

supported those clauses, in spite of the fact that they had not come up to its expectations.

126. The convention under discussion should also apply in all territories, including the colonies, because if large territories were kept outside the scope of the convention, the traffic in persons might be diverted to those areas, which would then become big markets for white slave traffic. In spite of those views, her delegation, as a measure of compromise, had moved an amendment to add the following paragraph at the end of article 27:

"Any such State as is referred to in this article shall within a year of the date of signature or of deposit of its formal instrument of acceptance and thereafter at the end of every succeeding year notify to the Secretary-General the territories mentioned in sub-paragraphs (a), (b) and (c) of the third paragraph of this article, to which the provisions of this convention have not yet been applied, stating the reasons therefor."

127. There was no need to repeat the reasons for moving that amendment. In fact, owing to its importance, a decision to discuss it had been taken by the Committee by a two-thirds majority.

128. Subsequently, article 27 had been deleted in the Third Committee and the Indian amend-

ment to it had therefore been withdrawn and the Polish amendment to article 24 adopted. According to that amendment, the convention would automatically apply to all territories. The Indian delegation had supported the amended article 24 in the Third Committee, and would also support it in the General Assembly.

129. Having discussed those three articles in detail, she would refrain from commenting upon the rest. There was no need to expatiate upon the consequences of the evil of prostitution and traffic in persons. The necessity for international conventions or agreements to eradicate them had been recognized as far back as 1904, when the first international agreement on the subject had been drawn up.

130. The Third Committee had striven hard to draw up a good convention acceptable to all. The draft before the General Assembly was based on the high principles of human rights. In it, an attempt had been made to set up certain moral and ethical standards. In the view of the Indian delegation, the adoption of that convention would be another landmark in the work of the United Nations. She therefore hoped it would receive the unanimous support of the assembled nations.

The meeting rose at 1 p.m.

## TWO HUNDRED AND SIXTY-FOURTH PLENARY MEETING

*Held at Flushing Meadow, New York, on Friday, 2 December 1949, at 3 p.m.*

*President:* General Carlos P. RÓMULO (Philippines).

### **Draft convention for the suppression of the traffic in persons and of the exploitation of the prostitution of others: report of the Third Committee (A/1164) (concluded)**

1. Mr. CORLEY SMITH (United Kingdom) introduced the United Kingdom amendment to article 23 and the proposed additional article of the draft convention (A/1164), with two consequential amendments to articles 25 and 26 (A/1175).

2. The amendment to article 23 was designed to bring that article back to the form in which it had been before it had been amended, by a majority of one vote, in the Third Committee,<sup>1</sup> on a proposal of the Ukrainian delegation.

3. The other proposal was aimed at re-introducing the text of article 27 of the original draft (A/977). The United Kingdom was seeking to re-introduce the colonial application clause, a provision which, for very good reasons, had formed part of many international conventions for some time past. As the General Assembly was aware, the United Kingdom Government was responsible for the international relations of a number of territories in many parts of the world which had widely differing social traditions and had reached varying stages in their progress toward full self-government. Under Article 73 of the Charter, the United Kingdom had undertaken

a solemn obligation to promote such progress. Some of its territories were entirely, and others almost entirely, self-governing in their internal affairs. The United Kingdom Government was firmly attached to the fundamental principle that the territories for which it was internationally responsible should themselves take the necessary and independent decisions in their internal affairs wherever possible, and consequently, carry the direct responsibility for any international obligations so undertaken. The United Kingdom Government was firmly opposed to any reversal of that principle. It would not—and, indeed, it could not—put the clock back in those matters. If certain delegations wished to return to the conditions and concepts of the eighteenth century, they were, of course, at liberty to do so. The United Kingdom Government, however, did not propose to follow them along their backward course against the tide of progress and of history.

4. That statement of the United Kingdom's position made it clear why the attitude of one group of critics of the colonial application clause was completely unacceptable. Mr. Corley Smith was referring to such delegations as those of the Ukrainian SSR and Poland, who had tried to infer in the Third Committee that the United Kingdom was a totalitarian, imperialistic Power, which kept its colonial territories in subjugation and which did not wish to apply the convention to its territories because it had no desire to improve social standards in those territories. He did not think many members of the Assembly would be deceived by that obviously political line. It was not part of his case to say that conditions

<sup>1</sup> For the discussion of this question in the Third Committee, see the *Official Records of the fourth session of the General Assembly*, Third Committee, 237th to 248th meetings inclusive, 268th and 269th meetings.

in British territories were perfect; it would be remarkable if they were. Clearly, they were not perfect in sovereign States, either, or else those States would not be meeting in the Assembly to consider the draft convention. It was part of his case, however, to say that something was being done, steadily and surely, to improve standards and that, far from being indifferent to any shortcomings, the United Kingdom was encouraging their removal in every way.

5. There was another group of critics of the colonial application clause in the Third Committee who had taken a rather different point of view. They had argued that the metropolitan Power should take full responsibility for conditions in its territories until the day when such territories became fully self-governing, and that the United Kingdom Government should therefore automatically apply the convention to all its territories, with or without their consent.

6. That point of view, however, was clearly in conflict with the United Kingdom's conception of Non-Self-Governing Territories. In its view, and he considered it the only reasonable view possible, such a territory was not totally divested of responsibility for its own decisions, but rather was in the process of acquiring wider and wider responsibility. If that were not so, it would be difficult for any territory ever to be granted full self-government, for with the best will in the world it could hardly change from total dependency to full sovereignty overnight. Gradually, by constitutional change and by daily experience gained in the arts of government, the peoples of those territories were taking over more and more responsibility for their own legislation and their own administration. If they were to grow to full statehood, they must obviously be allowed to take decisions for themselves in an ever-increasing number of fields. The convention before the Assembly dealt with one of the many matters which fell within the internal jurisdiction of the territories in question.

