



LIMITED

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Dual Distribution

REFUGEES AND STATELESS PERSONS

The Drafting Committee of the Social Committee, consisting of the representatives of Canada, Chile, France, United Kingdom and United States, proposes the following text in replacement of the text contained in document E/L.62.

A. For the purposes of this Convention, the term "refugee" shall apply to any person:

1) who in the period between 1 August 1914 and 15 December 1946 was considered a refugee under the Arrangements of 12 May 1926 and 30 June 1928 or under the Conventions of 28 October 1933 and 10 February 1938, and the Protocol of 14 September 1939.

2) who has been accepted by the International Refugee Organization as falling under its mandate;

3) who has had or has well-founded fear of being the victim of persecution for reasons of race, religion, nationality or political opinion, as a result of events in Europe before 1 January 1951, or circumstances directly resulting from such events, and owing to such fear, has had to leave, shall leave, or remains outside the country of his nationality, before or after 1 January 1951, and is unable, or owing to such fear unwilling to avail himself of the

protection of the government of the country of his nationality, or, if he has no nationality, has left, shall leave, or remains outside the country of his former habitual residence.

The decision as to eligibility taken by the International Refugee Organization during the period of its activities shall not prevent the status of refugees being recognized in the case of persons who otherwise fulfil the conditions of this Article.

B. This Convention shall not apply to any refugee enjoying the protection of a government because:

1) he voluntarily claims anew the protection of the government of the country of his nationality, or has voluntarily re-established himself in the country of his nationality;

2) having lost his nationality, he has voluntarily re-acquired it;

3) he has acquired a new nationality and enjoys the protection of the government of the country of his nationality;

4) as a former member of a German minority, he has established himself in Germany or is living there.

C. No contracting State shall apply the benefits of this Convention to any person who in its opinion has committed a crime specified in Article VI of the London Charter of the International Military Tribunal or any other act contrary to the purposes and principles of the Charter of the United Nations.