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C O N T E N T S

	<i>Page</i>
Statement by the representative of the Dominican Republic	79
Work of the Office of the United Nations High Commissioner for Refugees:	
(a) Report of the United Nations High Commissioner for Refugees;	
(b) International action on behalf of refugees: memorandum by the Secretary-General;	79
(c) Question of the continuation of the Office of the United Nations High Commissioner for Refugees	

Chairman: Mr. G. F. DAVIDSON (Canada).

Statement by the representative of the Dominican Republic

1. Miss BERNARDINO (Dominican Republic) said that every time she read the summary record of her statements she noted a tendency to alter their meaning and to ascribe to her words which she had not said. Furthermore, judging by the summary records, when she replied to certain delegations which had alluded to her or her country—as had occurred recently with the Guatemalan delegation—it might be thought that she was addressing someone who was not present.
2. Miss Bernardino pointed out that a member of her delegation had raised the same question before the Fourth Committee, where his statements had also been misrepresented owing to the use of an illogical system which should be abandoned. She hoped that the competent department would take note of her observations. If not she would be compelled to demand an explanation.
3. Moreover, she pressed for a proper distribution of documents in Spanish—Spanish being one of the working languages of the General Assembly.

Work of the Office of the United Nations High Commissioner for Refugees (A/2430, chapter IV, section VI):

- (a) Report of the United Nations High Commissioner for Refugees (A/2394);
- (b) International action on behalf of refugees: memorandum by the Secretary-General (A/2457);
- (c) Question of the continuation of the Office of the United Nations High Commissioner for Refugees (A/2449, A/C.3/L.355)

[Item 28]*

At the invitation of the Chairman, Mr. van Heuven Goedhart, United Nations High Commissioner for Refugees, took a place at the Committee table.

* Indicates the item number on the agenda of the General Assembly.

4. The CHAIRMAN suggested that the Committee should examine simultaneously the three parts of the item on its agenda relating to the work of the United Nations High Commissioner for Refugees instead of taking them separately. Before opening the general discussion he called on the High Commissioner to speak.

STATEMENT BY THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES

5. Mr. VAN HEUVEN GOEDHART (United Nations High Commissioner for Refugees) observed that in a book published in France about seventy-five years previously, entitled *La Finlande indépendante et neutre*, a Finnish refugee had written that in order to understand the present and to avoid being surprised by the future it was necessary to study the past. That was particularly applicable to the Office of the United Nations High Commissioner for Refugees.

6. The terms of reference of the Office were the outcome of a compromise between two main trends of opinion, some holding that the High Commissioner's sole function was to give legal protection to refugees, whereas others had wished him to assume responsibilities as wide and varied as those of the International Refugee Organization. After a number of discussions during which many delegations had expressed their views—among them, in particular, those of Mexico, the United States of America and France—the General Assembly in its resolution 428 (V) had adopted the Statute of the Office of the United Nations High Commissioner for Refugees. He drew attention to paragraphs 1 and 8 of the Statute, relating to his functions and powers. The solution chosen could be regarded as a useful compromise. There were appreciable differences between IRO and the High Commissioner's Office: the latter had no operational functions and its mandate was limited both chronologically and geographically. At the same time his activities were not confined to the purely legal aspects of the protection of refugees; his functions included that of "seeking permanent solutions" on the problems that arose. The Statute had been supplemented by General Assembly resolution 538 (VI), which authorized the High Commissioner, under paragraph 10 of the Statute of his Office, to issue an appeal for funds for the purpose of enabling emergency aid to be given to the most needy groups among refugees within his mandate. That was the legal basis of the High Commissioner's activity.

7. Texts, however, should not cause the human reality to be forgotten: refugees were people who sacrificed everything to escape to the free world. For them the adequacy of the assistance given them was the touchstone of the price attached to freedom. There were, in fact, two different kinds of sacrifice: that made by the refugees who abandoned their country, their family and their property for the sake of their ideals, and that of the free countries which received them. A simple comparison of the two kinds of sacrifice actually made

showed who was displaying the greater and more admirable spirit of self-denial.

