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MEETING OF EXPERTS ON PASSPORT AND FRONTIER FORMALITIES

REVISED MINUTES OF THE SIXTH PLENARY MEETING

Held at the Palais des Nations, Geneva, on Thursday 17 April, 1947,  
at 10.30 a.m.

Chairman: Mr. CAREW-ROBINSON (United Kingdom)

1. FORMALITIES FOR OBTAINING PASSPORTS (Item I A.2(d) of  
the draft agenda).

The CHAIRMAN declared the meeting open, and said that the Polish representative, after consultation with his Government, had asked permission to make a brief statement.

Mr. PRZEWANSKI (Poland) wished to assure the meeting that his Government warmly supported any efforts made to improve travel facilities and hoped that the meeting would achieve its aims.

He was surprised when his request for an adjournment of the discussion had been rejected at the previous meeting. He had based his request on paragraph 53 of the rules of procedure.

Referring to the motion which had been proposed by the United Kingdom representative regarding the amendment to the United States proposal, Mr. Przewanski said his Government wished to make a formal reservation regarding that matter, as it considered that the question of the decentralization of the issue of passports was a question of internal policy and was the concern only of the country of issue.

The CHAIRMAN said it was not intended that countries should establish passport issuing agencies abroad. It had merely been suggested that within a country itself there should be possibilities for passport applicants to apply at more than one office.

Mr. PRZEWANSKI (Poland) informed the meeting that Polish consular officers abroad had the right to issue passports without consulting their Government. Prior to the war there were many passport-issuing agencies in Poland, and the Polish Government might consider in future whether to return to that practice. He felt the meeting should not go too far in its recommendations, and should not interfere in internal questions.

2. VISA REQUIREMENTS (item I B.1 of the draft agenda)

The CHAIRMAN referred to the proposal contained in document E/CONF/PASS/PC/4, that all visa requirements should be abolished as soon as possible; to the United States proposal that a distinction should be made between those countries which had a quota system and those which had not, and to the United Kingdom suggestion that visas should be abolished as widely as

possible by bilateral agreements between States. He asked whether any representative wished to support the proposal that the meeting should recommend the abolition of all visa requirements and requested representatives to make it clear whether, from the point of view of their governments, a visa placed on a foreigner's passport in itself constituted a permit for that foreigner to enter the country concerned, or whether it was merely a preliminary indication that, so far as the consular officer was aware, there was no obstacle to the person in question travelling to the country for which the visa had been granted.

Mr. WILKINSON (United States of America) said that the recommendations of the London Conference and of PICAO for the abolition of visa requirements did not recognize the problems faced by countries which had been forced to impose immigration restrictions. Those countries were forced to regard applicants for visas as potential immigrants until their non-immigrant status had been established. The United States Government employed visas as a means of pre-determining the status of a prospective visitor. In the event that the traveller was inadmissible, he was saved a great deal of inconvenience and expense, and so were the transport companies. A visa issued by a consular officer was not a guarantee of admission. The United States immigration authorities might examine a person at the port of arrival and deny him admission.

Mr. PERIER (France) pointed out that, according to French law, a visa, once granted, constituted a guarantee of admission into France. The official granting the visa should be able to tell whether or not a prospective visitor was persona grata or not. He felt that all countries should strive to attain the ideal that a consular visa should constitute a guarantee of entry.

Mr. JEFFES (United Kingdom) said that, according to British law, a visa granted by a passport control officer or consular official did not guarantee entry into the United Kingdom: the final decision lay with the immigration authorities at the port of arrival. The immigration official concerned would not refuse to honour a visa unless there was some important reason for doing so. The United Kingdom did not have any quantitative immigration restrictions but, as a result of the war, greatly increased numbers of people wished to seek admission and, although not criminals or undesirables, these people might become destitute and thus become a charge on public funds. In the view of the United Kingdom delegation, a firm distinction could not be made between those countries which had, and those which had not, quantitative immigration restrictions.

Mr. BOER (Netherlands) strongly supported the remarks of the United Kingdom representative. The Netherlands had no immigration laws, but had been forced to restrict immigration owing to the lack of housing, food shortage, etc., caused by the war. He was not in favour of the United States proposal that a distinction should be made between quota and non-quota countries.

Mr. KIRKWOOD (Canada) said that Canada belonged to a minority of countries which required no entrance visa for the admission of aliens, and no transit visas were issued. In cases where certain countries, through which visitors to Canada passed, required the traveller to be in possession of a Canadian entrance visa, the Canadian authorities granted such a visa, but only as a convenience to the country of transit. Canada, however, required all travellers - immigrants and visitors - to be in possession of

an immigration permit which they could obtain free of charge after inspection by Canadian immigration and health officers at various cities in Europe.

