our meetings. I agree with what he said. Therefore, I think it would be more logical in that case to omit section II if you want to hasten our work and to deal only with section III. We cannot approve that section today; that is out of the question. And we have to have one more meeting tomorrow morning, if not today, because we are dealing with the same thing, so that we would either have to deal with it later today or right now. But if we want to save time we should deal only with section III now. I agree completely with the proposal that has been made and I would vote for it. Then as regards section II we could deal with that at another meeting; and I think that it would be better to go on and vote, or to take section III only, or to arrange a new meeting, because I do not think that it would be good enough to continue our discussions on that matter. After all, it is not only my opinion that has been expressed; that we must be given time for the consideration of this matter. We cannot approve this document if we have not had time for consideration of it. We have had this document for about one hour, and I have not had time to consult with my delegation. I may not be able so quickly as other delegates present to appreciate and to understand every opinion and view that is expressed here. Therefore I think the best way will be either to omit discussion of section II now or to have another meeting tomorrow to deal with it.

The CHAIRMAN: The delegate for the Soviet Union raises a very practical point. There can be no question about going on with the discussion of section II. We simply cannot because that is all it amounts to, because it is unthinkable that delegates will not have full time to consider any document. They must have it. If time does not permit the consideration of what I consider to be a very, very good report indeed, well it might be quite practical to drop it; drop that section altogether. I am sorry for our friend who has done such a very, very good job, but if the verbatim reports are to go in as Sir George Rendel suggested, then that would meet the difficulty to a very, very great extent. It is an issue for the delegates to decide; a very practical issue.

If we are going to finish at this meeting then quite obviously we can finish by taking section III alone, section I I think will stand. There is no objection to section I. Section III is just a report of what we have accomplished and all we have to do about that is to say: Are these the actual resolutions that were agreed to and were these reservations the reservations that were put in.

We could settle that matter, but in regard to section II it is quite obvious we cannot settle it this morning. So I would like an expression of the opinion of the delegates whether we will adjourn until tomorrow and examine section II and come

back tomorrow and decide about it, or whether we will drop section II and proceed to section III which is just a matter of saying: Well, these are the exact things we have agreed to.

The delegate for the United Kingdom.

Sir George RENDEL (United Kingdom): I should regret the disappearance of section II. It seems to be an accurate account and it has advantage. I think the most important consideration now is the time. I think it is very important we should get through with this and submit something concrete. We have a draft resolution which embodies the conclusions of our discussion and the discussion may be continued in the Assembly or the Economic and Social Council. If we put off this discussion now and then begin discussing in detail all the various arguments advanced and the presentation of the various arguments of section II, I have a feeling we shall never end at all and we may easily spend the whole of tomorrow discussing those arguments of our presentation, a most vital question, and find at the end we still have to cut out the whole section. So I should like to support the Soviet proposal that section II should be cut out.

The CHAIRMAN: The delegate for the Netherlands; then the delegate for the Philippine Commonwealth.

Mrs. VERWEY (Netherlands): I should like to support this proposal too. I have the greatest admiration for the way it has been done, but reports like this are always more or less like a riddle. It reads "some say" or "several delegates were of the opinion that . . ." and you cannot help guessing who was it that said that, and you always find that nobody is satisfied in the end.

I move that the original proposals and the amendments and the speeches should be inserted verbatim in this report and subjected to the opinion of the Council.

Perhaps this is out of order because it is on section III, but I might suggest that these Soviet amendments in the drafting committee which the majority of the drafting committee could not accept, should be included somewhere in the report because I think they ought to be brought before the Economic and Social Council too.

The CHAIRMAN: Yes, we all agree and as far as the report is concerned there were not fifty-one censors to look over it. That is the difficulty. There are fifty-one delegations and every one is self-constituted for censorship, and they must have it according to their own ideas. Now you cannot get that and I think we could proceed. I will not cut out anybody who wants to speak, but I think we should proceed to take the opinion of the committee as to whether or not section II should be dropped. Those in favour of dropping section II just hold up your hands.

(Raising of hands.)

Those in favour of retaining section II hold up your hands.

(None.)

All agreed.

To the delegate of the Philippine Commonwealth: I am sorry that I cut you out from speaking. It will not be effective in view of that vote, but still it will give you a chance to speak.

Mr. GALLEG0 (Philippine Commonwealth): Precisely, Mr. President, I am looking for a means as a compromise measure. I know that section II has been the product of intensive study by the subcommittee, and it contains a summary and a general idea of everything as well as conclusions deducted from the different speeches. So I am just wondering if we cannot retain section II and



make all the reports and proceedings and speeches a part of section II. In other words, we retain both; that is my idea.

The CHAIRMAN: Before the translation, I think the matter can be dealt with by doing what has been suggested. Section II is dropped, but add as an appendix, the verbatim reports. I do not know whether the appendix can be put in immediately—it cannot be done—but afterwards all the verbatim reports made available to the Economic and Social Council.

That covers everything, because I believe we all learned many years ago that the great includes the less and everything else, but anyhow, section III is before the Committee and we will read it.

(Section III of document A/C.3/24. "Report of Committee 3 to the General Assembly on the question of Refugees" was read by the Secretary in full.)

The CHAIRMAN: In the second line on page 8 the word "Chairman" should be deleted, and the word "Committee" inserted, because the Chairman only moved the Committee. The subcommittee was appointed by the Committee, not by the Chairman; the Chairman cannot appoint committees. That is only a technical matter, and the motion is that the word "Chairman" be deleted and the word "Committee" be inserted in lieu thereof. Does anybody wish to speak on this particular point?

Mrs. ROOSEVELT (United States): I just wanted to make one point, Sir.

The CHAIRMAN: Is it on this particular point?

Mrs. ROOSEVELT (United States): No.

The CHAIRMAN: I want the agreement of the Committee, first, to put in the word "Committee" instead of "Chairman." No objection? That is sustained.

Mrs. ROOSEVELT (United States): I just wanted to point out that on page 8, in (a) under "The General Assembly," it says "for report to the next session of the General Assembly." I think they have now decided that that shall be "the second part of the first session." I only wanted it to be correct; that was all.

The CHAIRMAN: In regard to that particular matter, could we dispose of it before we take anything else, because it is just bringing it into harmony with what has been decided. Whether that decision will stand, I do not know; but we have to bring our text into line with it, anyway. This change will be made because it is essential that it should be made, and, if there are any other decisions that vary the text, they will be made also. That will be understood. They will be consequential amendments.

Mr. ARCA PARRO (Peru): Mr. Chairman, sub-paragraph (b) on page 8 says: "Recommends to the Economic and Social Council that it establish a special committee for the purpose of carrying out," and so on. According to the way that the Economic and Social Council is working, it is understood that a Committee was formed by members of the Council itself, and as soon as the Economic and Social Council will not be sitting, it may be in the coming month or so, may we suggest that a special committee or commission be set up.

The CHAIRMAN: I cannot allow any alterations in the resolution that has been agreed to by the Committee; only in the text that has not been handled by the Committee. I must rule out, for good or ill, any proposed alterations to the text that was agreed to.

Mr. ARCA PARRO (Peru): I thought it was for the sake of explanation for the Economic and Social Council.

The CHAIRMAN: You may add a paragraph, but not to the text. The text is inviolable; it is decided upon and finished with.

Mr. ARCA PARRO (Peru): Very well.

The CHAIRMAN: Might I suggest to the delegate of Peru that he raises a point which might be a very practical point, and that it is really a matter for the Economic and Social Council to decide; not for us. We hand the business on to them, and it is for them to manage it and to adopt whatever measures they think fit, and, personally, although not on that Council, I have every faith in them doing the practical and businesslike thing.

Mr. ARCA PARRO (Peru): I would like to make some remarks, not on the resolution itself, but on paragraph 19 relating to interpretations. I do not know whether it is the time to do it now?

The CHAIRMAN: Sure.

Mr. ARCA PARRO (Peru): The last two sub-paragraphs (b) and (c) are those about which I am going to speak. I do not mean that it is not all right; I think it is, but I remember I made a few remarks about how Spanish refugees, according to the Charter, or, at least, from a strict legal point of view, were not really considered to be within the benefits extended to refugees.

The CHAIRMAN: Might I point out that it was not the delegate's remarks that were considered here? They were those of his co-delegate who was here yesterday. It was he who asked that note be taken of his remarks, it was really his co-delegate. I beg your pardon, it was the delegate for Panama who is not here today.

Mr. ARCA PARRO (Peru): Paragraph (c) deals with the statement made by the Bolivian delegation who made the same suggestion also. It was only just a mistake of nationality.

The CHAIRMAN: I cannot answer that. The Associate Chief of Section can answer it; but I do not think there would be any objection to associating those remarks with those of the delegate for Peru. Mr. Pickard will just give a word of explanation about it.

Mr. PICKARD (Associate Chief of Section): Mr. Chairman, we were under the impression that only three delegations had asked for an expression of their opinions in the report, that is to say, in the meeting two nights ago. The three delegations, according for our understanding, were the delegations for the United States of America, Panama and Bolivia. We did not understand that the delegation for Peru definitely asked for the inclusion of an expression of opinion in the report. If we misunderstood the wishes of the delegation, I am sorry.

The CHAIRMAN: I call on the delegate of the Soviet Union.

Mr. ARUTIUNIAN (Soviet Union): On the question for the Spanish Republican refugees; I understand there was a motion to express the organized opinion of the Committee in the report. You said, Mr. Chairman, that there was to be a separate resolution in the Assembly on Spain, and therefore, if that was so, there would not be a resolution in this report. If there was not a separate resolution in the Assembly, we would have to put a resolution in our report. I understand the suggestion of the delegate for Panama was that our opinion in the Committee should be stated in an organized motion and not only limited to the statement of the opinions expressed in the Committee. After this point is settled, I would like to have permission to speak on another matter.



The CHAIRMAN : The statement made by the delegate for the Soviet Union is correct in regard to the resolution that came before the Assembly. The report is also correct in that it just reports what happened. I asked the delegate for Panama whether he had been able to add to the resolution in the Assembly any reference to the Spanish refugees, and he said, "No." He was that overjoyed at getting the resolution through the Assembly that he thought that, if he started tinkering with it in any way or adding to it, matters would only be confused. Consequently, he did not endeavour to get that matter included. That is one thing. The other thing is that the report, as it stands at present, is an exact report of what happened in the Committee, and therefore it is quite accurate, but in the circumstances I should have to say that the way was clear for any motion that might be necessary on the matter if the Committee so required. The way would be clear for any motion or expression of opinion, not from any particular delegate but from the Committee as a whole, because that is the spirit of the arrangement that was made yesterday. The matter is now before the Committee as to whether there should be some specific expression of opinion in regard to Spanish refugees.

