

**ECONOMIC  
AND  
SOCIAL COUNCIL**

**CONSEIL  
ECONOMIQUE  
ET SOCIAL**

LONDON  
E/REF/FACT-FINDING/9  
6 May 1946  
ORIGINAL: ENGLISH

SPECIAL COMMITTEE ON REFUGEES AND DISPLACED PERSONS

FACT-FINDING SUB-COMMITTEE

SUMMARY RECORD OF THE FOURTH MEETING

Held at Church House on Monday, 7 April 1946 at 10.30 a.m.

CHAIRMAN: Mr. GUIMARAES (Brazil)

Consideration of paragraph (c) of the terms of reference

As a practical proposition, Mr. Guberina (Yugoslavia) suggested that the same "working party" which was to consider the terms of paragraph (a) should also take into consideration paragraph (c). This proposal was supported by the Delegates for France, the United Kingdom and Belgium on the understanding that a preliminary debate on this subject would take place now in the sub-committee.

Mr. Romieux (France) considered that some confusion existed as to what exactly would be the subject of the "working party's" deliberations with reference to paragraph (c). Both the questions of methods of screening and of the surrender of war criminals etc. might seem implicit in its terms, but in his opinion the former was more relevant to the mandate of the "working party". He then delivered a most interesting legal exposition on the situation with regard to the surrender of war criminals which had been clearly laid down in the Moscow Declaration of November 1943, the French Declaration of August 1944 and the London Declaration of August 1945.

At the request of the Delegate for Belgium, the French Delegate promised to submit a statement of his speech to be circulated as a document.

The Chairman drew the attention of the sub-committee to a statement made by Sir Humphrey Gale (E/REF/53) in which he pointed out that the screening of war criminals would be almost finished by the time the new organization was established.

Mr. Beliaev (Byelorussia) agreed that methods of screening would be the main consideration under the terms of paragraph (c) and suggested five points which should be taken into account by the "working party":

- (1) Definitions must be laid down as to who was to be screened.
- (2) Methods of screening must be devised.
- (3) A special tribunal for purposes of screening must be recommended within the new organization.
- (4) A system must be devised for collecting information from governments concerned.
- (5) All information about UNRRA camps and others must be collected so as to enable the segregation of war criminals to take place as soon as possible.

The French Delegate felt that the simplest and quickest way to carry out the process of screening would be to ask interested governments for lists of names which could then be checked by the military authorities. The question of the surrender of war criminals etc. was a much more difficult matter and a method would have to be devised after the process of screening had been settled.

Mr. Schneider (Belgium) felt that the legal expose of the French Delegate could serve as a basis for the work of the "working party" which could also take into account the five points put forward by the Delegate for Byelorussia insofar as they were in harmony with the French Delegate's statement.

The Delegate for Yugoslavia emphasized the need for a field investigating commission for the purposes of screening and segregating war criminals etc. The original Yugoslav proposal for such a commission had been turned down by the Committee because of lack of time to carry it out during this session but it was essential that such lists of names as were provided by governments should be verified by representatives of governments in person. No help should be given to refugees until segregation has been carried out and similarly no plans for resettlement should take place.

Mr. Warren (United States) considered that there was a great difference between the problem of screening in displaced persons camps and the screening which the new organization would have to do to avoid giving assistance to war criminals etc. Under the terms of the General Assembly Resolution the consideration of the latter was the task which had been assigned to the Refugee Committee and because of the lack of time he hoped that the sub-committee would not go beyond its terms of reference.

In this connection it might be desirable for the sub-committee to hear the views of an UNRRA field representative on how to devise measures to avoid helping undesirables. The idea of an administrative tribunal was within our mandate as was also the suggestion to secure information from governments and organizations. A recommendation could also be made to the Economic and Social Council that the competent authorities should speed up the process of screening so that the new organization would have less to do in this respect.

The views expressed by the United States Delegate were warmly supported by the Delegate for the United Kingdom and also by the Delegate for France who suggested that measures for the acceleration of segregation and the surrendering of war criminals be stressed as well as the need for speed in screening

The Yugoslav Delegate then asked if it would not be possible to recommend to the Council to carry out all methods which would lead to the screening, segregation and surrendering of war criminals in the quickest possible fashion.

The United States Delegate considered that the terms of reference of the "working party" with regard to paragraph (c) covered two points:

- (1) to define measures so as to avoid giving assistance to war criminals etc.
- (2) in order to avoid giving assistance to war criminals to recommend to the Council to do everything possible to make the competent bodies speed up in the screening, segregation and surrendering of these undesirables.

The Delegate for the United Kingdom proposed that the remarks of the United States Delegate should form the basis of the terms of reference of the "working party" insofar as it dealt with paragraph (c).

The Rapporteur then proposed that the statements of the Delegates for France, Belgium, Byelorussia, Yugoslavia and the United Kingdom should also serve as a guide to the "working party" in its deliberations.

Decision: It was agreed that the "working party" composed of the Delegates for the United Kingdom, the United States, France, Poland and Yugoslavia and the Rapporteur with representatives of UNRRA and the I.G.C. sitting in a consultative capacity, should take into consideration in its work regarding paragraph (c) the verbatim statements of the Delegates for the United States, France, Belgium, Byelorussia, Yugoslavia and the United Kingdom and should submit its report to the sub-committee on Friday, 10 May.

The meeting rose at 1.20 p.m.

-----