7. It had been stated in the Third Committee that the United Kingdom Government held certain reserve powers by means of which it could overrule decisions taken in its dependent territories. It was true that it did hold such powers in some of the dependent territories, but certainly not in the case of all the territories in question. In any event, the United Kingdom Government was not only most reluctant to use those powers even where they existed but, if it were to do so, it would be acting contrary to its firm and declared policy and contrary to the wishes of the territories themselves. If the reserve powers were an effective part of the United Kingdom colonial policy, why should the United Kingdom Government wish to introduce the colonial application clause at all? It would certainly not use those powers in the case of the convention under consideration, which covered matters clearly within the jurisdiction of the territorial Governments themselves.

8. He pointed out that, if the amendment were rejected, the General Assembly would not be depriving the Government of the United Kingdom of certain rights; it would be depriving the Governments of the Non-Self-Governing Territories of their rights, assuming, of course, that the United Kingdom adhered to the convention.

9. Some delegations had expressed the fear that, unless the United Kingdom Government were to enforce action in the matter in question on its territories, nothing would be done. That fear was shown to be completely groundless by the record of adherences to similar conventions in the past on the part of Non-Self-Governing Territories under British administration. Details of those adherences had been circulated to members of the Third Committee, and they showed that the territories for whose international relations the United Kingdom Government was responsible had indisputably as good a record, if not a better one, of adherences to past conventions of that kind as had the sovereign States of the United Nations as a whole. It would therefore be unjust and false for anyone to accuse the United Kingdom Government of using the principle of a colonial application clause as a means of evading its international responsibilities.

10. The issue, then, was clear: the United Kingdom Government stood firmly by the principle that each colonial Government should itself decide whether it wished to accept the terms of the convention, and the United Kingdom Government would not use pressure or force to influence such a decision. That would remain true whether the colonial application clause were included or not. The principle of which he was speaking, which formed a fundamental part of the United Kingdom policy toward its territories, involved questions which went far beyond that or any other individual convention. It was the principle of gradual and sure development towards full independence. For that reason he was obliged to state in all seriousness that, if the General Assembly was not able to accept the fundamental principle lying behind the amendments proposed by the United Kingdom delegation—and even if the rest of the convention was completely and unreservedly acceptable to the United Kingdom Government—the United Kingdom delegation would not hesitate to recognize its clear obligation to vote against the draft convention.

11. Mr. RAMADAN (Egypt) wished to make the position of his delegation clear regarding the draft convention submitted for the approval of the General Assembly.

12. For several years legislation in Egypt had made it possible to abolish prostitution in all its forms. It had energetically attacked the keepers of brothels and had thus been able to destroy that social scourge at its root.

13. The Egyptian Government had not restricted itself to suppressing the evil: it had taken steps to ensure the moral and social rehabilitation of former prostitutes. On the humanitarian side, the Minister of Social Affairs had provided, through detailed regulations, for the setting up of associations to act in co-operation with the Egyptian Society for the Protection of Women and Children. The associations gave shelter to former prostitutes and endeavoured to bring about their moral reform by teaching them religious principles. On the practical side, they tried to counteract the dangers arising from the poverty of the majority of such women by teaching them trades which enabled them to earn their living decently. The experiment had been entirely successful.

14. Egypt had not hesitated to do everything to suppress prostitution, which was not only

contrary to the religious and moral principles of every civilized state but violated the very principles of Egyptian religious instruction which preached the integrity of the human person and respect for woman in her sacred role of wife and mother.

15. The Egyptian delegation could therefore only vote for the adoption of article 6 in its original form. It agreed, however, that the French delegation's amendment contained some interesting points and was fully in keeping with the provisions of French law, whose contribution in that field the representative of France had strongly emphasized.

16. The Egyptian delegation would vote against any amendment to re-introduce what was known as the colonial clause into the draft convention. It considered that the convention was of a purely social and humanitarian nature and should be applied without exception to all States and territories, whatever their system of government. The peoples of the Non-Self-Governing Territories needed protection against the ravages of the social scourge of prostitution. Subordination of the convention to a constitutional procedure, which was only carried out when the metropolitan Power so decided, would nullify it and delay its implementation, whereas the great benefit to be derived from it was precisely that of immediate and effective protection of the peoples concerned.

17. In conclusion, he pointed out that the convention would be completely successful if there emerged from the general study of the draft the clear and definite idea that the sound application of the provisions of article 17 could be ensured.

18. Mr. VOYNA (Ukrainian Soviet Socialist Republic) said that the deplorable social evil of traffic in women and children and of the exploitation of the prostitution of others had long been eradicated in his country, as had the exploitation of man by man, national hatred, discriminatory measures for reasons of race, and other evils. The reason for that was that social relations had been changed and that the material and cultural level of the Ukrainian people had been raised.

19. His delegation had taken an active part in the Third Committee in the preparation of the draft convention under consideration. It had submitted certain amendments, in particular to article 24. It had requested that article 24 should expressly stipulate that the word "State" included all colonies and Trust Territories as well as all other territories for which the signatory States were responsible.

20. That amendment had been accepted by the majority of the Committee in spite of the solid opposition of the representatives of the colonial Powers, in particular of the United States and the United Kingdom. No serious argument had been adduced against it, as could be gathered from the statement just made by the United Kingdom representative. Mr. Voina would not dwell on that question further. He would merely note that the Third Committee had considerably improved the text of the draft before the General Assembly.

21. But the statements just heard in the General Assembly, in particular those made by the representatives of Belgium, the United Kingdom, France and Sweden, showed that the representa-

tives of colonial Powers were resorting to subterfuges to go back on the Third Committee's decision on those provisions.

22. The reason why such a situation had arisen was apparently that the representatives of certain States would like the traffic in persons and the exploitation of the prostitution of others to continue and for that purpose were taking refuge in legal quibbles, referring to the difficulty of changing domestic legislation and claiming that "democratic customs" might be violated.

