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SPECIAL COMMITTEE ON REFUGEES AND DISPLACED PERSONS

FACT-FINDING SUB-COMMITTEE

WORKING PARTY "A"

REPORT OF THE CHAIRMAN
ON PARAGRAPH (a) OF THE TERMS OF REFERENCE OF THE
SUB-COMMITTEE (E/REF/FACT-FINDING/1)

To Mr. Guimaraes, Chairman of the Fact-Finding Sub-Committee:

As Chairman of working group "A", I have the honour to submit to you the working groups report on paragraph (a) of the terms of reference of the Sub-Committee. I have ventured to give it the form of a draft report from the Sub-Committee to the Special Committee on Refugees and Displaced Persons.

The report is unanimously accepted except for two points: Para. 7, sub-para. (b). The first four lines of this sub-paragraph ending with ".....future international body" were agreed. Two texts were proposed to conclude this sub-paragraph, one by the delegate for Yugoslavia, and the other by the delegate for the United Kingdom. However, the group as a whole did not accept either text.

A draft recommendation, which would have formed the final passage of the working group's report, was proposed by the Yugoslav Delegate but not accepted by the group as a whole.

(Signed) K. McKILLOP
Chairman Working Party "A".

SPECIAL COMMITTEE ON REFUGEES AND DISPLACED PERSONS

FACT-FINDING SUB-COMMITTEE

WORKING GROUP "A"

DRAFT REPORT OF THE FACT-FINDING SUB-COMMITTEE CONCERNING
PARAGRAPH (a) OF ITS TERMS OF REFERENCE
(E/REF/FACT-FINDING/1)

Whenever in this document the term "refugee" or "displaced person" is used, it is without prejudice to the question whether such persons are or are not refugees or displaced persons according to the definition of the Special Committee for Refugees and Displaced Persons.

With regard to paragraph (a) of its terms of reference, the Sub-Committee finds as follows:-

1. That the number of displaced persons receiving UNRRA assistance in Europe and in the Middle East on 31 March 1946, was as nearly as can be ascertained846,146.

2. That the numbers of persons in Europe and the Middle East being the concern of the League of Nations High Commissioner for Refugees (Nansen Refugees) and not included in the total shown in 1 above was on 31 March 1946, as nearly as can be ascertained or estimated, as follows:-

(a) Russian Refugees	150,000
(b) Armenian Refugees	100,000
(c) Assyrian Refugees	1,000
(d) Saar Refugees	5,000

3. That the number of persons receiving assistance from, or being the concern of the I.G.C.R. in Europe, North Africa and Middle East and not included in the totals shown in 1 or 2 above,

was on 31 March 1946, as nearly as can be ascertained or estimated, as follows:-

Refugees coming from Germany, Austria and the Sudetenland	110,000
Spanish Republican Refugees	212,000.

4. That the number of refugees and displaced persons in Europe, the Middle East and Africa receiving assistance from or being the concern of United Nations Governments, and not already included under paragraphs 1, 2 and 3 above, was at 31 March 1946, as nearly as can be ascertained or estimated 250,000.

5. The total number of refugees and displaced persons in Europe, the Middle East and Africa receiving assistance from, or being the concern of UNRRA, the League of Nations High Commissioner for Refugees, the I.G.C.R. and United Nations Governments, was at 31 March 1946, as nearly as can be ascertained or estimated 1,675,000.

6. The Sub-Committee is not including in its report any analysis of the nationality of the displaced persons and refugees or any analysis according to their countries of origin. The Sub-Committee feels that there is insufficient evidence available to it to enable it to reach an agreement on this point.