8. When the General Assembly had instructed him to organize the High Commissioner's Office he had had to start from scratch and build up the headquarters office and the necessary branch offices. The first essential had been to ensure that the services of his Office should be sufficiently flexible to enable them to adapt themselves to continually changing conditions. The refugee problem was not a static one; the situation was constantly developing; fresh problems arose suddenly; and the Office had to be able immediately to meet any needs that arose. There were, for instance, the recent changes at Trieste. He had therefore tried to organize his services in as flexible a manner as possible. Admittedly he had made some mistakes at the beginning, but they had been rectified and the Office could now be described as an efficient and useful body working in perfect harmony with the European Office of the United Nations at Geneva. Its task was stupendous and there were countless problems to be solved. The Office employed a staff of ninety-nine persons in all, including the headquarters office and the branch offices. Its funds were very limited, since its 1953 budget did not exceed \$US729,000. Nevertheless, much had already been accomplished. He took the opportunity to say how proud he was to direct a staff possessing such high qualifications and to express his gratitude to all his colleagues.

9. He did not propose to analyse in detail his report to the General Assembly (A/2394) but would merely draw attention to certain specially important points in order to help the Committee to have a clearer picture of his problems.

10. The legal protection of refugees was of primary importance; it was one of the essential tasks. The Convention relating to the Status of Refugees¹ of 28 July 1951 was thus a particularly valuable instrument. Only five countries had ratified it so far; a sixth ratification was required in order for it to come into force. The question was pending before a number of parliaments and there was reason to hope that the convention would come into force in the very near future. Furthermore, bilateral agreements on refugees had been concluded with certain national governments, among them the Federal German Government. Each of those agreements effected some change in the position; fresh responsibilities devolved upon the High Commissioner's Office; thus it was absolutely essential that the services concerned should be able to act with the utmost flexibility.

11. Before dealing with the problem of emergency aid to the most needy groups of refugees, he would briefly explain the budgetary position of his Office. A point to be made quite clear was that the United Nations contribution was limited to the appropriations necessary for administrative expenses. The sums paid to refugees or used on their behalf came from gifts and voluntary subscriptions. The budget of the Office suffered from an initial defect. At the time of its establishment no one had known what the real needs would be and someone had tentatively proposed an initial budget of \$US300,000. When, in the light of a year's experience, he had asked for rather more than \$US600,000, he had been blamed for seeking to double his expenditure. But there could be no comparison between a provisional estimate with no basis in fact and estimates founded on actual experience.

The consequences of that initial mistake were still being felt and often threatened to paralyse the work of the Office.

12. Among the most needy refugees were those of European origin in China, who constituted the highest priority. There were approximately 15,000 of them, and 1,200 of them relied entirely on the assistance they received from the United Nations. In the operation which he carried out jointly with the Inter-governmental Committee for European Migration in Shanghai, an average of \$US25,000 monthly was spent on maintenance. The necessary funds were obtained from the Refugee Emergency Fund set up under General Assembly resolution 538 (VI). With the existing funds maintenance could continue to be provided until the end of 1953, but in the absence of new resources it would have to cease on 1 January 1954. He would not conceal that he was deeply disturbed by the position. The resettlement of the refugees of European origin in China was another very serious problem; 2,957 had already been received by various countries, among them Brazil, Australia, Canada, Turkey and Israel, but a considerable number still remained to be resettled. One of the main difficulties lay in the absence of visas; his Office made use of the device known as "alternative visas" but at the current rate of progress a further three to five years would be needed before the question could be satisfactorily disposed of. While of the refugees of European origin in Shanghai 1,200 fell into the category of the most needy, a further 660 might be classified as difficult cases. In that connexion he emphasized that he preferred the expression "difficult cases" to "hard core", which sounded colder and less human and should be abolished. The number of difficult cases in Shanghai had decreased by 227 in the past year. He had made a special effort to find countries ready to accept them. He was able to offer the governments concerned \$US310 per person, which helped to cover the initial maintenance expenses. It was deplorable to give the impression that human beings were being treated as merchandise, but unfortunately circumstances compelled the use of that method. The funds at his disposal were limited and he was therefore all the more grateful to the governments, like that of Denmark, which refused to accept the allotted sum and were concerned only with the assistance they could give those people in their distress. The 227 refugees in China who had been resettled had found homes in European countries; it seemed practically impossible to get them accepted elsewhere. Time was passing, however; the refugees were growing older and the hale and hearty were gradually joining the ranks of the aged and sick and so becoming difficult cases.

