

task concerning displaced persons is to encourage and assist in every way possible their early return to their countries of origin", it was none the less true that the United Nations had also accepted the frequently reiterated principle that no one should be repatriated against his will; and neither Mr. Arutiunian in the Third Committee nor Mr. Vyshinsky in the General Assembly had questioned it.

70. It had been alleged during the debate that only traitors and quislings were refusing repatriation. She wished to refute that assertion. During the upheavals of the war and the post-war period, territories had changed masters and ideologies, and it was, therefore, easy to understand that certain persons might hesitate to return to a country that was no longer ruled by the Governments which they considered to be their own. That state of affairs had to be taken into consideration.

71. She regretted that the debate had assumed a tone that was not likely to create the atmosphere necessary to a fruitful discussion. In particular she deplored the Ukrainian representative's statement. He had made remarks which would justify the preparations for war he had unnecessarily denounced, but to which provocations such as his might finally give rise. She gave the Ukrainian representative formal assurance that her country was not preparing, and had no intention of preparing, for an aggressive war against any country whatsoever.

72. On behalf of her people, whom she knew thoroughly, she stated that they in no way lagged behind the people of the USSR in their wish

for peace and in their desire to alleviate human suffering.

73. She considered the allegation that the United States was trying to procure slave labour to be ridiculous. In that connexion, she pointed out that the difficulties confronting the United States Government with regard to the refugee question arose out of the fact that there was no place for cheap labour in the United States. Anyone who made such fantastic accusations could only be motivated by a feeling of fear. On the other hand, those who had faith in democracy and respected its fundamental principles had no reason to fear either the impact of ideas or the power of others. As the American people were secure in that knowledge and were profoundly peace-loving, it would indeed require much provocation to lead them to force their Government to alter its policy of peace.

74. Furthermore, she did not see how it could be said that the International Refugee Organization had been established in order to promote slave traffic. Such an assertion did no credit to its author and could not fail to discourage good will.

75. She appealed to members of the Committee to refrain once and for all from stressing their political differences and to devote their efforts primarily to solving the question before them solely in the interests of the refugees. She hoped that the Committee would thenceforward conduct the debate in an atmosphere of harmonious co-operation.

The meeting rose at 5.30 p.m.

## TWO HUNDRED AND FIFTY-NINTH MEETING

*Held at Lake Success, New York, on Thursday, 10 November 1949, at 10.45 a.m.*

*Chairman: Mr. Carlos E. STOLK (Venezuela).*

### Refugees and stateless persons (A/971 and A/C.3/527) (continued)

1. Mr. KINGSLEY (International Refugee Organization) said that the problem of refugees, besides being an aftermath of the war, was also a reflection of the social, economic and political insecurities of the age. The discussion so far had been concerned chiefly with the question of repatriation and the activities of IRO in that respect. As the United States representative had pointed out (258th meeting), repatriation was only one of the major functions of IRO, although it was of course an important and controversial issue. Many sweeping charges had been made against the activities of IRO. Mr. Kingsley did not claim that the organization had achieved perfection, but he pointed out that the whole question had been fraught with difficulties. It was clearly stated in the Constitution of the IRO that the main task concerning displaced persons was to encourage and assist in every way possible their early return to their countries of origin. In many cases, repatriation was obviously the ideal solution and IRO had always used all the peaceful and legitimate means at its disposal to encourage the repatriation of displaced persons. The fact remained, however, that most of those who were

willing to return to their countries of origin had long since done so. More than 7 million persons had been repatriated before IRO had come into existence. In fact, 80 per cent of those who had been uprooted by the war had by that time returned to their countries of origin. It was not surprising, therefore, that when IRO had eventually been set up only a small percentage of the remaining refugees and displaced persons had wished to be repatriated. He emphasized that, while it did everything in its power to encourage repatriation, IRO would never compel people to return to their countries of origin against their will.