7. The Sub-Committee does not feel able, having regard to factors which at the present time are necessarily doubtful, to express an opinion as to what the number of refugees who will become the concern of the future international body, will in fact be. Among these factors are the following:-

(a) Repatriation is a continuing process, and it is impossible for the Sub-Committee to forecast the extent to which repatriation will have proceeded by the time that the international body enters upon its functions. The Sub-Committee, however, feels entitled to express the confident hope that repatriation will have considerably advanced in the inter-

(b) Paragraph (c) (ii) of the Assembly's Resolution dated 12 February 1946 defines the conditions which must be fulfilled before a refugee or displaced person can become the concern of the future international body.

THE DELEGATE FOR THE UNITED KINGDOM PROPOSED THE FOLLOWING TEXT:

"at the present time conclusive evidence is lacking that those criteria have been fully satisfied in respect of all refugees and displaced persons at present receiving assistance or being the concern of UNRRA, the IGCR or United Nations Governments."

THE YUGOSLAV DELEGATE PROPOSED THE FOLLOWING TEXT:

"On 31 March 1946, the date of the statistics submitted, the screening and separation of war criminals, quislings, traitors and Volksdeutsche had not been effected. The above-mentioned statistics necessarily include besides bona fide refugees and displaced persons, such persons as will not be the concern of the future organization for refugees and displaced persons as indicated in the definition proposed by the Special Committee on Refugees and Displaced Persons." 7

8. The Sub-Committee warmly approves the terms of the Resolution (No.92) relating to Displaced Persons operations adopted by UNRRA Council.
9. The Sub-Committee finds that repatriation operations are facilitated when competent liaison officers duly accredited by the Governments of the countries of origin have access to the refugees and displaced persons concerned. Such officers may, by request of the governments concerned, furnish adequate information to displaced persons and refugees concerning their countries of origin.
10. The Sub-Committee finds that the presence of any war criminals, quislings and traitors among refugees and displaced persons in their

countries of present sojourn represents an obstacle to the free and unhampered exercise on the part of those persons of their right of option between returning and not returning to their countries of origin, in full knowledge and appreciation of all relevant facts. Such a condition could actually impede speedy repatriation. The Sub-Committee finds that the presence of war criminals, quislings and traitors among displaced persons (more particularly if the former held positions of authority or responsibility) would in fact render it impossible for the conditions set out in (c) (ii) of the General Assembly Resolution of 12 February 1946 to be satisfied.

11. The Sub-Committee has taken note of information supplied by UNRRA in the sense that repatriation has been retarded by such matters as lack of adequate transportation facilities, transit arrangements and capacity of reception centres. The Sub-Committee has also been informed by UNRRA that economic difficulties have also at times created problems for repatriation movements, and although dislike of difficult economic conditions on the part of displaced persons and refugees is not considered a valid objection to repatriation, the Sub-Committee nevertheless considers that such difficulties may affect the desire of people to return to their countries of origin.

12. The Sub-Committee proposes that the Special Committee on Refugees and Displaced Persons request the Economic and Social Council to draw the attention of all the United Nations concerned and of all appropriate international bodies to the necessity of:

- (a) making available to the services concerned with repatriation the necessary transport in order to continue, as actively as possible, operations of repatriation for displaced persons before winter sets in, and thus to ensure that the greatest possible number of displaced persons may be repatriated before 15 September 1945;

- (b) taking all practical measures in order that this repatriation may not be impeded through difficulties in transit, reception, absorption and food supplies.

THE YUGOSLAV DELEGATE PROPOSES THE FOLLOWING TEXT: (THIS TEXT WAS NOT ADOPTED BY THE GROUP AS A WHOLE)

The Special Committee on Refugees and Displaced Persons proposes to the Economic and Social Council to draw the attention of any international body conducting a census of persons receiving international assistance or protection,

- (a) to the necessity to consider as urgent the census of all persons receiving assistance and protection,
- (b) to the importance of the assistance of effective and duly accredited liaison officers to ensure in this work a close co-operation with the Governments of nationality or former habitual residence of those persons under census,
- (c) to the necessity to communicate continuously all compiled data to the Governments of nationality or former habitual residence of the persons in question to enable them to verify data given by the persons under census.

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