Mr. CONTEMPRE (Belgium) considered that no distinction should be made between countries which had and those which did not have quantitative immigration restrictions. In his opinion, immigration restrictions were quite apart from the granting of visas, and it was with visas that the meeting was concerned. Should a traveller in possession of a visa, take up permanent residence in a certain country, it was for the local authorities to trace him and take the necessary measures. His Government believed in the suppression of visas for tourists and visitors.

Mr. POSPISIL (Czechoslovakia) considered that no distinction should be made regarding visa requirements between countries which had, and those which did not have, quantitative immigration restrictions.

Mr. PERIER (France) agreed with the remarks of the representative of Belgium. France, however, had to make some restrictions regarding the number of people allowed in for the purpose of taking up employment. He was in favour of any bilateral or multilateral agreements which would bring about the suppression of visas for visitors and tourists.

The CHAIRMAN asked the United States representative whether he wished to stress the distinction which appeared in paragraph B.1. on page 2 of document E/CONF/PASS/PC/7.

Mr. MADONNE (United States of America) felt that the position which had been taken up by the United States was perhaps not properly understood by the representatives present at the meeting. After the end of World War I, when visa restrictions did not exist, immigrants arrived in the United States at the rate of over a million a year. Immigration quotas had been fixed for each country of origin in definite figures by the United States law of 1924. The United States Government felt that in order to control this restrictive legislation, visa requirements for visitors and persons in transit had to be maintained. It was not possible to administer immigration laws without the visa requirements being enforced, so that a check could be kept on persons at the port of entry to the United States.

With regard to European countries, Belgium, France, Italy and various other countries which did not have immigration laws, nevertheless had regulations, bilateral agreements and administrative measures which did in fact restrict immigration. The geographical position of the United States made it very difficult to accept an arrangement by which visitors' visas would not be required.

Referring to the statement made by the United Kingdom representative to the effect that a visa issued by a British consular agent abroad was practically a guarantee of admission,

a similar situation existed in the United States. Visas were not granted carelessly by the authorities, and unless something adverse about the applicant was learned after the granting of the visa, or unless he himself changed his status from that of a non-immigrant to an immigrant, he was certain of being freely admitted.

The CHAIRMAN said that the proposition of the United States representative was that there was a fundamental distinction in visa requirements between countries which had, and those which did not have, quantitative immigration restrictions. The general sense of the statements made by other delegations seemed to be against this distinction.

Mr. KRIEGLER (Union of South Africa) stated that the position with regard to this matter was very much the same for South Africa as for the United States and Canada. South Africa was a young country with immigration restrictions and as its representative he supported the United States argument that there was a vast difference between immigration and non-immigration countries. The visa was a very useful instrument in controlling immigration, and for this reason South Africa had maintained it. However, if the general feeling of the meeting was that the visa as such should be abolished, South Africa would not stand out.

Mr. PETERS (Australia) said that as his South African colleague had drawn a clear distinction between immigration and non-immigration countries, he felt called upon to speak, Australia being an immigration country. Did the proposition draw a distinction between countries which had a quota and those which did not? Although Australia had not established quota immigration, care had to be exercised from the point of view of the absorptive capacity of the country. He could not support the proposal if it only applied to quota immigration countries, but if it implied a distinction between immigration and non-immigration countries, then he would have to support it.

Mr. PERIER (France) understood the attitude of the United States representative, which was dictated by the geographical position of his country. He would however like to ask what was the aim of the United States reservation?

The CHAIRMAN had understood that the United States representative made a distinction between quota and non-quota countries; he did not understand that it was intended to go further and make a distinction between immigration and non-immigration countries. The point raised by the representative of Australia was a precise one.

Mr. MADONNE (United States of America) explained that the distinction between countries which had quantitative immigration laws and those which did not, was primarily made with a view to reaching some sort of understanding, as mentioned by the representative of France, towards facilitating travel, and simplifying the obtaining of visitors' visas. His delegation desired a principle to be established to the effect

that there was a distinction to be made between the facilities that certain countries which did not have quantitative immigration restrictions could make available and those which did.

Mr. PRZEWANSKI (Poland) declared himself opposed to the United States proposition. He thought that the distinction had nothing to do with the simplification of visas. A country which did not have quantitative immigration restrictions at the present time, might adopt such restrictions later, after the distinction might have been adopted and non-immigrant visas abolished.

The CHAIRMAN then put to the vote the question whether a distinction should be made between countries which had quantitative immigration restrictions and those which did not.

Decision: The United States' proposal was rejected.