Mr. AGLION (France) : The French delegation would like to see a motion drafted here on behalf of the Spanish Republican refugees. In that case I would point out that the text of our report should be made a little more precise than it is at present. When the delegate for Panama justly remarks, and we share his views, that the Spanish refugees should not be sent back to Spain before a democratic regime has been established in that country, he is right. The text then goes on : "In the meantime they should be accorded special status by the countries of temporary residence, securing to them the same rights as men and workers as those enjoyed by the citizens of the country that had given them hospitality." To make the text more applicable in the various countries, I propose that this last paragraph should be replaced by a text stating that they should be accorded the rights associated with the treatment of privileged foreigners. This is the treatment we have already accorded to the Spanish Republicans in France. I hope that the clause, which gives to the Spanish Republican refugees in France the treatment of privileged foreigners will be adopted by all the other nations.

The CHAIRMAN : The delegate for Ukraine wished to speak.

Mr. BAJAN (Ukraine) : I would like to speak on a different matter from that concerning the Spanish Republican refugees. I prefer that the discussion on this question should continue. I will speak later on.

The CHAIRMAN : The delegate for the United Kingdom.

Sir George RENDEL (United Kingdom) : I think we all have the most profound sympathy for Spanish refugees, and anything we can do to ameliorate their lot and express that sympathy would be to the good. At the same time, we have here a resolution which is the operative part of our deliberations and which gives effect to our terms of reference. We then have, following that, a perfectly accurate statement of what was said by various delegates. It seems to me that if we now, at this rather late hour, begin to consider additional resolutions, we may find that we are going to exceed our terms of reference and get on to ground which would be rather difficult.

There has been a resolution about Spain in the Assembly, which I understand has been passed, and which covers the ground pretty thoroughly.

It is now suggested that we should add to our draft resolution another draft resolution, which will be partially an addition to our draft resolution to give effect to our terms of reference and partially an addition to the resolution already passed by the Assembly. It is proposed that in that we should legislate, or rather express opinions about the way in which Spanish refugees should be treated in various countries. Every country has its own laws. Not every country may be able to give to every type of refugee a particular type of treatment. It is perhaps a little more for other delegations to speak on this than it is for me, but it would be difficult for the United Kingdom, in response to a resolution from this body or the Assembly, to accord a special treatment to one special class or group of foreign refugees. We have in this country vast numbers of refugees. Many of them are extremely hard cases of most unfortunate people who just succeeded in escaping Buckenwald, Belsen and other horrible camps, and they are in a most desperate situation and deserve all our sympathy and help.

Would it not be a little awkward if we found ourselves being asked to give specially favourable treatment to one group without giving it to others as well? It might give rise to practical questions of great difficulty. It is important that sympathy should be expressed. I think that is covered by what is in the report at present. If we started to try to agree on the precise terms of a new resolution, I am afraid we might go outside our terms of reference and come up against difficulties which would protract our discussions almost indefinitely without achieving any very direct practical purpose.

The CHAIRMAN : We cannot go on indefinitely discussing matters. What really matters is to come to practical results. I suggest that we either agree to what is in the document, or eliminate all the references to what has been said by delegates. There are two points only raised at the moment. One is that the resolution suggested by the Netherlands delegate and the amendments moved by the delegation for the Soviet Union in the sub-committee should be included. That is a very simple issue which could be decided in a moment. The other is that a special motion expressing sympathy with the Spanish refugees should be passed. I suggest that we deal with the matter in this way. We should have a motion. There is no question that the understanding was that if an addition could not be included in the resolution before the Assembly, the matter could be further considered in this Committee.

I suggest that the way we deal with the matter should be to express wholehearted sympathy with the Spanish refugees, and that as this is a particular case different from others, it should be referred to the Economic and Social Council, with a request that they take into consideration the special circumstances; I think this would entirely meet the situation and enable us to go on with our job. If that suggestion is satisfactory, a draft could be made. I would be quite willing for the delegate of the United Kingdom, the delegate of the Soviet Union, and the Secretary to agree on the text. I know what are the sympathies here. I know that we all recognize that there are special circumstances because of the long-drawn-out period the Spanish refugees have been away from their country. There are special circumstances. I think it would meet the situation if we expressed our full sympathy with the refugees and asked the Economic and Social Council to study particularly their case and provide for them.

Mr. PARRA VELASCO (Ecuador) : I request that the delegate for Panama, the originator of the proposal in this committee, be added to the persons mentioned by the Chairman.



The CHAIRMAN: That is all right. I want to know if my proposal is acceptable. I am anxious to save time and anxious to get a decision. There can be no doubt that the understanding was that the matter would be considered. Now can we get the text as it is now adopted? I would move from the chair, that the amendments of the Soviet Union proposed in the subcommittee would be adopted. Then I will come back to the question of Spanish refugees.\* I am getting confused; that the amendments of the Soviet Union proposed in the subcommittee be inserted in the report.

Mr. ARUTIUNIAN (Soviet Union): Mr. Chairman, are we discussing the motion made by the Netherlands delegate to include our amendment in the report?

The CHAIRMAN: Might I say first, could we agree that this is accurate as far as it goes? That is what I am anxious for first; then we will take the Netherlands motion. If we can agree that this is accurate, then I will feel we have made some progress, and I will then take the Netherlands motion on Spanish refugees.

Mrs. ROOSEVELT (United States of America): I just want to be clear. I think section III on pages 8 and 9 is entirely accurate. Then my understanding was that page 10 expressed individual opinions but did not mean that the whole committee agreed to the exact wording. If that is what you want us to say is so, then it is so and I agree, but if suddenly the Panama delegate's proposal becomes a resolution I cannot agree for the reason that it affects the laws of my country, and I cannot abrogate the laws of my country. If it is accurate as an expression of opinion of the delegate of Panama that is all right. That is what I want to be sure I am voting on.

The CHAIRMAN: That is quite right. What Mrs. Roosevelt has said is correct. What I want to get is: is the report as given here accurate? There can be no question about the accuracy of page 8; there can be no question about the accuracy of page 9, I think. Certainly there can be no question about the accuracy of the decision of this Committee. In regard to expressions of opinion, these are only reports of expressions of opinion and are in no way binding upon the members of the Committee. There are expressions of opinion of the United States delegation, of the Panama delegation, of the Bolivian delegation, and they are in no way binding upon this Committee. The only thing that is strictly binding on the Committee is the texts of the decisions of the Committee. Even the Chairman's interpretation is not binding. It is only there for the information of the Economic and Social Council. I think that is as clear as I can make it; that is, we do decide upon the accuracy of section III, then the other two questions will come up immediately. First, the question of the insertion of the amendments of the Soviet Union in the subcommittee, and then the question of whether a motion is desirable in regard to the Spanish refugees. Are you quite agreeable that the text as it is at the present moment is accurate?

Mr. AGLION (France): I have a reservation to make. In the event of a motion on the Spanish Republican refugees not being approved by the French delegation, I would ask you to insert immediately after the opinion of the delegation of Panama the opinion expressed by the French delegation on the position of the Spanish refugees.

The CHAIRMAN: The point is that this is only a report and reservations cannot be put in now. We can only put in those that were actually made yesterday. We cannot add any now. I rule that we have already agreed to the accuracy

of the report so far. The delegate for Australia.

Mr. HODGSON (Australia): Mr. Chairman, I just wish to assist you. I agree with what you have said, but you have already deleted the whole of section II, which was a matter of opinion, and I suggest that the easiest way out is that we should stick to what we have actually decided on in this Committee and the interpretation in paragraph 19, and I formally move, as it is only an expression of opinion, that the whole of 20 be deleted. Then you can take a simple vote, and any question then by the Soviet Union that something further will automatically go out of the report also. Therefore I formally move that 20 be deleted, which is just an expression of opinion.

The CHAIRMAN: I have got to rule this. I have already taken a vote and that part stands; there can be no division of opinion about it now. That has been agreed to. No other reservations can go in because we are only considering what was done yesterday and on previous days. We are not doing any business today except on one point. But an amendment in regard to adding something to the report is quite in order and I will take that now. The Netherlands has moved that the amendments moved in the subcommittee by the delegation of the Soviet Union be included in the report. That is a straight issue to be decided. Is there a seconder for that?

Mr. ARUTIUNIAN (Soviet Union): I second it. All I want to do is to speak about three of the amendments, not all of them: those dealing with propaganda, personnel and Quislings.

The CHAIRMAN: Very well. Now is there any discussion? If not, those in favour say "Aye," those against "No." The Ayes have it.

Now in regard to the Spanish refugees, can we agree in regard to this matter that it is not necessary to propose and move a resolution here, but that delegation can get up in the Assembly and raise it; I am willing to do it myself, to say that it is a special problem. I think I can interpret the feeling of the Committee, at least the feeling of a big section of the Committee, which I share, that it is a special problem, and that we should draw the attention of the Assembly to it. I personally, on behalf of my own delegation, will draw the attention of the Economic and Social Council to the special features of the refugee problem. It is a long-drawn-out problem. There are great numbers of these refugees in France still who are not absorbed and cannot be absorbed into the population. The same applies in Mexico, in Panama and in Central and South America, that the question requires special consideration. Personally I would say that we would not ask them to go back to their own countries under an undemocratic regime. I would suggest that we adopt that method, and I am quite prepared to do it myself, rather than to have a discussion here, because I quite understand that some delegates feel that they cannot commit their countries. After all, we have had many differences of opinion in the Committee, but we have been unanimous in the last resort in accommodating each other as far as our different conceptions of what is right are concerned. I would not like us to end up on any dissentient note, not because of any difference of feeling, but because of the uncertainty of delegates committing their respective delegations; but that is a difficulty. I would suggest, therefore, that we adopt the measure, and I personally will speak for the New Zealand delegation, in line with the South American delegations and in line with all the points and thoughts that have been expressed as to the peculiar difficulties in connection with the Spanish refugee problem.



Mr. AGLION (France): I have the honour to place the following motion before the Committee:

"The French delegation suggests that Spanish Republican refugees should only return to Spain when a democratic regime that would assure their rights has been established there."

I think that the Committee will adopt this first part of the French motion. The second part is couched in the following terms:

"The case of the Spanish Republican refugees should be examined with particular attention and care by the Economic and Social Council."

I think that the Assembly will also be able to adopt this part of the motion. If the Committee finds it acceptable, we could take a vote on it immediately.