2. It had been alleged that IRO refused to distribute the information sent from the Governments of the countries of origin to encourage the displaced persons to return home. In the camps that he had visited, the chief complaint had been that the very countries which made that allegation had sent insufficient information. He cited figures relating to the British occupation zone of Germany, which showed, for example, that 113,807 copies of publications from Eastern Europe had been distributed in the camps in June 1949. In addition, films sent from the Polish Consulate had been shown and IRO officials had themselves

collected photographs depicting life in Poland for display in the camps.

3. The case of the Polish children who had been resettled in Canada had been mentioned during the discussion (256th and 257th meetings) and it would serve as a useful example of the difficulties encountered by IRO in its attempts to encourage repatriation. In the first place, he pointed out that the majority of those in the group had been over the age of sixteen and they could therefore no longer be considered as children under the IRO Constitution. Of the remainder, only 24 had been under the age of thirteen and all but 7 of those had been accompanied by elder brothers or sisters. Moreover, as far as could be ascertained, only 23 still had a living parent and 16 of those came in the older age group, or were accompanied by an elder brother or sister. IRO had done everything in its power to encourage the children to return to Poland and had given Polish repatriation teams every opportunity to interview the children and to persuade them to return home. At one stage, indeed, two sisters had agreed to be repatriated and about a dozen others had seemed interested in the proposal. After the questioning they had undergone at the Polish Legation in Rome, however, the two sisters had changed their minds and had refused to return to Poland. Subsequently, IRO had tried to arrange for a team from the Polish Red Cross to interview the children and to make one last attempt to persuade them to return home. The Polish Government had, however, insisted on seeing the nominal rolls of all the children before accepting the invitation. The possibility of making the IRO nominal rolls available to Governments had often been discussed and it had again been decided by the Economic and Social Council at its ninth session<sup>1</sup> that no such requests should be granted. The Polish team had refused to interview the children on being denied access to their nominal rolls and the IRO had finally accepted the generous offer of the Catholic hierarchy of Canada to find homes for the children in Canada. Nevertheless, he assured the Polish representative that IRO would still be willing to assist in the repatriation of the few children who were under the age of sixteen, who were not accompanied by an elder brother or sister and who had a living parent in Poland.

4. Despite the difficulties it had encountered, IRO had succeeded in repatriating 66,000 displaced persons, more than half of whom had been of Polish origin. The organization had nearly completed a great humanitarian task unlike anything that had ever been achieved before by the world community. It was unfortunate that so few of the Members of the United Nations had shared in that task, but the fact remained that the achievement was unparalleled in human history. Besides those who had been repatriated, 600,000 displaced persons and refugees had been resettled in other countries. The activity of IRO had reached a peak level and persons were being repatriated and resettled at the rate of 1,000 a day. In fact, more than 7,000 persons had left the camps since the Third Committee had started discussing the problem. It was hoped that by the time IRO ceased its activities, it would have dealt with nearly one million persons. Less than 300,000 persons would then remain in the camps.

It was against that background that the General Council of IRO had decided to recommend that the organization should continue its operations for an additional period of nine months. The Council had further recommended that some machinery should be established not later than 1 January 1951 in order to continue the work of protecting the refugees. It was hoped that, in the additional nine months, IRO would be able to reduce the so-called hard core to the absolute minimum. The most difficult problem was presented by the 150,000 persons whose opportunities for resettlement were limited. Some of those were disabled and IRO was providing vocational rehabilitation services for them. Others were trained in certain professions and found it difficult to adapt themselves to the requirements of foreign countries. For them IRO was trying to find homes on a strictly individual basis. In some cases immigration laws proved an obstacle to resettlement and IRO was doing its utmost to encourage Governments to make their immigration laws more flexible. Finally, there were 20,000 people requiring permanent medical care and they, with their 30,000 dependents, presented the most difficult problem of all. Generous offers had already been made by the Governments of Israel, Norway, Sweden and the United Kingdom to receive and care for some of them.

