

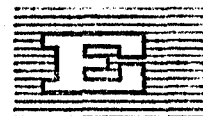
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COMMISSION ON HUMAN RIGHTS
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Dual Distribution

DECLARATION OF THE RIGHT OF ASYLUM

COMMENTS OF NON-GOVERNMENTAL ORGANIZATIONS

Note by the Secretary-General

The Secretary-General has received comments on the draft declaration on the right of asylum from the Agudas Israel World Organisation, a non-governmental organisation in consultative status with the Economic and Social Council. Up to the present a total of 13 non-governmental organizations have submitted comments.

Agudas Israel World Organisation
(Category B)
(Original : English)

(18 February 1960)

We are of the considered opinion that the right of asylum should be clearly defined and extended wherever possible. We certainly consider that, in particular, such a right should be afforded to enable the reunion of families to be effected.

It is an accepted principle that the family is basic in the human order. Article 16 of the Declaration of Human Rights states that "men and women, without any limitation, have the right to marry and found a family the family is the natural and fundamental group unity of society and is entitled to protection by society and the state." There exists the closest connection between the national community and the family. The origin of nationhood is the family and to it the state owes respect and protection.

However, resulting from the refugee problem and subsequent migration, there are today tens of thousands of families who are broken and who desperately desire reunion. This problem is in particular relevant to those countries where the rights embodied in article 13 of the Declaration of Human Rights, that "everyone has the right to freedom of movement and the right to leave any country including his own," are not being fulfilled.

It is interesting to note that the Republic of Argentina, under decree of 26 November 1932, permits immigration to "parents, grandparents, spouses, children, brothers and sisters, grandchildren and blood nephews and nieces of aliens settled in the Republic".

Many Western countries, including the United Kingdom and the United States of America, render assistance in regard to the reunion of families. This is, however, rigidly limited to the closest relationships. In some cases there are difficulties placed in the way of reunion if the applicant is not a national of the country concerned by birth, but a national by naturalisation, or even a permanent resident. This differentiation should be eliminated.

Whilst, therefore, fully supporting the proposed draft declaration (reference E/CN.4/L.517) we feel that specific reference should be made to the right of asylum in particular for those seeking reunion with other members of their family.