23. The representatives of the colonial countries apparently did not intend to combat seriously that social evil which was incompatible with the dignity of the human person. They even opposed the draft convention so forcefully as to state that even if it were adopted they would not modify their previous actions, would not adhere to the convention and would not take its provisions into account. That showed that they intended to preserve that social evil in their colonies and Trust Territories at all costs.

24. The Ukrainian delegation considered that the United Kingdom amendments weakened the convention and, far from accomplishing its purpose, would only help the traffic in persons and the exploitation of the prostitution of others to spread.

25. The Ukrainian delegation would, of course, vote against those amendments and would continue strongly to support the text of the draft convention approved by the Third Committee.

26. Mr. BOKHARI (Pakistan) said that he had spoken previously on the question before the Assembly, but that at the time of his statement at the 263rd meeting, the United Kingdom amendments had not been presented. It would now appear that once again, with reference to articles 24 and 27 of the original draft convention, an attempt was being made to reverse a decision which had been taken in the Third Committee after very long discussion and after a very careful examination of the points for and against the course chosen.

27. The position with regard to those amendments, or to what was commonly known as the colonial clause, could be stated very briefly and very clearly. The colonial Powers maintained that they would not be responsible for such measures of social amelioration as those conventions sought to bring about in the world. They would not hold themselves responsible for introducing such measures in the territories under their rule.

28. Those who, like his delegation, were on the other side, asked themselves who was responsible for the social uplift of those territories, according to standards laid down by the United Nations if the colonial Powers were not. Those territories themselves had no right to be represented in the United Nations; they were not self-governing. It would be noted that the representative of the United Kingdom had continuously referred with unconscious irony but quite rightly, to those territories as Non-Self-Governing Territories. That was exactly what they were, although it had been said that in certain matters those territories were self-governing and that it would hurt the conscience of the colonial Powers to interfere in the affairs of those millions of people

in areas of advancement which had presumably been assigned to those people themselves.

29. The case for the other side was that such a presentation of the situation was a political myth because, although it was alleged that in those territories the adoption of so-called social measures had been left to the people themselves, all important matters were kept firmly in the hands of the colonial Powers. They had the power of life and death over those territories. They could bring those territories into the most destructive war at any time. They could declare it treason if any one person within those countries should seek to raise his voice against their domination, and throw him into gaol or hang him.

30. The colonial Powers could not, therefore, allege that they had given those territories such vast powers that it would be against their conscience to interfere in the exercise of those powers. If those territories were free, the colonial Powers should bring them into the United Nations; if they could not do that because they were responsible for the international relations of those territories, they were surely responsible for their social uplift.

31. Over and over again the colonial Powers had asked how they could make the dependent peoples do anything against their will. The General Assembly should not allow that question to mislead it. If taken seriously, it would mean that those peoples were so inclined to indulge in prostitution and all the attendant offensive activities and that that was so much an exercise of their own free will, that it would be an injustice to stop them from doing so. That was not the case. The truth was that most of them were gradually awakening and wanted to become free. That desire could be thwarted; that desire could be repressed. To interfere with that desire was not interfering with the wishes of the people; but to ask them to adopt progressive measures which the world was about to adopt was regarded as interference. That seemed to him to be perverted logic.

32. In voting for the amendment, in other words, in recognizing the colonial clause, the General Assembly should see clearly what it was recognizing. It would not be recognizing those territories as self-governing, because it knew that they were not self-governing territories. There was no half-way house between slavery and freedom. They were not free; therefore they must be slaves. There was no intermediate course for the Assembly to adopt. To vote for those amendments was to recognize that those territories were free when in actual fact they were not.

33. Again, it had been argued that although the metropolitan Powers kept certain reserve powers, those reserve powers operated only in a negative way. Those reserve powers could not inspire or initiate new legislation; they could only stop legislation originating in the country itself. In other words, the reserve powers were only meant to hinder, not to help. It was not the territories that had introduced those reserve powers into the statute book. It was always the metropolitan country and its parliament and its legislature which had given that particular configuration to the reserve powers. If those powers

now prevented the metropolitan Powers from doing the right thing for the people, then they should be changed. The metropolitan Powers had introduced those reserve powers; they should now eliminate them. They should not hide behind legislation they themselves had passed.

34. It was not the first time that the colonial clause had been discussed in connexion with conventions. It had been discussed frequently before, and frequently the colonial and the metropolitan Powers had won. They had succeeded in convincing the world that the territories were free, whereas in fact they were not. Their main concern, and he could easily appreciate it, was that whilst they were attempting to give the territories freedom they should be given credit for the fulfilment of those attempts. He was willing to give them credit for the attempts, but not to agree that the attempts had resulted in making those countries free or that the General Assembly should regard them as free. Between those two there was a world of difference.

35. He wished to repeat in that connexion a remark he had made in the Third Committee. So long as the metropolitan Powers clung to those vast congregations of peoples and to those vast territories, to which they had no moral right even though they might be trying in their own way to do good, all their actions would be full of contradictions and difficulties. Those difficulties and contradictions were not of the General Assembly's making. Until the situation was righted, it would be the curse of the metropolitan Powers that they would succeed in doing wrong when they really wanted to do right, and that they would succeed in doing right when they really wanted to do wrong.

36. He recalled, in that connexion, that certain well known and distinguished delegations, whose countries were not encumbered with such colonies, had nevertheless chosen to support the colonial Powers in the matter. He failed to see why they did so. If adversity made strange bed-fellows, the same might be true of prosperity, in which case he could perhaps understand the situation and even forgive it. But understanding and forgiveness did not imply acceptance.

37. It was not the first time that the clause had come before the General Assembly. It had come before the General Assembly in connexion with other conventions and a glance at the history and progress of that clause would show that the number of nations in the world which were beginning to see the truth of his position and which were therefore beginning to vote against the clause was increasing. He hoped that in the progress of the clause through world legislation the number of votes cast against it would be a record number in the case in question and would increase in future years until the colonial clause became a dead letter.