5. He hoped that by 31 March 1951 provision would have been made for all the refugees and displaced persons who had been uprooted by the war. Then there would still remain the continuing problem of providing legal protection for the stateless. As a temporary organization, IRO could not solve the whole problem finally and some international action would be required for many years to come. The problem was a difficult one but its solution was a worthwhile objective and it could not be ignored by those who wished to build a peaceful world.

6. Mr. STEPANENKO (Byelorussian Soviet Socialist Republic) said that the measures envisaged in the Secretary-General's report (A/C.3/527) or in the French draft resolution (A/C.3/529) would not solve the problem of refugees and displaced persons. Neither of the two proposals provided for repatriation, which was the only adequate solution. The gist of the French proposal, for instance, was merely to refer the problem to the United Nations and to set up a High Commissioner's Office.

7. In his opinion, the key to the problem lay in the return of displaced persons to their native lands and homes. He was not referring to those who had left their country years ago, but only to the victims of the Second World War who had been forcibly deported for slave labour in Germany.

8. The obvious course after the war would have been to assist in their repatriation to enable them to rejoin their families and take part in the reconstruction of their country. That, however, had not been done because various Governments, particularly those of the United Kingdom, the United States and France, had done their utmost, by means of threats and hostile propaganda, to hinder and delay the repatriation of Soviet citizens.

9. Instead of encouraging repatriation, IRO had concentrated its activities on resettling refugees and displaced persons in far away countries, mostly overseas, where they found themselves

<sup>1</sup> See *Official Records of the Economic and Social Council*, Fourth Year, Ninth Session, 325th meeting.

defenceless against shameless exploitation. The representative of IRO had just said that his organization would never agree to forcible repatriation. The Byelorussian delegation had never suggested that people should be repatriated by force; all it asked was that they should be given the opportunity to return when they wanted to do so. On the other hand, it was clear that IRO was carrying out a policy of forcible deportation and resettlement overseas. In September 1948, for instance, twelve Soviet citizens in a displaced persons camp in the British zone of Germany had been told by an IRO official that unless they volunteered for mining work in the United Kingdom they would be deprived of their rations and of any further assistance. Similar cases could be cited *ad infinitum*.

10. Emphasizing once again that the key to the problem of refugees lay in their repatriation, he formally submitted a draft resolution to that effect (A/C.3/L/25).

11. In her speech at the 257th meeting of the Committee, the representative of the United Kingdom had been unable to deny any of the facts cited by his delegation regarding the United Kingdom policy on refugees and the wretched lot of the displaced persons in the United Kingdom. She had merely alleged that those facts were unfounded because the Byelorussian representative had once spoken in the Economic and Social Council of the captivity of a young Russian boy who, it had so happened, had already been repatriated by then. He wished to make it quite clear that he had never mentioned any such case, that his statements were always based on incontrovertible evidence and he deprecated the tactics of making wild accusations when one was short of arguments. He was prepared to quote many more examples which would show quite clearly that far from enjoying all modern amenities and the luxury of private baths—as had been alleged by some—displaced persons in the United Kingdom had to eke out a miserable existence in filthy barracks, doing heavy work and being grossly underpaid. Furthermore, British officials were not averse to using displaced persons for their own personal service; indeed, one such official in Austria had dispatched several displaced persons to Australia to work on a farm on which he intended to settle after retirement.

12. The representative of the United Kingdom had also been unable to deny any of the facts cited by the Ukrainian representative who had described how her country was violating its international commitments and pursuing a hostile policy towards the USSR. She had merely accused him of warmongering and had then declared that her people did not want war. That undoubtedly was true—it would have been better, however, if she had been able to state that her Government did not want war either, as all evidence pointed to the contrary.

13. In conclusion, he wished to state that his country was anxious to heal the wounds of war, to create better living conditions for its people and to oppose any warmongering manoeuvres.