### 3. RETENTION OR ABOLITION OF EXIT VISAS

The CHAIRMAN asked the United States representative to speak on his proposal for the universal abolition of exit visas.

Mr. TAIT (United States of America) said that his Government considered exit visas as time-consuming and time-wasting and that they should be abolished. They were used purely as a wartime measure in the United States.

Mr. VILLA MICHEL (Mexico) supported the proposal of the United States representative. Exit visas did not exist in Mexico.

Mr. BOER (Netherlands) said he would like to raise the question of whether a difference should be made in the issue of exit visas to foreigners and to nationals of the country.

Mr. PERIER (France) stated that his Government had suppressed the requirement of the exit visa for its own nationals. The exit visa was a wartime measure and his Government was prepared to proceed to its total abolition, but only on a basis of reciprocity. He would like to ask the representative of the United States whether the "sailing permit" required on leaving the United States had been suppressed.

Mr. TAIT (United States of America) replied that this was a war measure which was in process of being abolished.

Mr. CAGLIYANGIL (Turkey) declared that the exit visa in his country, according to present legislation, was compulsory for nationals and aliens. He believed that it could be suppressed for non-nationals but wished to make a reservation with regard to nationals, who sometimes had not fulfilled their military obligations, or who owed money to the Government.

The CHAIRMAN proposed that the meeting adopt a resolution

to the effect that exit permits be abolished for travellers other than nationals.

This proposition was supported by the representative of the NETHERLANDS and the representative of TURKEY.

Mr. JEFFES (United Kingdom) suggested that the proposal be slightly amended to include nationals as far as possible, leaving the possibility of making an exception to those countries who so desired.

Mr. SODERBLOM (Sweden) said he was able to support the United Kingdom representative's proposal; exit visas, indeed, had never existed in Sweden. He wondered whether a recommendation merely for the suppression of exit visas would not allow each country to deal with its own nationals as it saw fit, as the question of visas apparently related only to visas granted to foreigners.

The CHAIRMAN put the proposition to the meeting in its new form: that exit visas should be abolished save for exceptional measures that a particular Government might wish to take for its own nationals. In accordance with the rules, the second proposal being the wider one, he would put that first.

Mr. TAIT (United States of America) drew the Chairman's attention to the fact that the first resolution, that exit visas should be totally abolished, was the wider.

The CHAIRMAN said that he had thought that that proposition had not been seconded.

Mr. SODERBLOM (Sweden) said he was ready to support it.

Decision: The proposal was adopted by fifteen votes to two.

Mr. WU Nan-Ju (China) said that he wished to make a reservation on behalf of his Government to the resolution which had just been adopted. Before the war, exit permits did not exist in China, but they were adopted as a wartime measure. They would continue in effect for the time being, and, he thought, for some time to come.

Mr. PRZEWANSKI (Poland) said that he wished to make a statement on this point later.

#### 4. ENTRANCE VISAS.

The CHAIRMAN proposed to the meeting that it should proceed to the discussion of entrance visas, leaving the discussion of transit visas until later.

Two propositions were before the meeting. One was the United States proposal that entrance visas should be abolished by countries having no quantitative immigration restrictions (E/CONF/PASS/PC.7 Item B.1(b)). The conference had already

rejected the suggestion that a distinction should be made in the matter of visas between quota and non-quota countries. Did the United States representative agree that this disposed of his delegation's proposition?

Mr. TAIT (United States of America) replied that he would like to amend the recommendation to read: "Entrance and transit visas should be eliminated by all countries which can do so consistently with the protection of their immigration laws."

The CHAIRMAN stated that the proposal made by the representative of the United States would perhaps correspond more closely with other proposals which were to come up for discussion later. The proposition that was the widest on this subject was that contained in E/CONF/PASS/PC/9, item 5, that visas should be abolished as widely as possible by bilateral agreement between States. He requested speakers to confine their remarks to entrance visas, leaving the question of transit visas until later.

Mr. JEFFES (United Kingdom) said that it had been the consistent policy of the Government of the United Kingdom since the end of the war to seek the gradual abolition of visa requirements. It had been recognized that this was a process which had to be gradual. Since the beginning of 1947, the United Kingdom Government had successfully concluded bilateral agreements with seven neighbouring countries to abolish visas on a mutual basis. The first agreement was made with France in June; and agreements had now been concluded with Belgium, Luxembourg, Norway, Denmark, Sweden and the Netherlands. As a point of interest he mentioned that the agreement with the Netherlands had only come into force the day after the meeting opened in Geneva. He urged that the representatives present accept the formula of his delegation to the effect that visas should be abolished as widely as possible by bilateral agreement between States.

The meeting rose at 12.45 p.m.