38. Mr. ZEBROWSKI (Poland) expressed his appreciation of the strength and brilliance of the Pakistan representative's exposition of his point of view and the convincing logic of his speech.

39. The subject introduced by the United Kingdom had been thoroughly discussed in the Third Committee, where the feelings of the majority had been very plain. Only the previous day Mr. McNeil had contended that the colonial

peoples in the British dependencies resented interference by third parties. By third parties, Mr. McNeil had, of course, meant the United Nations. Mr. Zebrowski was convinced, however, that if the colonial peoples themselves had a voice in the United Nations, as he hoped they would eventually have, on the colonial application clause, they would vote for the text as it stood.

40. The majority of those countries which a very short time ago had been colonies and, in not a few instances, dependencies of the United Kingdom, had voted against the colonial clause. The vote in the Third Committee had been eloquent enough. There had been a similar situation in 1947, when the two Conventions of 1921 and 1933, embodied in the present convention, had been before the General Assembly, and the colonial application clause had been deleted.<sup>1</sup> He recalled that at the 96th meeting of the General Assembly, the most eloquent defender of the proposal for deletion had been the representative of Haiti, who had referred to the fact that Haiti had been a colony in the past.

41. He was very pleased that the General Assembly had that morning adopted several resolutions which would enable the United Nations to keep a close scrutiny on what was happening in the dependent territories and how the Administering Powers were living up to the trust reposed in them by Chapter XI of the Charter.

42. The object of article 23 of the draft convention under consideration was that the colonial Powers should be responsible for the progress in their dependencies. He hoped that the General Assembly would vote now in the same spirit in which it had voted that morning and in the same spirit as that shown in both the Fourth and Third Committees.

43. The PRESIDENT put to the vote the United Kingdom amendment (A/1175) to article 1 of the draft convention for the suppression of the traffic in persons and of the exploitation of the prostitution of others.

*The amendment was rejected by 24 votes to 14, with 9 abstentions.*

44. Mr. BOKHARI (Pakistan), speaking on a point of order, asked for a roll-call vote to be taken on the other amendments.

45. The PRESIDENT put to the vote the United Kingdom amendment to article 23 (A/1175).

*A vote was taken by roll-call.*

*Liberia, having been drawn by lot by the President, was called upon to vote first.*

*In favour:* Luxembourg, Netherlands, New Zealand, Norway, Sweden, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America, Australia, Belgium, Canada, Denmark, France, Iceland.

*Against:* Liberia, Mexico, Pakistan, Philippines, Poland, Saudi Arabia, Syria, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Uruguay, Venezuela, Yemen, Yugoslavia, Afghanistan, Argentina, Bolivia, Brazil, Burma, Byelorussian Soviet Socialist

Republic, Chile, China, Colombia, Cuba, Czechoslovakia, Dominican Republic, Egypt, Ethiopia, Guatemala, Honduras, India, Iraq, Israel, Lebanon.

*Abstaining:* Peru, Thailand, Greece, Iran.

*The amendment was rejected by 33 votes to 14, with 4 abstentions.*

46. The PRESIDENT put to the vote the United Kingdom amendment proposing an additional article for insertion between articles 24 and 25 (A/1175).

*A vote was taken by roll-call.*

*Cuba, having been drawn by lot by the President, was called upon to vote first.*

*In favour:* Denmark, France, Iceland, Luxembourg, Netherlands, New Zealand, Norway, Sweden, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America, Australia, Belgium, Canada.

*Against:* Cuba, Czechoslovakia, Dominican Republic, Egypt, Ethiopia, Guatemala, Honduras, India, Iraq, Israel, Lebanon, Liberia, Mexico, Pakistan, Peru, Philippines, Poland, Saudi Arabia, Syria, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Uruguay, Venezuela, Yemen, Yugoslavia, Afghanistan, Argentina, Bolivia, Brazil, Burma, Byelorussian Soviet Socialist Republic, Chile, China, Colombia.

*Abstaining:* Greece, Iran, Thailand.

*The amendment was rejected by 34 votes to 14, with 3 abstentions.*

47. Mr. CORLEY SMITH (United Kingdom) stated that since the amendments the United Kingdom delegation had submitted to articles 25 and 26 were consequential upon the amendment which had just been rejected by the Assembly, he would withdraw them.

48. The PRESIDENT put to the vote the draft resolution and draft convention annexed thereto (A/1164).

*A vote was taken by roll-call.*

*The United States of America, having been drawn by lot by the President, was called upon to vote first.*

*In favour:* Uruguay, Venezuela, Yemen, Yugoslavia, Afghanistan, Argentina, Australia, Bolivia, Brazil, Burma, Byelorussian Soviet Socialist Republic, Canada, Chile, China, Cuba, Czechoslovakia, Egypt, Ethiopia, Greece, India, Iran, Iraq, Israel, Lebanon, Liberia, Luxembourg, Netherlands, Norway, Pakistan, Philippines, Poland, Saudi Arabia, Syria, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

*Against:* France, United Kingdom of Great Britain and Northern Ireland.

*Abstaining:* United States of America, Belgium, Colombia, Denmark, Dominican Republic, Guatemala, Honduras, Iceland, Mexico, New Zealand, Peru, Sweden, Thailand, Turkey, Union of South Africa.

*The resolution and draft convention annexed thereto were adopted by 35 votes to 2, with 15 abstentions.*

<sup>1</sup> See Official Records of the second session of the General Assembly, Resolutions, No. 126.



49. Mr. SVENNINGSEN (Denmark) explained that the Danish delegation had abstained from voting on the draft convention because the wording of essential articles in the draft was not compatible with existing Danish legislation on the subject. Its abstention was not tantamount to a lack of interest on the part of Denmark in an international convention in that field. On the contrary, in principle the Danish Government welcomed a multilateral convention as a means to combat the evil of traffic in persons and the exploitation of the prostitution of others. The definition of the crime in question in Danish law did not, however, cover that of the draft convention. The Danish Government would have to consider whether or not it would be appropriate to take steps to introduce amendments to the Danish legislation which would enable Denmark to adhere to the convention at a later date.