The CHAIRMAN: But I am afraid there is a difficulty. The United States and the United Kingdom have expressed difficulty, and my suggestion is that we do not pass a motion or resolution at all, but that those of us who have strong feelings on the matter should bring it before the Economic and Social Council. I do not want, at this stage by my vote, or, at least, by the vote of the New Zealand delegation, to put any other delegation in a false position: for instance, we might put forward a proposal that delegations are opposed, but they will get their opportunity in the Assembly where they will be able to express their opinion as opposed to this being included. I do not want that. But if the delegate for France and myself, and others, express opinions in the document, then I am quite sure the Economic and Social Council will take full cognizance of them, and we shall achieve our aim much better than forcing a resolution through against the will of delegates here at the last minute of our meeting. Therefore, I would earnestly ask the delegate for France not to put it in the form of a formal resolution, but to leave it to some of us, including myself, of course, to say what should be the particular resolution, and I would support him one hundred per cent. But, as I say, I do not think we should propose a resolution, with the United Kingdom and the United States dissenting from it. That will not help us in regard to the whole question of refugees if we do that.

Mr. PARRA VELASCO (Ecuador): Mr. Chairman, as far as the French delegate's proposal is concerned I am afraid you were just a little bit prejudging the attitude of the United States and United Kingdom delegations.

The CHAIRMAN: I hope that I was.

Mr. PARRA VELASCO (Ecuador): I think we are somewhat inclined to prejudice the opinion of other delegations, especially the delegations of the United Kingdom and the United States.

The motion presented by the delegate for France raises a case altogether different from that which gave rise to the previous objections. We are merely concerned here with making a recommendation to the Economic and Social Council. I do not see what difficulty can be raised and I am sure that the distinguished lady representing the United States and the distinguished representative of Great Britain will express their agreement. Our only concern is to express a wish and to pass this question on to the Economic and Social Council with the recommendation that it should examine the problem with the utmost attention and care.

Are we entitled to do this? Certainly, and article 10 of the Charter says plainly that the General Assembly may make recommendations. It may recommend certain problems to the attention of the Economic and Social Council.

Of course, I should very much have wished as far as I am concerned, that the proposed text should be

on somewhat broader lines and that to some extent it should enunciate what has been stated in the report. The fundamental problem, for the Spanish refugees as well as for all refugees in general, is the problem of work; the right to work. It is a human right, which must be clearly acknowledged. The foreigner who happens to be in a certain country must be able to work there in order to maintain himself.

I am aware that this does not constitute a problem for France, which has always welcomed refugees from all countries of the world in a most generous fashion. Neither is it a very pressing problem at the present moment, since, nowadays, on the contrary, the problem consists in the dearth of manpower.

Anyway, this question must be submitted to the Economic and Social Council for examination, and I heartily support the proposal of the delegate for France.

The CHAIRMAN: In regard to this matter, I hope that I have prejudged it; it would help me very much if I have prejudged the opinions of the Soviet Union, the United States and the United Kingdom delegations in regard to this matter, and they will correct me if I am wrong. However, if delegations are going to insist on getting the text and having twenty-four hours more in which to consider it, that is going to put us in an awkward position. Delegates have insisted on having the printed texts in front of them. All right. It has to be done for every delegation in relation to every resolution, and there is no question about that at all. Therefore, I am suggesting that it will only delay the report of the Committee, and I would suggest that France has a very strong case; there are between 300,000 and 400,000 refugees in France, and the French delegation want to go on record as being completely sympathetic with the Spanish refugees, and I do not see any objection at all myself, if we could agree to that. The French delegate would be quite prepared not to insist upon his motion. If I had the permission of the Committee to say that the sympathy of the whole Committee is with these Spanish refugees, then I could say on my own authority that there is a special problem, that nobody should be sent back to an undemocratic country; and in that way we would make the opinion of the majority of the Committee quite clear without waiting twenty-four hours and without having any dissentients.

The delegates for the Soviet Union and the United Kingdom wish to speak.

Mr. ARUTIUNIAN (Soviet Union): I second the motion made by the delegate for France and supported by the delegate for Ecuador. I think that that motion is trying to meet the difficulties expressed here by the delegates for the United States and Great Britain. But, anyway, I am prepared to go to a small group or subcommittee as you proposed to find out the final draft of that resolution, but I will insist on some motion here in regard to these Spanish Republican refugees, expressing our sympathy to them. I think that the motion made by the delegate for France is quite good enough in order to be approved by anyone around this table because it does not create any difficulties for any country.

The CHAIRMAN: If the committee is unanimous about it we can do it; if the committee is not unanimous then the point that the delegate from the Soviet Union has always insisted on must be enforced, that must be given.

Mr. ARUTIUNIAN (Soviet Union): Mr. Chairman, once again I say it because it is a very important question and we have time to consider it in the proper way.



The CHAIRMAN: It is a good proposal and it ought to be enforced unless there is complete unanimity in regard to the matter because the rights of every delegation have to be safeguarded always. It is quite right.

Sir George RENDEL (United Kingdom): Mr. Chairman, it would be extremely satisfactory if we could bring these discussions to an end somehow. I feel that when we meet again we shall, perhaps, go on for many hours, but still if there is any means of bringing it to an end soon it will be well worth it.

The motion proposed by the French delegate is in two parts. The first part is that the Spanish Republic refugees should not be compelled to return to anti-democratic Spain. That is a principle for which the United Kingdom delegation has been emphatic from the beginning of these proceedings. One of our most important points has been that no refugees should be compelled to return to any country against their will, if they had a good reason for not wanting to do so, and obviously no Spanish Republican refugee whose life is in the slightest danger or dislikes the system in Spain wants to go back to it, and we are entirely covered by point two by which all refugees are protected against being forcibly returned. Why then should we pass a separate resolution saying these in particular shall be forcibly returned.

That leaves only the second part of the French resolution which is expressing sympathy with the refugees. None of us hesitate about that. I think there are other categories of refugees, certain categories of German Jews with whom we have sympathy. In fact, somebody talked about the length of time this Spanish refugee problem has been going on. The German Jew problem has been going on since 1933 and the Spanish refugee problem was a little later, and it is not right to single out one refugee as though he were infinitely to be pitied and not others. Therefore, I should have preferred not to single out one at all; but if it is the feeling of the Committee that we should say something about the Spanish refugees it would be perfectly correct that we do feel the utmost sympathy with them and that we do recommend to the Economic and Social Council that it should show the greatest sympathy.

It could perhaps be settled here and now by adding paragraph 21 and saying that the Committee unanimously agreed that the fate of the position of the Spanish refugees was a particularly painful one, and that it recommends that the Economic and Social Council should be asked to give them its most sympathetic consideration, words of that kind. That would cut out this entirely unnecessary first paragraph. It would express the sympathy, which is all we want to do and would cover the ground and might save us another long meeting.

The CHAIRMAN: The delegate for France.

Mr. AGLION (France): I thank the delegate for Great Britain for deferring to the French point of view and I accept the procedure amendment to our proposal which he has put forward.

The CHAIRMAN: Well, can the delegate for the United Kingdom give us the text of what he would like.

(A copy of Sir George Rendel's text was given to Mr. Tomlinson, Chief of Section, to be read.)

Mr. TOMLINSON (Chief of Section): This is to go in as a paragraph in the report:

"Finally, the committee desired unanimously to express its sympathy with the Spanish Republican refugees and recommends that the

Economic and Social Council should be asked to examine this case with particular attention and care."

Sir George RENDEL (United Kingdom): It is the French wording. It is just the French sentence which has been added to the last.

The CHAIRMAN: That is a very happy solution of the problem, I think, and might I ask delegates if they agree with this.

Sir George RENDEL (United Kingdom): May we take a vote, Mr. Chairman?

The CHAIRMAN: Yes, I want a vote to be taken forthwith.

Will the delegate of Peru give way or does he want to speak?

Mr. ARCA PARRO (Peru): Just a question. In fact, I should like to support the motion by the United Kingdom, but at the same time I would just like to ask a question. While the Economic and Social Council is going to study the special condition of the Spanish Republican refugees, are the Spanish Republican refugees covered by the grants of rights of other refugees? I think that is the main point because the Spanish Republican refugees, according to the Charter, are not really included.

The CHAIRMAN: But they are provided for somehow, is that not right, Sir George?

Sir George RENDEL (United Kingdom): Yes, they are entirely covered by everything else. That is our intention.

The CHAIRMAN: Are you agreeable? Those in favour of that motion say "Aye." Against? The ayes have it.

Before we adjourn, might I express your feelings, all of you, in regard to the secretarial work of the Committee, in regard to all those who have been associated with us. It has been a very difficult job. The delegates have co-operated, but there were wide divergencies of opinions and to get down those opinions accurately by the shorthand writers and by those who were taking a précis of the discussions for publication in the *Journal*, and particularly by the Secretary and Assistant Secretary, has been a very, very difficult job indeed, and I want to say that I have never sat in a committee where the work was done more efficiently. I wish to extend your sincere thanks to all those who have helped in every capacity in connection with the work of the Committee. I cannot tell you how much I have been helped by the accuracy of the secretariat and by the energy of all concerned, and I would like you to give them a hearty hand. And the translators, do not forget the translators.

Mr. HODGSON (Australia): Sir, on behalf of the Committee I would just like to pass a vote of thanks to you. You expressed what we all felt about the staff but nobody has expressed what we feel regarding your own chairmanship. That masterpiece of yours "Those in favour say 'Aye.' Those against? The ayes have it" has helped the work of this Committee more than anything else, and I would just put that vote to you and ask you to carry that vote of thanks to our Chairman with acclamation. (Applause.)

The CHAIRMAN: In spite of our difficulties we have been a very happy Committee. Thank you very much.

*The meeting rose at 1.30 p.m.*



## 4.

**VERBATIM RECORDS OF THE DISCUSSION  
WHICH TOOK PLACE IN THE GENERAL  
ASSEMBLY ON THE REPORT OF THE THIRD  
COMMITTEE CONCERNING THE QUESTION  
OF REFUGEES.**

(1) *From the report of the twenty-ninth plenary meeting of the General Assembly held at Central Hall, Westminster, on Tuesday, 12 February 1946 at 5 p.m.*

The PRESIDENT: The next point on our agenda is the question of the Refugees Commission.

I call upon the delegate for Norway.

Mrs. DALEN (Norway): The report on the question of refugees (document A/45) which I present to the General Assembly on behalf of the third Committee, shows the great importance attached to this matter by many countries.

Seven meetings, apart from meetings of a drafting subcommittee, were devoted to discussion of the refugee problem by the third Committee, and more than a score of delegations took an active part.