14. Mr. CORLEY SMITH (United Kingdom) wished to apologize to the Byelorussian representative for the regrettable misunderstanding which had arisen through a misuse of the word "Russian". Many people were apt to say "Russia" instead of USSR" in the same way as they

might speak of "England" instead of the "United Kingdom". The responsibility for originating the story about the repatriated Russian boy, related in the Economic and Social Council, rested with the USSR representative, and he wished, therefore, to tender his apologies to the Byelorussian representative for having credited him with that masterpiece of fiction.

15. He was not going to reply again to the wild and slanderous charges which had once more been hurled at his country. He had already said that anyone was free to come and see for himself how displaced persons lived and worked in the United Kingdom. He was, however, becoming extremely weary of those ever-recurring and tedious accusations and if provoked once more he would not hesitate to take up some of the Committee's time with a most detailed statement on the subject.

16. Mr. JOCKEL (Australia) referred to the specific proposals that had been submitted and expressed general support for the ideas set forth in the French draft resolution. He agreed that a High Commissioner's Office should be established and that the administrative expenses should be borne by the United Nations. He also agreed that the High Commissioner should have a considerable degree of autonomy and that he should be responsible for programme decisions and actions within broad directives received from the General Assembly and from the Economic and Social Council. Finally, like the representative of France, he felt it was essential for the Assembly to reach a decision on the question during its current session.

17. He agreed that it should be open to the High Commissioner to organize material assistance including maintenance, repatriation and resettlement projects, but that would naturally have to depend on the willingness of Governments to agree to special budgets when particular situations occurred. He felt that the annex to the French draft resolution should be drafted in less general terms if it were to constitute the terms of reference for the High Commissioner or to be used as a basis for those terms of reference. For example, the point made in paragraph (c) of chapter I, entitled "General principles", was a useful way of expressing an idea, but he could not accept it as an operating principle since the concepts were too broad and he would not know exactly to what he was committing himself.

18. Finally, it appeared from the French proposal that the High Commissioner himself was to draft the final statute of his organization while the Economic and Social Council was to plan the administrative and budgetary arrangements. In his opinion, those two aspects were so closely related to one another that they should be discussed and settled by the same people.

19. Mr. ROCHFORD (France) said that, since the general debate had taken up more time than had originally been envisaged, it might be advisable to postpone the time-limit that had been set for the submission of amendments. He proposed that Friday, 11 November, at 6 p.m. should be set as the time limit for the submission of new resolutions and Monday, 14 November, for the submission of amendments.

20. The CHAIRMAN said that a two-thirds majority vote would be required to reverse the

Committee's previous decision concerning the time-limit. He put the French proposal to the vote.

*The result of the vote was 41 in favour, none against, and 7 abstentions. The proposal was adopted, having obtained the required two-thirds majority.*

21. Mr. MUJEEB (India) emphasized that political digressions should not make the Committee lose sight of the essentially humanitarian nature of the problem of refugees and displaced persons. IRO would cease to function very shortly and many human beings would be left without any assistance or legal protection. The main task before the Committee was to assist them.

22. Although India was not a member of IRO, it had done its utmost to aid both UNRRA and IRO and had helped 6,000 European refugees to settle in its territory after the war. India, however, had to cope with its own refugee problem—indeed, there were 6 million Indian refugees who had to be looked after and resettled. He hoped the United Nations would acknowledge that India was performing an international as well as a national duty by helping those people, and that it would not be asked to shoulder any further responsibility regarding European refugees.

23. In conclusion, he expressed the hope that the Committee would adopt the Pakistan representative's suggestion that IRO should be maintained in existence, and would then address itself to the drafting of a convention on the legal protection of refugees.