### **United Nations International Children's Emergency Fund: report of the Third Committee (A/1152)**

50. Mr. VRBA (Czechoslovakia), Rapporteur of the Third Committee, presented the report of the Third Committee, and the accompanying draft resolution (A/1152).

51. Mr. MAKIN (Australia) expressed the deep satisfaction of his delegation at the fact that the Third Committee<sup>1</sup> had adopted a resolution supporting the work of the Children's Fund. The resolution had been adopted in the Committee by 40 votes to none, with 3 abstentions, that was to say without a single negative vote. His delegation hoped that the General Assembly too would approve the draft resolution without dissent.

52. The discussions in the Third Committee had been marked by many spirited statements supporting the splendid work which the Children's Fund was carrying out in many parts of the world. He hoped that representatives who had served on the Third Committee would take back to their Governments their impression of the great humanitarian work being done by the Children's Fund.

53. There had been much discussion in the Committee concerning which areas were most entitled to assistance; in that connexion he would emphasize that the Children's Fund would be sadly hampered in meeting needs unless further contributions were forthcoming. The Fund had received about 141 million dollars in contributions. Slightly over 140 million dollars had been allocated. That meant that the reserve of the Fund for future allocation amounted to less than one million dollars. Unless further contributions were received in the near future the feeding programme in Europe would end in the middle of May 1950, the aid to Palestine refugees would cease at the end of March 1950, and there would be no resources to expand the programmes in Asia and Latin America. He therefore wished to stress the final paragraph of the resolution, in which the General Assembly drew the attention of Members to the urgent necessity of

further contributions to enable the Fund to carry out its programme.

54. Members of the General Assembly were aware of the most generous matching arrangements of the United States Government. At the moment there remained three million dollars appropriated by the United States Government which were immediately available for matching purposes. In addition, a further 25 million dollars had been authorized but had not yet been appropriated. Those were the considerations which representatives should take back with them. The Assembly was about to adopt a very progressive resolution in support of the Children's Fund, and the next step must be the raising of further contributions.

55. In conclusion, he again stressed his Government's wholehearted support of the humanitarian work of the Children's Fund. In the opinion of the Australian Government that work had been one of the most successful activities of the United Nations.

56. Mrs. ROOSEVELT (United States of America) wished to emphasize once again what she had said in the Third Committee regarding the work of the United Nations International Children's Emergency Fund.

57. The United States considered that the Fund had done extraordinarily good work in meeting the emergency needs arising out of the war, for which purpose the Fund had been established. To have brought food, clothes, medical supplies and other services to millions of children and mothers had demonstrated a concern on the part of the United Nations for a great problem. The United Nations could feel satisfaction at that achievement.

58. It was likewise a source of satisfaction that so many Governments and so many individuals had contributed to the work and that the Fund had thus become a symbol of a world-wide humanitarian spirit.

59. Before the United States delegation cast its vote in favour of the draft resolution, it felt it was important to clarify its attitude with respect to certain points in the draft resolution.

60. In the Third Committee the United States delegation had drawn particular attention to the study on the continuing needs of children and the means by which those needs could best be met within the structure of the United Nations and its specialized agencies (E/CN.5/177). That study would be important, since out of it there might well emerge a long-term programme in which the needs of children would be given their proper emphasis in the international structure of permanent organizations in which each nation played a part. The study would be presented to the Social Commission in December 1949 and subsequently to the Economic and Social Council in February 1950. At various stages the interested specialized agencies were being consulted and would make their views heard. When the General Assembly convened again in 1950 it should have before it a well considered plan to which much thought and consideration would already have been given. The importance of the plan could not be over-emphasized and it was essential that there should be no attempt to prejudice its conclusions. She herself felt con-

<sup>1</sup> For the discussion on this question in the Third Committee, see *Official Records of the fourth session of the General Assembly, Third Committee, 265th to 267th meetings inclusive*.

fidant, and she trusted that other delegations shared her view, that nothing in the draft resolution before the Assembly would be taken to prejudice that plan.

61. Certain language in the draft resolution required particular comment. Paragraph 3 spoke of the extension to Asia, Latin America and Africa of the great humanitarian effort of the Fund. Paragraph 5 noted with approval decisions which the Fund had made to devote henceforth a greater share of the Fund resources to programmes outside Europe. Paragraph 4 pointed to the existence of children's emergency needs arising out of war and other calamities, and it also emphasized the great needs occurring in under-developed countries. Those three paragraphs were all related to the final paragraph of the draft resolution, which drew attention to the urgent necessity of further contributions to enable the Fund to carry out its programme.

62. In order that there might not be any misunderstanding about the effect of the draft resolution, the United States delegation interpreted those paragraphs as factual statements of what the Fund had done in slightly extending its original area of operations because of particular circumstances that had arisen. The United States delegation did not construe those paragraphs as altering or broadening the terms of reference laid down for the Fund in resolution 57 (I) adopted by the General Assembly in December 1946. It regarded the Children's Fund as having been established to meet emergency needs arising out of the war and as having been successful in greatly diminishing those needs.

63. In accordance with that view, the United States Congress, in extending to June 1950 the availability of United States funds for matching contributions of other countries, had expressed its intention that United States financial participation in the Fund should not extend beyond that date.

64. As far as the continuing needs of children were concerned, especially in areas of the world not given primary emphasis in resolution 57 (I), the United States delegation would regard the study which was under way as the plans which would chiefly guide the United Nations in the future.

65. The continuing needs of children as well as of other people were, all over the world, of enormous magnitude. Very careful thinking would be required before a final decision could be reached concerning the means by which the United Nations and the specialized agencies could best render assistance in relation to a problem of such large dimensions.

