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CHAPTER I.
15 June 1946
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REPORT OF THE SPECIAL COMMITTEE ON
REFUGEES AND DISPLACED PERSONS

In the English version of Chapter I, pages 31 and 32 should
be removed and replaced by the attached two pages.

In fact, strong opposition was expressed by several delegations to the first formula, while other delegations refused to accept the second. Under these conditions the Sub-Committee decided to leave it to the members of the Plenary Committee to settle this difference.

In the course of the discussion on this point, the following arguments were advanced by the delegations in favour of the first formula:

(a) The members of the military formations referred to above were mobilized in the common interests of the United Nations. Numerous Poles, German Jews and stateless persons, from the beginning of hostilities did not hesitate to enrol in military formations or in pioneer corps where they gallantly did their duty. When they entered into their engagement, the representatives of the States under whose flag they were going to serve did not conceal the fact that after demobilization these States would not be in a position to provide for their needs. In spite of this grave warning, these men did not hesitate to enlist and played their part in the common victory. The United Nations have thus incurred a debt of honour towards them.

(b) The opposition of certain delegations to their benefiting from international financial assistance appeared to be based more on arguments of internal policy than on considerations of justice. It is not because the persons concerned favour regimes which are no longer in power that they should be abandoned to their fate. If it adopted such a narrow and unfair view, the international community would fail in duty.

(c) If the Committee accepted the view of the delegations in favour of exclusion, it would reach the following paradoxical position.

While stateless and displaced persons or refugees who are unable or

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to avail themselves of the protection of their government

their country of residence, would benefit from international financial assistance under article 2, Part 1, Section A, members of military formations, who are in the same position with regard to their government of origin, but who played an important and glorious part in the common victory, on the battlefield, would be excluded from this assistance.

The delegations holding the second point of view put forward the following arguments:

(a) It is impossible to ask governments whose nationals served the common enemy and later, after the Allied advance took service in an army of the United Nations other than that of their own governments to protect and assist financially nationals who have thus disgraced themselves. These should be considered as traitors. The members of the Vlasov Army are a case in point.

(b) Apart from this extreme case, there are many bodies of troops composed of men who have enlisted in the forces of governments other than that of their country of origin, and who, after fighting the common enemy, have not been demobilized since the end of military operations. They do not conceal the hostile feelings which they entertain towards the government of the country whose nationality they still possess. They at present serve only the State which keeps them with the colours. If these States intend to continue employing them, they are perfectly at liberty to do so.

In this case, however, the obligation to maintain them after demobilization, if they do not find employment, falls upon these States alone. It would not be right that after using these corps for many months for their own purposes, the States which employed them should ask their members, when they were no longer needed, to approach the international community with a view to financial assistance to which the governments of their country of origin