It will be noted that it is recommended that the Social and Economic Council establish a special Committee to carry out promptly the examination and preparation of a report on the question of refugees, to be made to the second session of the Council and, in due course, to the second part of the first session of the General Assembly. It will be noted also that the resolution includes a number of principles which it is recommended should be taken into account by the Economic and Social Council in carrying out this task.

I now have the honour to present the report of the third Committee, and I submit to the General Assembly for its consideration and approval the concluding resolutions.

The PRESIDENT: I call upon the delegate for the Soviet Union.

Mr. VYSHINSKY (USSR): The Soviet delegation supports the draft resolution presented to the Assembly and prepared by the third Committee, but it considers that the Assembly should make three additions to the resolution.

The first addition raises an extremely important question. If this question is not solved the whole resolution may be deprived of value.

Paragraph (c) point (ii) of the report of the third Committee states that:

"No refugees or displaced persons who have finally and definitely, in complete freedom, and after receiving full knowledge of the facts including adequate information from the Governments of their countries of origin, expressed valid objections to returning to their countries of origin and who do not come within the provisions of paragraph (d) below, shall be compelled to return to their country of origin."

People who refuse to return to their country are not compelled by force to do so. A man who does not want to serve his country is not compelled to return. But we must be logical and, having stated that the question of returning depends on the personal desire of the individual concerned, we should give that individual the right to decide this question for himself. He should not become the victim of Fascist or semi-Fascist propaganda directed against all the principles by which all of us are bound. We cannot allow this Fascist or semi-Fascist "influencing" of refugees, which is often carried on in the camps in the most flagrant manner. We cannot allow this "influencing" to

turn these men into Fascist agents and enemies acting against the interests of the United Nations.

To-day we read in the *Daily Herald* that the Third United States Army has frustrated the attempts of Yugoslav refugees in Germany to reconstruct a Royal Yugoslav Army and to try to plunge their country once again into a military upheaval. We are also informed of similar facts regarding the Polish adventurers who are taking advantage of the refugee camps for this purpose. Such facts are rendered possible precisely when Fascist propaganda is carried on in the camps, propaganda which is inseparably connected with Fascist crimes and paves the way for them.

We cannot tolerate such propaganda. We cannot tolerate propaganda of this kind. For this reason we proposed to include in paragraph (c) the following sub-paragraph:

"(iv) No propaganda should be permitted in refugee and displaced persons camps against the interests of the Organization of the United Nations or her Members, nor propaganda against returning to their native countries."

The Committee did not adopt this addition. We consider that the refusal to include our addition is the result of an obvious misunderstanding, as the opponents of our addition saw in it a proposal to limit freedom of speech in the camps. But this is another matter. It is not freedom of speech. It is the abuse of freedom of speech. It is an appeal to treason. It is incitement to hostile action. Propaganda which leads to treason must not be allowed. That is why we once again ask for this amendment to be included in the report.

Now I come to the second addition which we have suggested. Among the officials administering the camps there are men who are highly suspicious and of a manifestly criminal character. How can we allow Germans to be among the personnel of the administration and even at the head of it, instead of the administration of these men being composed of those who fought against the Germans?

There are some camps where the Germans participate in the management of the camp. We cannot tolerate a situation of this kind. For this reason, we propose the following addition to the draft resolution:

"(v) The personnel of refugee and displaced persons camps should first of all be comprised of representatives of States concerned, whose citizens are the refugees."

What can be more logical than that? If there are any Russian, Yugoslav, Ukrainian or Byelorussian refugees in the camp, why not employ in the administration of the camp men who are fellow-citizens of the refugees? This would be just, for who is better qualified than their fellow-citizens to help these men, give them support, take care of them and inform them of the actual conditions in their countries? It would be perfectly natural and just. I see no reason why the addition should not be adopted.

Finally, I come to the third addition which the Soviet delegation has proposed. You will see that it is connected with paragraph (d) which states that no action taken as a result of this resolution shall be of such a character as to interfere in any way with the surrender and punishment of war criminals, Quislings and traitors, in conformity with present or future international arrangements or agreements.

This is, of course, perfectly right and should be supported in its entirety, but we think that the paragraph does not go far enough. The whole resolution speaks of assistance to refugees, but it is inconceivable that the traitors and Quislings mentioned in this paragraph should be able to avail themselves of such assistance. It should be



plainly stated, therefore, that no assistance and no support shall be given to Quislings, traitors and war criminals; that these gentlemen shall be handed over to their respective governments for trial and punishment, and that these gentlemen shall be sent back to their own countries to serve their sentences of forced labour, and to redeem their crimes which have caused so much suffering to the peoples of the United Nations. For this reason, we propose our third addition which reads:—

“Quislings, traitors and war criminals as persons who discredited themselves by collaboration in any form with the enemies of the United Nations, should not be regarded as refugees who are entitled to get protection of the United Nations. Quislings, traitors and war criminals who are still hiding themselves under the guise of refugees should be returned to their countries immediately.”

We maintain that this addition would be just. These criminals and traitors are not refugees. Those who are still hiding themselves under the guise of refugees should be sent back immediately to their respective countries for trial and for the just appeasement of the public conscience, which has been outraged by the Fascist aggression brought about with the assistance of these criminals. We think, therefore, that the additions proposed by the Soviet delegation should be included in the report, particularly as this paragraph is merely a prolongation of the idea by which the authors were guided in the drafting of paragraph (c) and which shows how to act and how to deal with these traitors. In the name of the Soviet delegation I insist on the inclusions of the additions that we have proposed.

The PRESIDENT: I propose that we adjourn this meeting until tonight at 9.15 p.m. sharp.

(2) *From the report of the thirtieth plenary meeting of the General Assembly held at the Central Hall, Westminster, on Tuesday, 12 February 1946 at 9.15 p.m.*

The PRESIDENT: I call upon the delegate for Yugoslavia.

Mr. BEBLER (Yugoslavia): In the committee which dealt with the refugee question, the Yugoslav delegation at the beginning of the discussion gave a fairly detailed picture of what is now known as the Yugoslav emigration. We showed that in addition to persons displaced by the Germans as prisoners of war, internees and workers, there are other refugees who did not flee the Germans and were not displaced by them. On the contrary, they fled their country with the Germans when the armies of liberation marched in, because they realised their guilt towards their own people. As a result, whole regiments of Quislings are now abroad. This, as we have pointed out, is an abnormal situation which endangers good relations between States and therefore constitutes a threat to peace.

On these grounds, we stressed that it was in the interests of good understanding between the United Nations to put an end to such a situation, and explained what we considered to be the proper course to follow.

We said that these formations were obviously composed of criminal elements, considered both subjectively and objectively, and also of offenders from the purely objective standpoint. We made it clear that, in view of the amnesty laws in force in our country, the latter category need not be afraid to return home; whereas the former, who incited others to treason, must be extradited to atone for their crimes against their country and against mankind.

But there are others who have left their country, and whose position is quite different. There are the refugees from the only Fascist land in Europe. Franco Spain. There are the German Jews, and other categories of persons who have valid reasons for not going back.

We wondered what criterion to adopt in distinguishing between those who deserve help, even over a lengthy period, and those whose residence abroad is harmful to good understanding between nations. The answer, it seems to us, is simple; we have only to determine who is the victim of Fascist aggression and who is not. The victims of Fascism are entitled to every consideration. Those who were not so victimized create a political problem which must be solved forthwith if we are to avoid disastrous consequences.

That was the starting point of lengthy discussion in both the committee and the subcommittee. The resolution submitted to-day is the result. This resolution brings out the marked differences between the categories of people who are at the present time outside their country of origin. It also has the great merit, which we owe, among other things, to the understanding attitude of Mrs. Roosevelt, the United States delegate, of recognizing that the chief service we can render these displaced persons is to encourage and help them in every possible way to get home quickly.

Yet it seems to us that the resolution stops half-way. First, in that it fails to observe the logical distinction between victims of Fascism and other refugees, so it promises one and all, except, of course, the Quislings and war criminals, that the international body will answer for their future. This sweeping provision would apply, in the case of my own country, to amnestied Quisling soldiers who do not wish to return and whose extradition we do not ask, and it would likewise apply to a category I have not mentioned because it is less important; those who do not want to live in their own country because of their past—and, very often, present—anti-democratic activities. By embracing all these, the resolution indirectly saddles democratic governments with liability for the maintenance of their emigrated enemies. Such a consequence is in our opinion inadmissible.

Finally, the resolution does not afford sufficient safeguard that everything will be done to ensure that displaced persons under the influence, and often under the pressure of officers or other individuals who deprecate their return to their country, are fully conversant with the economic and legal situation awaiting them at home. This is in most cases the most important point if we want these people to come back, and the present situation requires that appropriate steps be taken.

Mr. Vyshinsky referred to the news in this morning's papers, and I shall not go further into that. Our view is that democratic governments should be able to establish direct contact with these people in order to counteract the influence of anti-democratic elements which seek at all costs to use displaced persons in making trouble and in promoting schemes hostile to their own country.

In particular, the interpretation given to the text by the committee Chairman appears to be diametrically opposed to the decision we should take here. In the report read to-day, the Chairman states that information supplied to refugees from the governments of their countries of origin should be made available through the responsible international body. In his opinion, therefore, there can be no possibility of direct contact between the bulk of displaced persons and the government representatives. I wonder why?

Another point. The majority of the committee who voted for the resolution went so far as to reject



the Soviet proposal to prohibit propaganda in the camps against the United Nations Organization or its Members, as well as propaganda against returning to their native countries.

If the Assembly wishes to arrive at a coherent and logical solution of this important problem of refugees, we must not follow the committee on the points I have just raised, and more particularly the last two.

For these reasons the Yugoslav delegation supports the committee's resolution, together with the Soviet amendment, and proposes that it be adopted by the Assembly.

The PRESIDENT: I call upon the delegate for Poland.

Mr. WINIEWICZ (Poland): The problem of the refugees has been thoroughly considered by the Social Committee. However, not all aspects of that discussion could find their expression in the report which is now before the Assembly. But we say this, having all due respect for the Rapporteur who has worked out a remarkable and comprehensive report. For instance, the report does not record the view expressed in the Committee by some delegations that allied soldiers who contributed to the common victory and would remain abroad away from their countries, should not be ranked among refugees. Indeed, the view of the Polish delegation is that their contribution to the common victory of the United Nations entitles them to something more and better than the status of destitute exiles in an alien land. Their problem should be dealt with separately, according to the promises which were already given to them by some of the governments concerned. It is, therefore, a problem for bilateral agreement and not for an international settlement; but we are not intending to move an amendment upon this point. We think that it will find its expression during the discussion in the Economic and Social Council.