13. A very serious problem existed in Austria as well. The agreement between IRO and the Austrian Government had failed to make adequate allowance for the dynamic character of the problem in that it made no provision for the admission of new refugees to the reserved institutions. Further negotiations were therefore required but there was no need to describe the difficulties encountered by a man who came with empty hands and with nothing to offer in exchange for what he sought. There were a large number of refugees in Austria who were not within the mandate of his Office, among them many *Volksdeutsche*. The exact percentage of difficult cases was unknown. He was trying to obtain accurate information. In any case a permanent solution of the problem was more important than legal protection. There were difficult cases in Germany, Italy, Greece, Turkey and the Middle East. He would not dwell on

¹ See *United Nations Conference of Plenipotentiaries on the Status of Refugees and Stateless Persons, Final Act and Convention relating to the Status of Refugees*, Geneva, 1951.

the question of Palestine refugees for much time would be required to go into that question thoroughly. In Trieste over 1,400 difficult cases had been counted. The funds of the Inter-governmental Committee for European Migration, which was actively concerned with them, were inadequate to solve the problem. The equivalent of \$US1,150 would be required for each refugee and the existing funds were insufficient. The voluntary agencies, for which he had a profound admiration, were doing great work. He wished to make it clear that if he had asked for international supervision of the funds placed at their disposal that was not because he lacked confidence in their leaders, who were his friends, but because he felt that good book-keeping made good friends and that funds from international sources should be used under international supervision. That was a rule of sound accountancy. He had no doubt that the voluntary agencies understood his position and the reasons underlying it.

14. The various facts he had mentioned represented only a small part of the problems with which he had to cope. Situations requiring emergency action were arising. Taking into account the amounts earmarked for current assistance programmes and for aid to refugees of European origin in Shanghai up to December 1953, the balance remaining in the United Nations Refugee Emergency Fund was only \$US4,235. The situation with regard to aid to the most needy groups of refugees was therefore extremely precarious. In that connexion, he recalled that not only were contributions to the Fund voluntary but the administration of the Fund cost the United Nations nothing. Administrative expenses were charged to the Fund; to date they amounted to \$US13,673, which represented a percentage below that authorized.

15. Dealing next with the case of the roughly 100,000 European refugees living in some 200 camps, he said that it was unnecessary to stress the deplorable conditions prevailing in those camps or the need to improve them; the huts had not originally been intended to house the refugees for a long period of time and had become entirely unsuitable for housing human beings. In Germany 345,000 refugees were living in camps and approximately 45,000 of them came within the mandate of his Office. Those figures showed that even a slight deterioration could not be contemplated in the position, and that explained the initiative which he had taken to meet the emergency created by the great influx of refugees into Western Germany at the beginning of the year (A/2394, paras. 322 to 324).

16. To help in the solution of the problem, his Office had worked out a scheme for the adoption of camps by various local communities. Through that scheme, which was being given a practical trial in the United Kingdom, a link could be established between the refugee camps and the population of various countries, thereby giving millions of individuals who sincerely wished to make their contribution an opportunity of doing their bit, however small. He hoped that it would soon be possible to extend the scheme to a large number of countries. His Office had also requested the World Health Organization to investigate the physiological, moral and psychological impact of camp life on young refugees. The results would yield further proof of the urgency of the problem.