66. The Fund could congratulate itself and deserved the congratulations of each Member for having so well carried out the objectives for which it had been established.

67. The United States delegation would support the resolution adopted by the Third Committee.

68. The PRESIDENT put to the vote the draft resolution presented by the Third Committee (A/1152).

*The resolution was adopted by 44 votes to none, with 3 abstentions.*

## Refugees and stateless persons: report of the Third Committee (A/1118) and report of the Fifth Committee (A/1177)

69. Mr. VRBA (Czechoslovakia), Rapporteur of the Third Committee, presented the report of the Third Committee, and the accompanying draft resolutions (A/1118).

70. Mrs. ROOSEVELT (United States of America) wished to make it clear that her Government had always been convinced of the necessity and wisdom of establishing a service of protection for identified groups of refugees under the auspices of the United Nations.

71. The basic issue involved in the differences of views which had developed in the discussion of the subject in the Third Committee<sup>1</sup> had largely been one of retaining, in the hands of the General Assembly, essential control of those who were to be protected by the United Nations and of the problem of assistance, as opposed to leaving decisions on those matters to the complete discretion of the High Commissioner.

72. The efforts to resolve those differences had continued since the adoption in the Third Committee of the recommendations to the General Assembly. She confidently hoped that the amendments to the draft resolution proposed by her delegation (A/1162), which included modifications of the text discussed in the Third Committee, would meet with general acceptance.

73. Before presenting those amendments and the reasons for advancing them, she repeated that it had never been intended that resolution A would make provision for what might be regarded as internal refugee situations such as those in Pakistan, India, Greece and China. Those were separate problems of a different character, in which no question of protection of the persons concerned was involved. All credit was due to the Governments which bore the heavy burdens of those movements of people unilaterally, but those problems should not be confused with the problem before the General Assembly, namely, the provision of protection for those outside their own countries, who lacked the protection of a Government and who required asylum and status in order that they might rebuild lives of self-dependence and dignity.

74. To provide protection for those persons was, in part, an international duty undertaken without prejudice to the other problems of internal movements which she had mentioned and which called for different treatment.

75. The first United States amendment was to substitute a new text for paragraph 3 of the annex to draft resolution A to read as follows:

"Persons falling under the competence of the High Commissioner's Office for Refugees should be, for the time being, refugees and displaced persons defined in Annex I of the Constitution of the International Refugee Organization and, thereafter, such persons as the General Assembly may from time to time determine, including any persons brought under the jurisdiction of

<sup>1</sup> For the discussion on this question in the Third Committee, see *Official Records of the fourth session of the General Assembly, Third Committee, 256th to 264th meetings inclusive.*

the High Commissioner's Office under the terms of international conventions or agreements approved by the General Assembly."

That text left the door open for the inclusion, within the competence of the High Commissioner, of other persons to be defined in future international instruments which might be initiated by the *ad hoc* Committee established by the Economic and Social Council to study the problem of stateless persons and their protection. The United States considered that text to be more precise than the text submitted by the Third Committee. Under it, the General Assembly, which had already approved annex I of the Constitution of the IRO, would know to exactly which categories of refugees it was extending its protection.

76. The next amendment proposed the insertion, after the first sentence of paragraph 5 of the annex, of a new sentence reading: "The High Commissioner should not, however, appeal to Governments or make a general appeal to non-governmental sources except with the prior approval of the General Assembly". The insertion of that sentence would retain for the General Assembly the function of authorizing general appeals to Governments for material assistance. Its inclusion would not preclude discussions between the High Commissioner and a particular Government of problems of assistance with respect to refugees residing in the territory of that Government. Should international assistance, however, be required, it would be incumbent upon the High Commissioner to raise the question of an appeal to Governments for such assistance before the General Assembly, which would then decide whether international funds for assistance were to be requested.

77. The next amendment proposed the deletion of paragraph 6 of the annex. Paragraph 6 proposed that the High Commissioner should engage directly in the services of repatriation and resettlement. To give the High Commissioner such a function without providing funds to carry out the services seemed unwise, since it raised hopes which might never be fulfilled. Moreover, paragraph 4 (c) of the annex already provided that the High Commissioner should assist Governments and private organizations in their efforts to promote the voluntary repatriation of refugees or their assimilation within new national communities. The General Assembly could, of course, at any time assign new duties to the High Commissioner in response to any situation which might arise. For those reasons, the United States considered that the paragraph should be deleted.

78. The last amendment was that paragraph 7 of the annex should be replaced by the following: "The High Commissioner should report annually on his work to the General Assembly through the Economic and Social Council." The adoption of that language would be consistent with existing procedures within the United Nations, since the treatment of refugees was clearly covered by the language of Article 55 of the Charter, relating to social problems and human rights, and as such became, under Article 60, the responsibility of the General Assembly and, under the General Assembly, of the Economic and Social Council. The United States urged that no ambiguity should be introduced into the reporting formula, particularly when there was no need for it. The

correct procedure would be for reports to the General Assembly to pass through the Economic and Social Council.

79. Should the General Assembly find it possible to adopt the proposed amendments, the United States delegation would gladly support the draft resolution.

80. The United States delegation would vote against the Brazilian amendment (A/1176) as unnecessary. The United States amendment to the effect that an additional sentence should be inserted in paragraph 5 of the annex of the resolution placed decisions concerning the securing of funds for other than administrative expenses in the hands of the General Assembly. If adopted, that should give satisfaction to the Brazilian delegation. The Brazilian amendment would appear to prejudice an issue that had not yet arisen and which could be dealt with by the General Assembly at any appropriate time in the future.