We submit here that we support the amendment of the Russian delegation, because to our mind it stresses, and rightly stresses, the political importance of a problem, the humanitarian significance of which no one intends to deny, above all not the Polish delegation, the delegation of a nation whose members suffered so much.

May we observe that the second part of the Russian amendment corresponds to a certain degree to a resolution which was unanimously accepted by the first Committee, a resolution dealing with the extradition of war criminals? In view of this fact, we think that the Assembly should also accept the idea expressed in the amendment of the Soviet delegation. (*Applause.*)

The PRESIDENT: I call upon the delegate for the United States.

Mrs. ROOSEVELT (United States): I am extremely sorry that we have to take up your time to go in again to a discussion which has been thoroughly covered for two weeks in our Committee.

We agreed in part, we compromised, but I am extremely sorry that I have to oppose the speakers who have already spoken this evening. I realize that we speak from different points of view, and I understand why to them this seems different from what it does to me.

I cannot remember a political or a religious refugee being sent out of my country since the Civil War. At that time I do remember that one of my own relatives, because he came to this country and built a ship that ran contraband to the South, was not included in the amnesty. But since then this has not been a question that has entered into my thinking.

Europe has had a succession of wars and changes in population, as well as changes in ownership of land; and therefore it is natural that we approach

the question from a different point of view; but we here in the United Nations are trying to frame things which will be broader in outlook, which will consider first the rights of man, which will consider what makes man more free: not governments, but man.

Now I think we have to read back a little bit to what happened in this Committee. We can agree on certain things. After a good deal of discussion paragraph (c) (ii) was accepted. Our friends who opposed the acceptance of the report as a whole and wished these amendments to be included took some persuading before they agreed to paragraph (c) (ii) but they did agree and they also agreed to (d), and now (d) it seems to me fully covers their third paragraph, though it does not say Quislings, traitors and war criminals who are still hiding themselves under the guise of refugees should be returned to their countries immediately.

None of us disagree that those who had actively taken part against their countries shall not be returned and punished, but there are differences. Some people fought against the enemies of their country, but are still unwilling to go back because they do not agree with the present government in their countries. That, I think, is something we have to take into consideration; so that I do not think those words should be included, and I think that all that we really should say is said in paragraph (d) of the report, which says:

"Considers that no action taken as a result of this resolution shall be of such a character as to interfere in any way with the surrender and punishment of war criminals, Quislings and traitors in conformity with present or future international arrangements or agreements."

I think that covers all that we need to safeguard the point of the return of the people who should be returned.

Now, let us take the paragraphs that we have added to this. The first one is that:

"No propaganda should be permitted in refugee and displaced persons camps against the interest of the Organization of the United Nations nor her Members, nor propaganda against returning to their native countries."

The second one, which must be read with the first, says:

"The personnel of refugee and displaced persons camps should, first of all, be comprised of representatives of States concerned, whose citizens are the refugees."

Now I never heard in the Committee the argument that there had been found Germans in positions of authority in some of the refugees and displaced persons camps. That is a new argument. If they were to be found, naturally no German should be allowed to be in that position, but it is fairly easy to find an occasional German in a position in a refugee or displaced persons camp. But these camps are, after all, places of refuge for people of many nationalities. They would not be there if they were ready to go back to their countries of origin. Therefore, I think it is fair to suppose that they are not in complete sympathy with the governments that are now in power in their countries of origin.

Now you must look at things from a wider point of view than the particular point of view that affects you as an individual at the moment. Suppose we turn this around and suppose we said that any Spanish Republicans found in refugee camps should be sent back at once to their country of origin or that they should be put in camps where the personnel was of their present fascist government? Well, it is obvious it is ridiculous, because it is a fascist government. You would not do that.



But there are other less easy things to get over. I happen to come from the United States. I used in the Committee an example; I am going to use it again; it is purely hypothetical. We happen to have an island in the Caribbean called Porto Rico. Now in Porto Rico there are several factions. One faction would like to become a State. Another faction would like to be entirely free. Another faction would like to stay just the way they are in their relation to the United States. Suppose just for the sake of supposing that we had a refugee camp. We belong to the United Nations, but are we going to say that the Porto Ricans who happen to want to be free from the United States shall receive no letters from home, none of their home papers, no letters perhaps from people who have gone to live in other places or information from other places? I think that we can stand up under having them free to get whatever information comes their way and make up their own minds. They are free human beings.

Now I think that we have shown in the last few days that we do not intend to have refugee camps used as places for political agitation. We will prevent that whenever we discover it. But no propaganda, that is going pretty far.

What is propaganda? Are we so weak in the United Nations, are we as individual nations so weak that we are going to forbid human beings to say what they think and fear whatever their friends and their particular type of mind happens to believe in? Surely we can tell them, their own governments can tell them, all we want to tell them. We are not preventing them from hearing what each country wants them to hear, but we are saying, for instance, that in the United States we have people who have come there from war-torn Europe. They are in two different camps. They will write their relatives as they hear they are in different camps in Europe and they may not always say things that are exactly polite or in agreement with the United Nations. They may even say things against the United States, but I still think it is their right to say them and it is the right of men in refugee camps and women to hear them and to make their own decision.

I object to "no propaganda against the United Nations or any Member of the United Nations." It is like saying you are always sure you are going to be right. I am not always sure my Government or my nation will be right. I hope it will be and I shall do my very best to keep it as right as I can keep it and so, I am sure, will every other nation. But there are people who are going to disagree and I think we aim to reach a point where we on the whole are so right that the majority of our people will be with us and we can always stand having amongst us the people who do not agree, because we are sure that the right is so carefully guarded amongst us and the freedom of people is so carefully guarded that we will always have the majority with us.

For that reason I oppose including in a report which we have to accept these amendments, which I consider restrictive of human rights and human freedom. (*Loud and prolonged applause.*)

The PRESIDENT: I call upon the delegate for the United Kingdom.

Mr. McNEIL (United Kingdom): It is too with great regret that we resist the three amendments which Mr. Vyshinsky has urged upon us. I must ask the Assembly to believe that my country has done everything it could reasonably be expected to do to meet the objections to which three speakers have spoken tonight. There were first of all three separate papers: a comprehensive and exalted one from our Dutch colleague; another from the American delegation, exhibiting perhaps a little

more caution; and it is worth noting that these two papers were presented by two of the most distinguished women delegates of this Conference, whose anti-fascist attitude is beyond doubt or query; and a third paper which was a slim, cautious understatement on this complex problem.

In an attempt to meet the objections of our Russian colleagues, the Dutch and ourselves withdrew our papers, hoping we might find a basis of agreement on the American paper. That in turn proved impossible.

The Chairman of the third Committee, Mr. Fraser, in a further effort, sent this third paper to a subcommittee; and then after the debate we have this resolution, which I suggest, is the minimum consistent with the mandate which the third Committee had and by which every delegate of this Conference is bound; the mandate which is the Charter of the United Nations.

I want for a second to ask delegates to look again at the three amendments offered by our Russian, Yugoslav and Polish colleagues. With the first Mrs. Roosevelt has dealt in a fashion that I cannot emulate. Propaganda is a most subtle and elusive term, and it is because not only does our delegation not know where to draw the line here but who is to draw the line that, most reluctantly, we have had to decline the Russian amendment. We have tried very hard in Committee to understand and to arrive at a defined machine for doing this job. No definition has been offered, as Mrs. Roosevelt said, and therefore, as a business Committee, we cannot commit ourselves.

The other two propositions we have got to reject, because, as it were, in Western European thought and in Anglo-Saxon thought we have always based ourselves on this axiom that you cannot both be accuser and judge of the one offence or the one person. What is the purpose behind suggesting that the supervisor might be of the same nationality as the displaced person? I hope I am completely wrong, but it seems to me that there is a grave risk that you tax the zeal of the supervisor and you perhaps expect from the displaced person a courage and resolution and ability to withstand which he or she is not likely to display after three or four or five years perhaps trekking across half the Continent of Europe.

Similarly, we find difficulty in this phrase: "the Quislings, traitors and war criminals who are still hiding themselves under the guise of refugees should be returned to their countries immediately." By whom? Who shall decide? No delegation in this Conference has at any time displayed any reluctance to use whatever machinery was accepted to hand back these bestial people, if there was a case presented against them; and the resolution before the Assembly provides for that, again as Mrs. Roosevelt has said.

Mr. Vyshinsky pointed most carefully and dexterously, as we expect him to do, to this raid by the American Third Army, and argued, if I understood him aright, that this was proof that these arbitrary powers should be taken over. I suggest the very opposite. The raid by the American Third Army proves three things: firstly, that we are above the suspicion that in circumstances we will try to harbour Quislings, traitors or war criminals; secondly, that we are getting on with the job and destroying that kind of nest wherever that nest is established; and, thirdly, and this brings us back to the resolution, it proves that this Assembly must tell the Economic and Social Council to press on urgently with this task of examining, classifying and determining and providing for the genuine refugee, because as long as there is no classification, as long as there is no identification, as long as proper facilities for the treatment of these poor people are lacking, then it



is in these disordered crowds that the criminal will hide. Any boy who ever read Sherlock Holmes knows that if you want to avoid the CID you really go to Piccadilly Circus.

I said that this resolution was the minimum which our Committee could offer to the Assembly consistently without overriding the mandate. What is our mandate? It is set out again and again in the Charter of the United Nations. Phrases like "to practice tolerance"; "to reaffirm faith in fundamental human rights"; "in the dignity and worth of the human person"; "in equal rights of men and women and of nations large and small." These are phrases that redeem this collection of words from a barrister's brief or a lawyer's document. These are the lamps that light this Assembly, and there is the mandate from which our Committee could not escape.

Making all reasonable provision, drawing the net of justice as closely as we could, making the meshes as small as we could, we still had to affirm that our first job here was not to wreak vengeance but to bring succour; at any rate, my country will not lose sight of that fact; we could not. Tolerance, the right of asylum, these are some of the most precious words in our vocabulary. When toleration, pity and asylum disappear from our tongue, then it will no longer be the English tongue.

Mrs. Roosevelt used an attractive argument in Committee which tempts me to repeat something that has already been said there by me and other people. We are proud of many of the refugees to whom we have given asylum in this country, and there is none of whom I am more proud than a gentleman called Karl Marx. He came and used his brains in our libraries and he produced a system of thought even to tearing down the fabric of society which offered him shelter, and which he properly and rightly accepted. I prayed that we would not depart from that tradition, and I found that if this Assembly loses that colour, that tone, that level in its deliberations and in its decisions, it will be falling short of this Charter upon which we base all our activities.