17. With regard to the resettlement of refugees he explained that the report mentioned only those countries in which his Office was represented. Mention should also

be made of Australia, Canada and New Zealand, which had played an important part in resettling refugees.

18. Resettlement possibilities were still somewhat limited. Public Law No. 203, recently passed by the United States of America, provided for the admission of 55,000 refugees within the mandate of his Office, provided candidates satisfied two essential conditions: first, their record for the last two years had to be irreproachable and, secondly, each candidate had to find a sponsor. Obviously, many refugees would have difficulty in satisfying those requirements, and he hoped that the provisions of the law would be applied in a liberal spirit and that, if necessary, certain amendments would be considered.

19. He wished to make one last point with regard to resettlement: contrary to what had sometimes been implied, he was not in any way opposed to the resettlement of refugees in countries on continents other than those where they were living. There was no doubt that if a refugee did not want to return to his country of origin, his first wish was to cross the sea and to settle on another continent. However, it was equally certain that the possibilities in that respect were very limited and that in many cases the refugee would have to accept another solution—assimilation into the life of a country in which he was living.

20. He had on a previous occasion drawn attention to the invaluable grant of \$US2,900,000 made by the Ford Foundation for the refugees. By 15 September 1953, \$US2,690,000 had been allocated to projects being carried out after consultation between the Office and the various voluntary agencies which had submitted them. In that connexion he paid a tribute to the spirit of friendly co-operation which had marked those consultations and emphasized the importance of the work accomplished both by the agencies and by the staff of his Office. He pointed out that, there again, the United Nations had had nothing to pay, the administrative expenses having been defrayed from the grant. Administrative expenses for one year had been about \$US25,000, that was, less than 1 per cent of the grant, although the Office had been authorized to deduct 2 per cent for such expenses.

21. The grant from the Ford Foundation had been of capital importance in several respects. In the first place, it had encouraged the payment of further contributions: by the time the Office had spent \$US1,660,000 out of the grant, it had received about \$US7 million as additional aid from governments and private individuals to be spent on consolidating the programmes put into effect with the money from the Foundation. In the second place, the Office was applying whenever possible the "revolving" principle: that was to say, the refugees received money in the form of loans, so that any sums repaid could be used to help other refugees. Lastly, in Austria and Germany a rate of exchange had been obtained considerably above the normal rate, representing an increase of 40 per cent in the amounts available for expenditure in those countries.

22. He drew attention to a particularly interesting project initiated on 2 August 1953. In southern Germany a beginning had been made with the introduction of a new type of small house for refugees, accommodating four persons, which might be described as something between a hutment and an ordinary house. One of those houses with built-in furniture could be put up for about \$US715. In view of the very low price, some \$US10 million would probably suffice to settle the problem of the refugees within his mandate living in camps in Germany.

A model of the proposed settlement would be shown at the refugee exhibition which was shortly to be opened by the Secretary-General at the United Nations Headquarters.

23. With regard to the integration of refugees into the life of the country in which they were living, that solution, which had at first met with little enthusiasm, had come to be regarded as a possible and easy means of solving the problem and very often as the only one. The Austrian Government was making a great effort to put into effect a pilot programme for the integration of refugees into Austrian agriculture. The programme was being financed out of an allocation of 10 million schillings released from the counterpart funds; moreover, the Government was tentatively negotiating a loan from the International Bank for Reconstruction and Development. With reference, in that connexion, to the invitation made to him in resolution 638 (VII) of the General Assembly, he explained that the Bank could not consider granting loans for the direct financing of programmes for the integration of refugees; it could therefore only be a matter of loans granted for general development purposes and on the basis of national programmes which included measures from which the refugees might benefit.