81. The United States delegation would oppose the Byelorussian draft resolution (A/1133). In its preamble, that resolution stated that hundreds of thousands of refugees were awaiting return to their countries of origin, which was not the case. In its first operative paragraph, it recommended that repatriation should be completed during 1950, whereas, in fact, repatriation was practically completed already, because the great majority of the remaining refugees rejected repatriation. The second and third operative paragraphs expressed the persistent efforts of the countries of origin to secure specific information with respect to particular refugees, who rejected repatriation for their own valid reasons. In the interest of protecting the privacy of the refugees, that effort had been defeated many times, in UNRRA, in the Economic and Social Council and in the General Assembly. The proposal should be defeated again by the General Assembly.

82. Mr. ROCHEFORT (France) said that almost five years after the end of the war, in Europe alone, thousands of human beings were still outside their own countries and still living as refugees; within the United Nations itself the essentially social and humanitarian problems raised by the existence of those refugees could not be discussed without violence and passion; those who, at the cost of heavy sacrifices, had assisted them were accused of having carried on an odious traffic in their persons or of appropriating them for selfish reasons. Those facts testified to the sad division of a world which nevertheless desired unity, and cast a vivid light on the international importance of those problems and the responsibilities of the United Nations. Finally, they emphasized the need for the international protection for refugees which it was proposed to provide for the period following the dissolution of the IRO, and at the same time made clear the general aims which such protection should pursue.

83. If the long international experience which had begun with the personal effort of Dr. Nansen was not sufficiently convincing, the discussions which had taken place in committee might be regarded as alone sufficing to demonstrate the need for international protection of refugees. He wondered why those who had accused others



of sabotaging repatriation, exploiting the refugees as cheap labour, selling them and even exterminating them, had not voted for the joint draft resolution in the Third Committee. Instead of adopting a negative attitude, they ought surely to have been the first to demand the introduction of international control in order to put an end to the horrors which they were alleging.

84. Any discussion of the refugee question inevitably brought out the precariousness of the refugees' lot and also the difficulty of finding any effective remedy for it, for the fate of an exile had always been and would always be a difficult and painful one. People did not leave their country without good reason nor did they hesitate to return without equally good reason.

85. Any discussion of the refugee problem also made it clear that refugees, who were the "objects" rather than the "subjects" of international dispute, were no longer like other men, enjoying to the full those sacred rights which the Universal Declaration of Human Rights recognized as man's birthright. They were, it must be recognized, men diminished and shorn of their rights, who not only missed the warmth of their lost homes and the comfort of their familiar countryside, but also lacked the irreplaceable material and moral support of a native country.

86. To endeavour to give them, until such time as they had themselves replaced it, the support which they lacked, and the absence of which handicapped them so seriously in every act of life; to try to restore their dignity and as far as possible enable them to exercise all the rights essential to man; such must be the purpose of the international protection of refugees.

87. Those had formerly been Dr. Nansen's aims. But the need for such protection was still greater in modern times. In the days of the pre-1914 period exile could still be a subject for poetry and frontiers hardly existed. Those days were gone. The glorious outlaw of former days, the romantic exile, like Victor Hugo in Luxembourg or Belgium, or Mickiewicz, who had been welcomed in France, had today become legion; an immense anonymous multitude. And those exiles had become a multitude in a world so shut in, divided into such tight compartments, so regimented, so fearful for its complex political, social and economic equilibrium, that refugees could find no place in it, and felt unwanted and suspect, terribly isolated and insecure, whatever the kindness and broadmindedness of those who, while offering them asylum, yet had their own difficulties and anxieties.

88. When the Universal Declaration of Human Rights was invoked, as was inevitable at the beginning of any discussion on the problem of refugees, that very instrument proved why repatriation could not immediately solve the whole problem, since it was an acknowledged human right to seek asylum in other countries. Repatriation could therefore only be voluntary. And the recognition of that fact made it possible to approach more closely one of the specific objectives of international protection, the corollary of which was that no refugee could be deprived of the right to return to his own country. To prevent forced repatriation and to facilitate repatriation when it was both possible and de-

sired were the two specific objectives of the protection of refugees.

89. On that last point, it was true, France had been accused, as an occupying Power, and as a reception country and a member of IRO, of having directly or indirectly sabotaged repatriation; of having made repatriation impossible and of thus having artificially created and maintained the problem before the United Nations.

90. The discussions held in Committee had disposed of all those accusations, showing that they no more corresponded to reality than the draft resolution of the Byelorussian SSR corresponded to the true facts of the problem.

91. In so far as those accusations referred to France as an occupying Power in Germany and Austria, they were no more warranted than the more specific accusations that France refused repatriation missions access to displaced persons camps in its zones. The French delegation had given figures as an example: such missions had come to one camp on 137 occasions and on 130 occasions to another. It had given details of the means of information and publicity placed at the disposal of the missions: the regular distribution of five Soviet daily papers and ten reviews, weekly radio broadcasts during which appeals for repatriation were transmitted, cinema programmes organized in the camps at the expense of the French administration—seventy-eight since March 1948 in the Austrian zone alone—in the course of which Soviet features and news reels had been shown, the publication of all announcements of the repatriation mission in the newspapers of the French zone, those were facts which had not been and could not be contested. It had also been said that France tolerated or encouraged the subversive activity of national committees: they had long been denied official existence and their activities had been banned. Perhaps it was suggested that, after prohibiting any meeting or demonstration of a political nature, one should go further and prevent all private conversation hostile to repatriation. That would require methods which France was not in the habit of using.

92. The accusations against France as a reception country were equally groundless. The refugees had entered France of their own free will, often by clandestine methods. They remained in France just as freely and they could at any time approach the consul of their country with a view to repatriation. Surely France had no interest in keeping, by force or by propaganda, in its sanatoria, hospitals or institutions the large number of unfortunate refugees whom it was assisting. In addition to its contribution to the IRO, its expenditure on assistance to refugees since 1920 had reached an average of 4,000 million francs *per annum*. That was the price which France was paying for the privilege of being known, together with its neighbours in Europe, as a land of hospitality.