I opened by saying that I regretted that we could not accept amendments. Of course, that is wrong. I regret that I have to oppose our colleagues who worked so zealously and so sincerely in the Committee, but I have no regret that we must oppose and resist their amendment. We have great pride that we must do so. (*Applause*).

The PRESIDENT: I call on the delegate for Czechoslovakia.

Mr. BELEHRADEK (Czechoslovakia): I think there is not such a great and fundamental difference in opinion as seems to be emphasized by some of the speakers. I think it is especially necessary for us to be aware of the fact that none of the speakers proposed that the refugees should be sent back to their countries of origin against their political taste and will. As far as I understand it, there has not been pronounced a recommendation aiming to force the return of refugees to their homes; with the exception of some war criminals and Quislings, to which we have all agreed, rules proposed in the report do not apply.

This problem, of course, does not especially concern Czechoslovakia, because practically all our people are already at home. Besides, Czechoslovakia is known to the humanitarians as second to none as an asylum to political refugees through the centuries. Let me remind you that Thomas Mann, before he went to America, was given Czechoslovakian citizenship.

I think that we in Europe have a right to look at things our own way. We have suffered much more than many delegates in this room can imagine.

There are delegates in this room who have spent some time in concentration camps, and if they are seemingly less humanitarian, it only means that they are more on their guard against any possibility of the return of anything even remotely resembling fascism or nazism. They have the future of the United Nations very much at heart when they raise their voices against the considerable remnant of dark forces who, under all possible pretexts, even under that of being refugees, are still hoping to disturb the very fundamental objectives for which the United Nations is striving.

The PRESIDENT: I call upon the delegate for Denmark.

Mr. RASMUSSEN (Denmark): As to the three proposals submitted by the Soviet delegate, I would like to say that the first one about propaganda I have no difficulty in accepting, and my delegation is going to vote for it. As to the second one, which is worded like this:

"personnel of refugee and displaced persons camps should first of all be comprised of representatives of States concerned, whose citizens are the refugees."

I should not be able to vote for this paragraph in its present form, but I have some reason to believe that the English wording does not correspond to the thought of the Soviet delegate who drafted it, and therefore I should like to ask Mr. Vyshinsky whether he would be able to accept a slight alteration of the wording so as to make this paragraph read as follows: "personnel of refugee and displaced persons camps should first of all be comprised of persons of the nationality of such refugees," that is to say, we should delete the words "representatives of States concerned, whose citizens are the refugees." If the Soviet delegate is able to accept this modification (or clarification, as I think it is) I, for my part, am able to accept it.

With regard to the third proposal submitted by the Soviet delegate about Quislings and traitors, there I would like to say that what I think leads to difficulty in this proposal is the two lines after the term "war criminals." It is not quite clear in the English text how far-reaching this proposal really is, because of the qualifications added to the word "collaboration." It would be much clearer indeed if those two lines were entirely omitted, so as to make the paragraph read as follows: "Quislings, traitors and war criminals should not be regarded as refugees who are entitled, et cetera."

If these two lines were omitted one more main question would be left for consideration, and that is the question about who should decide whether a refugee is a Quisling or a traitor or a war criminal. That is not stated in the text, but as I understand the whole proposal to be sent to the Economic and Social Council, and, in particular, the explanation given by the Chairman of the Committee which dealt with these matters, it would be the future international body which would judge whether or not a person, refugee or displaced person, could invoke valid objection against his repatriation.

In conclusion I would like to ask the Soviet delegate whether he would be able to accept these two suggested amendments to the second and third paragraphs of his proposal.

The PRESIDENT: I have no more speakers on my list. I now call on Mr. Vyshinsky. (*Applause*.)

Mr. VYSHINSKY (Soviet Union): I regret to be compelled to speak a second time and also I regret to have to speak against our friends from the United States and the United Kingdom.

Mrs. Roosevelt, when she opposed the amendments submitted by the Soviet delegation, raised a very important question, a fundamental question,



and as this question is raised I feel it necessary to explain my point of view.

What was the thesis supported by Mrs. Roosevelt? Mrs. Roosevelt spoke in favour of unlimited freedom and I think that this thesis is not correct. First, I think that such unlimited freedom does not exist and cannot exist in any country. I think, on the other hand, that it is indispensable to bring a limitation to the will and to the action of man and to bring a limitation to the will and to the action of nations and peoples. Can we admit unlimited freedom? I think it is impossible to admit such unlimited freedom. I think it is impossible to say that no conditions of limitation can ever be applied to freedom. This is something quite abstract. This does not take into account the real conditions of life. This cannot exist in present historical conditions.

Therefore, it is impossible not to limit the actions of man and this action is limited by laws. Take criminal law first. Criminal law on the one hand allows to be done what is allowed and on the other hand limits the action of man, saying that man cannot do what is forbidden and cannot act against the interests of the law. If this law did not exist, if liberty was unlimited, then man could say, "I can do all I want to do. I can commit any crime because I can do what I want to do." Therefore, if liberty was unlimited there would be no criminal law.

Thus the will of man is limited, limited by the will of other people, by the interest of all, and this is true also in the case of nations and of States. A State is not free to do all that it wants to do. A State is not free to be an aggressor. When a State becomes an aggressor, democracy rises and democracy either diverts the State from its course of aggression or destroys the State. This happened to Hitler.

Thus democracy is a limitation to tyranny and no democracy could allow a tyrannical State to do what it wanted to do. Democracy is a limitation to tyranny, and those who do not see this point commit a very grave mistake.

What is the question of principle which is involved here? The question of principle is that it is impossible to have unlimited freedom; it is impossible in the interests of society; it is impossible in the Organization of United Nations. Freedom is limited by life itself, and without this principle there can be no society; there can be no society of States. But is it necessary to examine the problem from such a high point of view? I think that it is not necessary, and that the question is much more simple than would appear from all that has been said.

The point is not a question of freedom of propaganda; we are not asking that freedom of speech or propaganda should be limited. What we are asking is that the incitement which leads to the commission of crime against the Members of the United Nations should be limited. One cannot solve the problem without taking into account reality. The delegates for the United Kingdom and the United States have tried to solve this problem without regard to reality, and that is impossible. What is reality? Well, we see the camps with their thousands and tens of thousands of men whose souls and minds are corrupted and inflamed against their own countries: Yugoslavs who are provoked against Tito; Poles who are provoked against the Polish Government, which has been recognized by the great powers.

It is against this propaganda that we speak, against this propaganda which is a crime, because the incitement to a crime is itself a crime, and in all countries there are laws which condemn and punish incitement to crime, incitement to crime being itself a crime. We do not say that men

should not go into the camps and preach. What we say is that we do not want propaganda which poisons the soul and the spirit of thousands of men who are in these camps, who are terrorized, who are under the terror of these fascist bands, who speak the name of freedom.

We must not forget that Hitler has called his nest of evil a National Socialist State. Hitler has abused millions of men, and all of them were not stupid, far from it, by these words "National Socialism." What was there socialist in his regime, and what was there belonging to the people of Germany? He misled everybody, and I think that here we shall all agree in this Assembly that there was nothing which could be taken for socialism in his regime. Hitler, Goering, Goebbels, Hess, Ribbentrop have misled millions of men, and even those who did not want freedom to be restricted.

The representative of the United Kingdom said that the words tolerance and pity may disappear from our vocabulary if we follow the way which our modest amendment invites us to follow. May I answer him by asking him whether in the past our tolerance was not too great and if we did not pay too much for this tolerance. The British people and other peoples, and, above all, the Soviet people, paid too much for the past tolerance by which now some try to cloak the fascist propaganda.

We do not want to accept tolerance. We paid too much for it; we paid too much in blood and we paid too much in life. One thousand, seven hundred of our towns have been destroyed; tens of thousands of our villages have been destroyed, and millions and millions of men killed. Whole areas in our country are entirely desolate after the passage to and fro of Hitler's armies, and, thank God, they were obliged to pass and to leave our country. We are afraid of a tolerance which gives such results. We do not want to accept such a tolerance; we refuse to accept such a tolerance which, in history, is known by the name of "Munchausen."

It has been said by the delegate for the United Kingdom that he does not understand properly what is meant by "propaganda." To put it quite clearly, I should suggest that we should say "harmful propaganda." I think that point is quite clear and we can accept it. Then he said he did not like the suspicion about cloaking Quislings; but why put this question about suspicion. I want to recall an anecdote about an incident which happened in the Congress of Vienna. When Talleyrand's death was announced, diplomats said: "What was his real intention in dying?" This is the result when people speak about suspicion, when the question of suspicion is raised here, and I should like to turn this question of suspicion to the speaker who raised it first.

Then the question of Spanish refugees was raised, and Mrs. Roosevelt said what would happen if, by virtue of this principle, Spanish refugees would have to be sent back to Spain. It is quite impossible to put such a question in such a light. In the first case, the resolution in its point, too, clearly specifies that it is quite impossible to demand the extradition of refugees in those conditions and, in the second place, it would be quite impossible to send back a republican refugee to Spain. Nobody would have such an understanding of freedom, and if anybody had such an understanding of freedom it would take him on a very long journey to what is called the Columns of Hercules, and I should not advise anyone to undertake such a journey.

Thus, I once more submit to this Assembly the following amendment, "tending to prevent harmful



propaganda in the camps, which is directed against the return of refugees to their countries. We deem this proposal just, democratic and necessary." (*Applause.*)

The PRESIDENT: I call upon the delegate for New Zealand.

Mr. FRASER (New Zealand): I deeply regret this difference of opinion and the elusiveness of some of the matters that have to be discussed, because they are difficult. The question was discussed I think for four days in the full Committee, three days before the subcommittee took up the work, one after the report of the subcommittee, and then the report was adopted. We had three meetings, I think, of the subcommittee.

In the subcommittee the delegates of the Soviet Union and of Yugoslavia supported the proposed amendments. In the full Committee the overwhelming majority supported the report as it is, and there is not a word except the dialectical discussion about complete freedom that has been said tonight any different from what was said in the Committee.

Now, I am not going into the question of complete freedom at any length because there is no such thing as absolute freedom; we all agree with Mr. Vyshinsky in that. It is an echo of past decades, when anarchism, or philosophic anarchism was discussed against the working of the democratic State, and if anything has been proved in our lifetime it is that the ideals, if they were ideals, of men like Kropotkin and Bakunin are hopelessly obsolete and out of date and cannot be put forward as even possible or practicable in a world that we can imagine for centuries and centuries to come. Therefore, we all know that absolute freedom is something not even worth talking about, because the freedom to commit crime, the freedom to ignore sanitation, the freedom to do a thousand and one things that will impinge on the freedom of your neighbours, is not permitted in a democratic state. It is different, and is very precious, to give every citizen the maximum freedom consistent with the freedom of all other citizens: that is a very precious possession. It was one of the great philosophers of the United States, of Mrs. Roosevelt's country, Ralph Waldo Emerson, who said,

"What avail  
The plough or sail  
Or land or life  
If Freedom fail?"