24. In conclusion he mentioned two special cases, that of the Yugoslav refugees and that of the Chinese refugees in Hong Kong. The problem of the Yugoslav refugees had three aspects. In the first place, several families who had stayed behind in Yugoslavia had expressed a wish to rejoin their relatives who had already left. The Yugoslav Government had stated that it would place no obstacles in their way. In the second place, the Yugoslav Government was deeply concerned about the fate of Yugoslav children who could not be found but whose parents were in Yugoslavia. It had asked the High Commissioner for his assistance and he had declared his readiness to give it, despite the difficulty of the task. He was currently trying to trace the children. Lastly, there was the question of the repatriation of refugees who had emigrated overseas and who wished to return to their country. The High Commissioner's mandate gave him no powers and there were no funds available in that respect. However, to the best of his ability, the High Commissioner was willing to assist.

25. The High Commissioner's Advisory Committee on Refugees had asked his Office to investigate the position of the Chinese refugees in Hong Kong and the possibilities of solving the problem. He had had no funds for that purpose and had had to make an effort to obtain them, but it was probable that in a few days the necessary money would be available for an investigation.

26. In conclusion, he wished to make six points.

27. First, the refugee problem, by virtue of its background, character and methods of solution, was typically a United Nations problem and the most urgent of the problems with which it was faced. Its solution would contribute greatly to the alleviation of international tension by restoring to hundreds of thousands of people the dignity of human life and their basic human rights, which were of primary concern to the United Nations. A solution of the problem required the countries of first and second asylum, and the resettlement countries, to co-operate and to co-ordinate their activities

through the United Nations, which was the only appropriate machinery.

28. Secondly, it had been proved that a non-operational United Nations agency for refugees was useful and worked efficiently on condition that it was allowed, as the Office of the High Commissioner was, to look at all aspects of the problem, since all were inseparably related one to another. To have restricted the functions of his Office to the legal protection of refugees would have crippled it.

29. Thirdly, in view of the non-operational character of the United Nations agency concerned with refugees its co-ordinating role became all the more important. At the current time the Office had an over-all view of the various projects that had been undertaken on behalf of refugees. If it was consulted before any programme of international action on their behalf was launched, better results would be attained.

30. Fourthly, he noted that the number and complexity of post-war problems prevented governments from dealing with the refugee problem at cabinet level, so that its importance sometimes seemed to have been underestimated. It would be a step forward if governments could see their way to giving the question attention at a higher level.

31. Fifthly, if the refugee problem was to be settled long-term planning was required. Neither the refugees nor governments nor the work of his Office could benefit from arrangements under which the Office had to prepare every two years for its own possible liquidation. For genuinely constructive work a mandate of five years would seem to be the minimum.

32. Lastly, living conditions for thousands of the refugees within the mandate of the Office were nearly desperate. The uncertainty as to the availability of funds for financing emergency aid for the most needy groups made their situation continually precarious. That situation was at variance with what the United Nations owed both to the refugees and to itself, and moreover threatened to frustrate part of the constructive work which the United Nations had shown it was anxious to perform.

33. He hoped therefore that the discussions in the Third Committee would concentrate on the real refugee problems (emergency funds, co-ordination, situation in the camps, difficult cases) and on the refugee himself. A refugee was a man who had given up everything to follow peace and freedom. There should be a concept of total peace just as there was a concept of total war. For human beings such a concept meant freedom of thought and expression and freedom from fear and want. The refugees had to be given an opportunity to build themselves a life worthy of human beings. He hoped the Third Committee would examine the question in that spirit.

34. Mr. P. CHENG (China) hoped that the complete text of the High Commissioner's conclusions would be distributed to the members of the Committee.

35. The CHAIRMAN asked whether the Secretariat could satisfy that request.²

The meeting rose at 12.20 p.m.

² An extract from the High Commissioner's statement was subsequently issued under the symbol A/C.3/L.356.