24. Mr. PANYUSHKIN (Union of Soviet Socialist Republics) wished to correct certain statements made by the representative of Yugoslavia at the 257th meeting. With regard to the persons of Soviet nationality arrested and imprisoned in Yugoslavia, the Yugoslav Government had disregarded the request made by the USSR Government in its note of 25 June 1949 that such practices should cease and that the persons concerned must be released, but had proposed that they should be handed over to the USSR Government. That would have been tantamount to their illegal deportation. Moreover, it was not a fact that the USSR Government had forbidden those of its nationals who wished to do so to leave Yugoslavia. The statement that USSR troops had been concentrated on the Yugoslav frontier at the time of that incident was completely unfounded and might, in his opinion, have been made with ulterior motives which would not conduce to the maintenance of international peace and security. With regard to the Yugoslav boys kept in USSR military schools, none of them, as the Yugoslav representative himself had admitted, had expressed any desire to be repatriated to Yugoslavia so long as the existing political conditions continued to prevail there.

25. Turning to the problem of refugees and displaced persons, the USSR representative said that General Assembly resolution 8 (I) of 12 February 1946 had expressly stated in subparagraph c (iii), that the main task concerning displaced persons was to encourage and assist in every way possible their early return to their countries of origin. The four years which had elapsed since the adoption of that resolution ought to have been ample for the completion of repatriation. According to information supplied by IRO, however, only some 65,000 persons had

been repatriated since operations had begun, whereas nearly 600,000 had been resettled. Such figures showed that the principal countries in IRO, particularly the United States, the United Kingdom and France, had failed to implement that resolution. They had also failed to fulfil their repatriation agreements with the USSR, whereas the latter had some time previously completely fulfilled its commitments with regard to the treatment of their nationals liberated by its forces. Hundreds of thousands of displaced persons of Soviet nationality remained in camps in the occupation zones of Germany and Austria, and almost as many had been transported to the United States, Canada, Australia, Belgium and South America.

26. Furthermore, whereas it had been decided under the repatriation agreements that the displaced persons camps and repatriation centres should be administered by officials in accordance with the regulations prevailing locally, heads and guards of camps administered by the IRO had been found to be war criminals or former members of the Nazi armed forces, as the Byelorussian and Ukrainian representatives had, in his opinion, conclusively demonstrated. The representatives of the United States, the United Kingdom and France had failed to meet that charge because they had been unable to produce any documentary evidence in refutation.

27. Under the repatriation agreements it had been stipulated that the distribution, in the camps, of propaganda hostile to any Member of the United Nations should be strictly prohibited; yet such propaganda was being openly circulated by officials in the service of IRO. Furthermore, the reports of repatriated Soviet nationals allowed it to be clearly inferred that actual physical force was exerted on displaced persons to extort from them sworn statements of their unwillingness to be repatriated, as the Byelorussian representative had shown.

28. There were definite reasons for that policy. They had been disclosed by Emmanuel Celler, a member of the United States House of Representatives, who had stated, according to a United Press dispatch published in *The New York Times* of 26 August 1949, that United States military intelligence officers had requested the inclusion in a law affecting the entry of displaced persons of a provision permitting the immigration of 15,000 displaced persons from Eastern Europe, as they were needed by the intelligence agencies for the information they could give about their countries of origin. That statement might be regarded as confirmation of the charge that displaced persons were being used by intelligence services for the purpose of espionage.

29. The displaced persons camps were also being used as a source of cheap labour. A very large number of recruiting agents from France, Canada and the Netherlands had visited the camps early in 1949 and had selected only the persons best suited for heavy labour. That was a flagrant violation of the General Assembly's resolution.

30. Such failures to heed the obligations incumbent on the Governments were the reason for the continued existence of the problem and for the view—erroneous, in his opinion—that further international action would be needed.

31. The situation had actually deteriorated. IRO hoped to resettle 367,500 displaced persons be-

fore 1 July 1950, but 292,000 would remain, including the so-called hard core of 150,000 persons, who could not be resettled for reasons of age, health or failure to meet professional requirements. In other words, the principal countries in IRO, having selected only those persons qualified for heavy labour or the intelligence services, were intending to refuse further responsibility for a situation which they themselves had created. Such was the real objective of the proposals for the establishment of a High Commissioner's Office.