Freedom is the reality and freedom has to be safeguarded, and in our period of anxiety (and in a moment or two I will give full measure of sympathy and I hope protection) that the international Organization that is to be set up will protect against the danger of plots from propaganda leading to plots against any of our nations, this is not the way to do it. We have to be very careful that in our anxiety to preserve the structure of our respective countries (and that is an anxiety that we all feel) we do not raise up bogeys and magnify fears and become afraid of fear itself. If there is one contribution that President Roosevelt gave to the world, when the world was sunk in the depths of depression and despair, it was not to fear fear.

We are in danger of fearing fear tonight, in raising up a system that will inevitably prove tyrannical to the masses of the people of the world. We have to watch that. After all, what does economic freedom mean? What do the ideals of any given country mean but that, by giving better economic and social conditions, you are giving greater freedom of expression and freedom of thought, indeed, the four freedoms: freedom of speech in all its varieties; freedom of religion; freedom from fear; and freedom from want. Surely we have to watch that by building up protection

against the shadow of fear and threats we are not losing the substance of freedom that the world fought for and that millions died for. After all, what is the actual position? This report says that the question is an international one.

This report recommends, and I hope the Assembly will recommend, that a special committee of the Economic and Social Council be set up to deal completely and entirely and effectively and efficiently with this problem. We cannot lay down all the instructions that may be necessary to that international body or to the Economic and Social Council, because, finally, the Assembly will be the authority to say whether the plans laid down, whether the rules adopted, or whether the measures taken, are right, just and adequate—and I emphasize right and just as well as adequate; and there is no need for this body, this Assembly at this moment (that was the opinion of the Committee) to give every detailed instruction about what ought to be done. The Committee will deal with that; this international body will have full power to deal with the circumstances in any place in any country in any camp at any time; and we have to beware if we adopt this, that, instead of being here at the birth of the United Nations, we are attending the funeral of liberty and freedom. We have to be very careful about that.

Now the first amendment does endeavour to deal with a position that cannot be dealt with effectively except at any particular spot on the merits of the situation at any particular moment when danger occurs.

Everybody agrees that the American Third Army did a right job and a good job and a just and proper job when they stopped those who were conspiring against Poland in Yugoslavia the other day. No question about that at all. And it shows, and I would cordially agree, that so long as we are banded together as the United Nations (and again we have got to be careful) there may be some even among the United Nations. Some countries have been accused of being fascist countries, some even among the United Nations, whose nationals have escaped to other countries and who are now carrying on propaganda for what they consider to be a tyrannical regime. They may be refugees. Are we to say to them, "Your fundamental freedom of expression of your opinion about the Government of what was your own country is to be taken away"? I do not think the United Nations fought for that; I do not think that for one moment. I believe we did fight for freedom and the maximum of freedom in all circumstances.

Now where does propaganda, where does discussion become a danger and a menace to countries? Well, I will give one example to show how difficult the problem is. I saw laid out on the slopes of Cassino, where our men had been sacrificed by the hundred, shortly after Cassino was taken, the corpses of brave Polish soldiers, as brave as the soldiers of my own country, of Britain, of America, of Russia, of China, of any country. They did all they could do, gave their lives for freedom, and their comrades are there still. Surely their use as a military force must end. They cannot go on. They cannot be under officers that may be perpetually hostile to Poland. That cannot go on, and it is a problem no doubt engaging the attention of the Allies now, for all I know, and surely it must be. When they are disbanded, those men who have fought for our freedom, and they go into a camp, are we going to say to them that their opinions, their freedom of opinion and thought, must now be forsaken and forbidden to them? The thing is unthinkable and untenable. And the problem is not for us. We have laid down the principles and they are wide principles. We



have got to operate them, but if in the operation it is found that any refugee camp is a nest of intrigue, that it is a nest of conspiracy against another country, then it would be the plain duty of this international body to stop them, but not for expressing their opinion that the government of their country is a wrong government.

I am sorry to say in New Zealand a lot of people think our Government is a wrong government. I know they ought not to say that; I know that they ought not to oppose it; I know they ought to agree with everything that we say and everything we do and give us a hundred per cent vote, but they will not in New Zealand. They have got into the habit of thinking for themselves and voting for themselves and voting against us as well as for us. And that is an inherent right that we have been born to and brought up to. We cannot possibly agree to have that superseded because we are to hand out a crust of bread to unfortunate people who have lost their country.

What would have happened in the history of the world without tolerance? It was not tolerance that brought the world to the pass it is in. It was not tolerance that brought the war, but intolerance, tyranny, the deification of the State and the State personified in one man. The doctrine of Mussolini was that he was going to preside at the burial of the corpse of Liberty. It was his corpse that was buried, only not soon enough. That is my honest sentiment about him. I do not want to say a word for those criminals who plunged the world into war and did such terrible things, with their deification of the State as against the human individual, the trampling underfoot of human rights. I would not even have given a trial to some of those criminals that are on trial at Nuremberg today. Everybody knows they are guilty. They are self-professed criminals and should have been got rid of before. That is my personal opinion. That does not matter.

The point that I am concerned about is that we should not stifle honesty of thought even in a dispossessed person, even in people who have left their country and who have dared to think against a government in that country and to say that that government is not a good government and to say that that government ought to be displaced and who express their belief that they could have a better government. Why, that has been the privilege of refugees throughout the centuries, refugees like Garibaldi and Mazzini, refugees who have come from Spain, who have come from Germany, who have come from France, when autocracy was in power there. No country that has gloried in the liberty of the free countries can possibly be a party to agreeing to anything that will prevent the exercise by every human being as an essential part of the dignity of the person and human rights, his claim to human rights; nobody can be a party to preventing him enjoying the four freedoms.

Nobody can point out in a general resolution where propaganda is political controversy and allowable and fair, where it is an attempt to convince other people that they are wrong and that they should accept the policy and the principles of the politics of the person advocating those, and where it develops into active, vicious and malicious conspiracy against the country of their origin. It cannot be done; it could not be done in the Committee; it could not be done in the subcommittee; it cannot be done in the Assembly. It can only be done by those finally administering, at present, the military forces of the United Nations and afterwards by those who are operating the administration of the international organization to be set up.

That is number one and I come to number two, and here I pay tribute to the dialectical ability with which Mr. Vyshinsky spoke so eloquently; I followed his remarks with great interest and pleasure from the intellectual point of view. But number two is almost appalling.

The conception that refugees who are opposed to the government of their country should be put under the subjection of those to whom they are opposed does not bear a moment's examination. No men who believe in freedom could possibly agree to that. I agree that we should give the right to the government of the country of origin to go into the camp to tell the people that they are wrong, that they will be safe in their own country, and happy and successful in their own country. That should be done. There is no doubt that in the world today there is propaganda against going back to their own country, and it may be hopelessly wrong propaganda; but surely the way to correct that propaganda is by giving them the facts? The whole conception of care for the refugees is that they should have as good conditions as possible to live in for as short a time as possible, and here I would say that I agree entirely with Mr. Vyshinsky that people who do not want to go back to their own country are better out of it; and I certainly agree that if we of the United Nations undertake the responsibility for them we should not pay for propaganda or for the means of conspiracy against their own countries. But, when it comes to setting their opponents over them and placing them at the mercy of those who are opposed to them, the United Nations surely cannot stand for that.

In regard to the third amendment, I submit that that amendment is not necessary, because it has already been clearly pointed out that the Quislings and the war criminals and collaborators have no standing. It has been agreed amongst the United Nations that if these traitors are discovered they are to be handed back to the country which they have betrayed. That is already the policy of the United Nations. It has been acted upon and it is being acted upon now, and it is not necessary at all to repeat it. This report, anyhow, says that they are not going to get the benefit, when they are discovered, of being prevented from being repatriated to their own country: they are going to be sent there. I have known some people who think that those who disagree with them are Quislings. We must see that the bounds of freedom are not unduly limited.

The Committee gave great thought to this matter. They wanted, if they could find the words, to put in that there should be no conspiracy tolerated or encouraged in any way. It is difficult to find the words, but we must try to get the general indication, and trust to the international body which is to be set up to do the job efficiently. I believe it will, and that in addition to safeguarding the United Nations it will also see that human rights are not infringed but that they are maintained, that the dignity of the person, the refugee person, is observed, and that the four freedoms that our peoples fought for are not submerged and trampled underfoot.

The PRESIDENT: The general discussion is closed. Before taking the vote, I should like to ask the Soviet delegate whether, after this lengthy debate, he is not prepared to withdraw his amendments?

The last paragraph of the Committee's resolution recommends that the question be referred to the Economic and Social Council for thorough examination in all its aspects. My own feeling is that the various points discussed here this evening ought to have been raised in the Economic and Social Council. Although I cannot take part in this



debate, I must point out that it would be better for a specialized technical committee to attempt a solution. However interesting the discussion, I think a good deal of misunderstanding as regards the various views could and should be cleared up.

I would ask the Soviet delegate whether he is prepared to reserve his amendments for discussion in the Economic and Social Council. If he maintains his proposal I shall take a vote.

Mr. VYSHINSKY (Soviet Union): The Soviet delegate does not see the reason for such a question. We have clearly stated our amendments; we spoke twice in support of the amendments. To your question, Mr. President, I, therefore, answer "No."

The PRESIDENT: The subject of the vote is the resolution presented by the committee, but we must first vote on the amendments and sub-amendments. I suggest we take the three Soviet amendments one by one.

Mr. BEBLER (Yugoslavia): For the amendments, I request a roll-call paragraph by paragraph.

The PRESIDENT: As there is no Danish sub-amendment to the first amendment, I call for a vote on the following text, for insertion after paragraph (c):

"No propaganda should be permitted in refugee and displaced persons camps against the interests of the Organization of the United Nations or her Members, nor propaganda against returning to their native countries."

Those in favour of inserting this text will vote "Yes." Those against will vote "No." As requested, we shall vote by roll-call.

*(The vote was taken by roll-call.)*

*In favour:* Byelorussia, Czechoslovakia, Denmark, Ethiopia, France, Norway, Poland, Ukrainian SSR, USSR, Yugoslavia.

*Against:* Argentina, Australia, Belgium, Bolivia, Brazil, Canada, Chile, Colombia, Costa Rica, Cuba, Dominican Republic, Ecuador, El Salvador, Greece, Honduras, India, Iraq, Liberia, Netherlands, New Zealand, Paraguay, Peru, Philippine Commonwealth, Saudi Arabia, Syria, Turkey, Union of South Africa, United Kingdom, United States, Uruguay, Venezuela.

*Abstained:* China, Iran.

*Absent:* Egypt, Guatemala, Haiti, Lebanon, Luxembourg, Mexico, Nicaragua, Panama.

The PRESIDENT: Here is the result: Thirty-one delegates voted against, ten in favour, two abstained, and eight were absent.

The amendment is rejected.

Does the Danish delegation wish to maintain its sub-amendment to the Soviet amendment?

Mr. RASMUSSEN (Denmark): Yes.

The PRESIDENT: Then we must first vote on the sub-amendment, which is that the words "persons of the nationality of such refugees" be substituted for the words "representatives of states concerned, whose citizens are the refugees." I put this to the vote.

*(The sub-amendment was rejected.)*

The PRESIDENT: I now call upon the Assembly to vote on the original draft of the Soviet amendment.

Mr. BEBLER (Yugoslavia): I want a roll-call on all three of these amendments.

The PRESIDENT: We shall vote by roll-call, as requested.

*In favour:* Byelorussia, Czechoslovakia, Iraq, Netherlands, Poland, Ukrainian SSR, USSR, Yugoslavia.

*Against:* Argentina, Australia, Belgium, Bolivia, Brazil, Canada, Chile, Colombia, Costa Rica, Denmark, Dominican Republic, Ecuador, El Salvador, France, Greece, Honduras, India, Liberia, New Zealand, Norway, Paraguay, Peru, Philippine Commonwealth, Turkey, Union of South Africa, United Kingdom, United States, Uruguay, Venezuela.

*Abstained:* China, Ethiopia, Saudi Arabia, Syria, Iran.

*Absent:* Cuba, Egypt, Guatemala, Haiti, Lebanon, Luxemburg, Mexico, Nicaragua, Panama.

The PRESIDENT: Here is the result: Twenty-nine delegates voted against, eight in favour, five abstained, and nine were absent. The amendment is rejected.

On the third Soviet amendment we have a sub-amendment by the Danish delegation deleting the words "as persons dishonoured for collaboration with the enemies of the United Nations in any form."

Mr. BAJAN (Ukrainian SSR): I move that we alter the amendment by deleting the words "as persons discredited by any form of collaboration with the enemies of the United Nations."

Mr. VYSHINSKY (USSR): I agree to the proposal to delete the words just quoted.

The PRESIDENT: The most radical sub-amendment is that proposed by the Danish delegation. We must therefore first vote on that.

Mr. RASMUSSEN (Denmark): If I am not mistaken, the two are identical. I should like to know the difference between them.

The PRESIDENT: The Danish sub-amendment deletes the words "as persons dishonoured for collaboration with the enemies of the United Nations in any form."

The Ukrainian sub-amendment deletes the words "by any form of collaboration with the enemies of the United Nations."

Mr. BAJAN (Ukrainian SSR): No, Mr. President.

The PRESIDENT: If they are identical the second proposal was unnecessary. Will the delegate for the Ukraine kindly read us his amendment.

Mr. BAJAN (Ukrainian SSR): I shall now read the text as I submit it to the Assembly: "Quislings, traitors and war criminals should not be regarded as refugees who are entitled to get protection of the United Nations," and so on. Therefore I propose to delete the sentence "as persons who discredited themselves by collaboration in any form with the enemies of the United Nations."

The PRESIDENT: It is exactly the same as the Danish sub-amendment. I apologise for my mistake. Then there is no Ukrainian sub-amendment.

The Danish proposal is that the following be deleted: "as persons dishonoured for collaboration with the enemies of the United Nations in any form."

*(A vote was taken by show of hands. The sub-amendment was rejected by twenty-one votes to seven.)*

The PRESIDENT: We have been asked to take a roll-call on the third Soviet amendment as originally drafted:

"The General Assembly considers that:

"Quislings, traitors and war criminals, as persons dishonoured for collaboration with the enemies of the United Nations in any form, should not be regarded as refugees who are entitled to get protection of the United Nations, and that Quislings, traitors and war criminals



who are still hiding under the guise of refugees should be immediately returned to their countries."

Mr. BEBLER (Yugoslavia): I wish to raise a point of order. It was the intention of the Ukrainian and Soviet delegations to put this third paragraph to the vote minus the words "as persons dishonoured for collaboration with the enemies of the United Nations in any form," which these delegations themselves proposed to delete. The President must find a way of taking a vote on the Soviet proposal as amended by the Soviet delegation itself.

The PRESIDENT: I greatly regret having to say this, but there is only one way of maintaining order in the discussion. We must first vote on the sub-amendments, then on the amendments, and finally on the main text. As the sub-amendment has been rejected, it is the first text submitted by the Soviet amendment which must be put to the vote.

Mr. BEBLER (Yugoslavia): That does not follow. Any delegation is entitled to withdraw its own proposal, whether wholly or in part.

The PRESIDENT: From the moment an amendment is submitted it forms part of the discussion and is no longer the property of the delegation which proposed it.

Mr. VYSHINSKY (Soviet Union): There has been a misunderstanding. The Soviet delegation sent in an amendment and then agreed to delete part of the text, thereby altering its amendment. The General Assembly cannot now put forward this amendment in a form different from that submitted by the Soviet delegation, for this would mean that the Assembly has agreed to it in that modified form. If the Assembly does not wish to adopt the Soviet proposal, it cannot put the amendment to the vote in any form other than that given to it by the Soviet delegation. Consequently, we must now vote on the final draft submitted by the Soviet delegation. That is to say, deleting from our original text the words "as persons dishonoured for collaboration with the enemies of the United Nations in any form."

The PRESIDENT: I regret that discussions on procedure should take place at this late hour, and if it were not a point which may prove extremely important in subsequent debates I would not insist. There is a question of principle which you must settle.

My interpretation, I repeat, is the following: From the moment an amendment has been duly submitted, it is no longer the property of the delegation which sponsors it; it belongs to the Assembly. Sub-amendments must be put to the vote first. Let me point out, for instance, that if another sub-amendment had been submitted by a delegation other than the Soviet or Ukrainian, the Soviet representative could no longer withdraw his amendment and submit it again in a different form. Of that I think there can be no doubt. As soon as an amendment is handed in, it becomes the property of the Assembly. That is the only voting procedure.

However, I am the least obstinate of Presidents, so if the Assembly does not share my view I am ready to accept the Soviet delegate's interpretation; but in that case the Assembly must realise that such a procedure, if adopted in other cases, might result in deadlock.

Mr. VYSHINSKY (Soviet Union): I am very grateful for this clarification, but I wish to withdraw my first drafting and submit a new drafting. I have the right to do so. Therefore, I request that the second drafting be put to the vote and not the first one.

The PRESIDENT: So long as no vote has been taken on a sub-amendment, any delegation certainly has the right to withdraw its amendment. You should not have allowed the sub-amendment to be put to the vote, but, as I am anxious to find a way out, I suggest the Assembly should not regard this as a decision of principle. There may have been some confusion. Instead of accepting the Danish amendment and allowing it to be put to the vote, the Soviet delegate might simply have said that he was submitting a second amendment and wished the first to be withdrawn. In order to agree among ourselves, I suggest we vote on the text as requested by the Soviet delegate, it being understood that the Assembly is not creating a precedent and does not state that an amendment, in regard to which a sub-amendment has been put to the vote and rejected, can be withdrawn.

Mr. FRASER (New Zealand): The course that is now adopted may be the simplest, but it is the most dangerous one. It is going to cause confusion in the future if delegates are to be allowed to amend their motions of amendment after a vote is taken. It is wrong. There is no representative body in the world that allows that. I am not opposing this, I want the matter to be finished, but I think that your statement that it should not be regarded as a precedent is right. Up to the time of voting a delegate may ask leave of the Assembly (only the Assembly can give leave) either to alter or withdraw an amendment, because, as you have clearly stated, it is no longer the property of the delegation moving it, it is the property of the Assembly, and it would be fooling people if they could withdraw it at any time. They cannot do it once it is moved. By any book of standing orders in the world, in any representative assembly in the world, you can only do it with the consent of the assembly.

The PRESIDENT: I think we can safeguard the principle and conclude the discussion if the Assembly will unanimously decide in this particular instance to waive the rule I have just referred to, and which, I assure you, is the correct one. In this way we can preserve the principle and at the same time meet the wishes of the Soviet delegation.

Mr. NOEL-BAKER (United Kingdom): Amendments belong to the Assembly, as you have said; but the Assembly can give leave to withdraw; and if our Soviet colleagues desire to withdraw it, the Assembly can give leave.

The PRESIDENT: The position is not quite the same as that described by Mr. Noel-Baker. The Soviet delegate has not asked permission to withdraw this amendment; he wishes to submit it in another form, deleting the reference to persons dishonoured for collaboration with the enemies of the United Nations—precisely the passage which has been maintained by the vote on the Danish sub-amendment. I therefore repeat my suggestion that if in this particular case the Assembly decides to waive the usual rule, I think we can preserve the principle and proceed with the discussion. Is there anything against this proposal? Then I take it that we are agreed that the rule I mentioned is the correct one, but that we are making an exception in this case. That being so, the amendment put to the vote is as follows:

"The General Assembly considers that:

Quislings, traitors and war criminals should not be regarded as refugees who are entitled to get protection of the United Nations, and that Quislings, traitors and war criminals who are still hiding under the guise of refugees should be immediately returned to their countries."

(A vote was taken by roll-call.)



*In favour* : Byelorussia, Czechoslovakia, Denmark, Ethiopia, Iran, Norway, Poland, Ukrainian SSR, USSR, Yugoslavia.

*Against* : Argentina, Australia, Belgium, Bolivia, Canada, Colombia, Costa Rica, Dominican Republic, Ecuador, El Salvador, France, Greece, Honduras, India, Liberia, Netherlands, New Zealand, Paraguay, Peru, Philippine Commonwealth, Turkey, Union of South Africa, United Kingdom, United States, Uruguay, Venezuela.

*Abstained* : Brazil, Chile, China, Saudi Arabia, Syria, Iraq.

The PRESIDENT : The amendment is rejected by twenty-six votes to ten, with six abstentions. Nine delegations did not take part in the vote. All the amendments having been rejected, it only remains for us to vote on the main text. Those in favour of voting on the resolution as originally submitted by the Committee please raise their hands.

The resolution is carried by forty-two votes ; no delegation voted against it, and there were no abstentions.