32. The displaced persons had, however, been the victims of involuntary deportation by the Nazis. They were nationals of certain countries and they had never been deprived of their nationality. Obviously, therefore, it was the duty of their Governments, not of a High Commissioner, to bear the responsibility for their protection; it was, moreover, to their own interest to do so. The creation of a High Commissioner's Office would violate both the right of States to protect their own nationals and Article 2, paragraph 7, of the Charter, as well as previous resolutions of the General Assembly. Furthermore, the adoption of the French resolution might well lay an additional burden on the United Nations budget, as some delegations had feared.

33. The sole valid solution to that, as to so many problems examined by the United Nations, would be for Member States to fulfil their obligations. The USSR delegation would therefore vote against the French draft resolution and in favour of that submitted by the Byelorussian SSR.

34. With regard to the observations made by the Chilean representative at the previous meeting, about the children of Spanish Republicans living in the USSR, the fact that they were not suffering or living in wretched circumstances was shown by a letter from a large group of them published by *Pravda* on 16 August 1949 and by

an illustrated article published by *Ogonek* in September 1949. In the letter to *Pravda*, a group of 114 young Spanish Republicans who had just graduated from technical colleges expressed the warmest appreciation of the opportunities afforded to them in the Soviet Union to obtain advanced professional and technical training unavailable to the children of workers in capitalist countries, especially in Franco Spain. More than 300 Spanish Republican youths had received such training. The letter showed clearly, in his opinion, that the Chilean representative's charges were unfounded.

35. Mr. DEDIJER (Yugoslavia) deprecated the tone of the USSR representative's comments and reserved his right to reply in detail to their substance.

36. Mr. VALENZUELA (Chile) explained that he had not advocated the repatriation of the Spanish youths from the Soviet Union to Franco Spain, but to their parents currently living in Latin America. He was unable to square his personal observations in Moscow with the letter published in *Pravda*, and therefore suggested that the USSR Government might imitate the Governments of France and the United Kingdom in inviting ocular investigation, under the auspices of the United Nations, of the living conditions of the displaced persons in their countries.

37. With regard to the body of international law relating to repatriation, the only agreement on such forcible repatriation as that of the inhabitants of Memel and of parts of Poland from 1939 to 1941 was, to the best of his knowledge, the agreement concluded between Germany and the Soviet Union for that particular case. That had not been fully explained by the USSR representative, whose method of argument, furthermore, was not, in his opinion, wholly appropriate to the high level at which a discussion of great humanitarian import should be conducted.

The meeting rose at 1.10 p.m.

## TWO HUNDRED AND SIXTIETH MEETING

*Held at Lake Success, New York, on Friday, 11 November 1949, at 10.45 a.m.*

*Chairman:* Mr. Carlos E. STOLK (Venezuela).

### Refugees and stateless persons (A/971 and A/C.3/527) (*continued*)

1. Mrs. ROOSEVELT (United States of America) said she wished to reply to four questions raised by the representative of Pakistan at the 258th meeting.

2. First, he had asked why protection should not be continued under the International Refugee Organization. She wished to point out that only eighteen Governments had become members of that organization, while the great majority of Governments had not felt able to join, primarily for financial reasons. The provision of protection should be the concern of all Members of the United Nations. Indeed, that protection could only gain substance if it were given by all the Members of the United Nations. Its cost was not great and, if shared by all Member States in the regular budget of the United Nations, it would not fall as a heavy burden upon any one

Government. Furthermore, the eighteen Government Members of IRO, which had joined an admittedly temporary organization, had decided that they were not prepared to continue IRO for the sole purpose of providing protection which would need to be extended for a continuing period of time to be determined by the General Assembly.

3. Secondly, the representative of Pakistan had asked for what period it was proposed to provide protection under the auspices of the United Nations. No categorical answer could be given to that question. The time required would depend on the rate of progress made by the refugees in achieving a normal life, exemplified by the acquisition of citizenship in a country of final residence. For the immediate purposes of the United Nations, it would be desirable to establish the office of High Commissioner for a period of three years in order to provide the possibility of reviewing, at a later stage, the need for con-