93. The accusations relating to the participation of France in the IRO were no more well-founded: France's contribution to that organization had largely gone to pay the costs of assistance. The old accusation that war criminals were placed in charge of camps had been refuted many times. It was not superfluous, however, to recall that the organization dealt with Spanish Repub-

licans equally with other categories of refugees, and it was strange that the IRO, if it were indeed motivated by the sentiments attributed to it, had not sought to repatriate the Spanish Republicans against their will.

94. Not all the refugees had been repatriated because, rightly or wrongly, and in accordance with their own free choice, they had preferred not to return to their countries. He wished to reiterate solemnly before the Assembly the right of every human being not to be kept far from his country against his will.

95. On the other hand, neither France nor any of the countries of Western Europe could be held responsible, however slightly, for the fact that a large number of the refugees living in Europe had not yet been able to acquire a new nationality.

96. Absorption into a national community, the most desirable end of which was naturalization, constituted the best solution of the refugee problem, if repatriation failed. On the one hand, however, that solution called for the consent and even the desire of the person concerned, whose right to retain his nationality as well as the right to change it was recognized in the Declaration of Human Rights, on the other hand, the system of automatic naturalization which was practised in countries of immigration would paralyze the exercise of the right of asylum in continental countries, which were not protected by oceans. Since the establishment of the IRO, France had in fact granted citizenship to two or three times as many foreigners as there were displaced persons admitted by the largest immigration countries in the same period. The immigration countries, which were so careful about issuing visas, had too great a respect for their own nationality not to respect that of others and to understand that there must be limits to liberalism in that connexion. Every country had its own methods; in view of the fact that France did not exercise frontier discrimination, it was obliged to postpone to the stage of naturalization the "yes" or "no" which the immigration countries gave at the stage of entry, not without a whole host of conditions of all kinds, and, in addition, a probationary period of several years before the granting of citizenship.

97. A typical example of refugees for whom no final solution was yet possible was that of the Spaniards who were awaiting repatriation under the terms of the IRO Constitution. Even in Europe, however, there were others who, unlike the Spaniards, unlike all those who could be considered as onlookers, were merely victims. He was referring to one of the most painful aspects of the problem of displaced persons, that of the poorest of the poor, the aged, the invalids and the sick who were still in Germany. In spite of their requests, their hopes of obtaining immigration visas to more fortunate countries were small, for they did not fall within the categories prescribed by law. The countries of Europe, devastated by the war and over-populated with indigent refugees, could not be expected to admit them; and as they were the victims of Germany, it was inconceivable that they would want to become Germans. On present prospects, which it would be dishonest to disguise, tens of thousands of them would remain in Germany after the end of the IRO. And they would not be alone.

98. The French delegation had not taken the initiative in the Committee debates for the sake of national interests. It was because of an experience that France had shared with its neighbours; it was because France, like its neighbours, was traditionally a land of hospitality that it had the right to speak, not so much on its own behalf as on behalf of the refugees themselves.

99. On their behalf, France asked for the establishment of international protection which would ensure the refugees' human rights. In broad outline that protection meant that their freedom would be respected everywhere and that, their rights thus vindicated, they could not be repatriated without their consent or kept far from their country against their will. It also meant that a country giving them asylum would be acting internationally and in conformity with international morality, that in truth it would be acting on behalf of, and almost in place of, the community of nations.

100. The text recommended by the Third Committee was a compromise text. Although it did not fully satisfy the French delegation, it seemed to cover all the aspects of the problem fairly well. The majority which had voted for it in Committee had been aware of the really international character both of the problem to be solved and of the proposed solutions, and the fact that the solutions were cautious and moderate did not exclude either a broad view or efficiency.

101. In fact, while enabling the High Commissioner to act as the conscience of the nations—that great moral authority required by the existence of so many refugees in the world, that support of which they stood in need—it placed definite enough limits on his activities to obviate the risk of the United Nations being involved in ill-advised adventures. From the financial point of view it placed only very slight burdens on the United Nations, which on either the short or the long-term view were not comparable with those borne for the previous three years by the Governments members of the IRO. In the one case the cost had been 400,000 dollars, in the other it was 155 million. Moreover, one very important point should be stressed. Although the problem of the protection of refugees had come before the Assembly because of the approaching termination of the IRO's activities, the solutions proposed were quite new. Although the High Commissioner's Office was to follow the IRO in point of time, it could not be described as its successor; in spirit and in methods it was related, not to the IRO, but to the various bodies which had preceded that organization. The High Commissioner's Office would not be a specialized agency, set up by the joint action of too small a number of Governments. Its basis was that of the United Nations; its spirit would be the spirit the Assembly gave it; its aims would be those the Assembly assigned to it; its work would be whatever the Assembly intended to entrust to it. Responsible to the Assembly, it would be unable to exceed its terms of reference without being disowned by the Assembly. Because of that responsibility, and of the fact that he would be appointed by a vote of the Assembly, the High Commissioner would be what the Assembly made him, so that it would indeed be premature to suspect him of sabotaging repatriation before he even existed. The powers entrusted to him in

such matters as aid would enable him, whenever necessary, to put to good use that international solidarity which the United Nations would once again have proved to be more than an empty phrase.

102. After long discussions in Committee, the provisions of the draft were sufficiently well known to make detailed comment unnecessary, but the French delegation felt it must state its position with regard to the various amendments which had been proposed and make known an agreement to which the Press had indeed already drawn attention.

103. Two of the amendments, proposed by the United States, concerned points which France considered particularly important: namely, the definition of refugees and the question of assistance.

104. The fundamental definition of what constituted a refugee, which would sooner or later be accepted, was that a refugee was a person who could not claim the protection of his own government.

105. As the first of the amendments assigned only provisional value to the definitions contained in annex 1 of the IRO Constitution and left it open to the Assembly to establish new provisions within the perfectly adequate framework of the Convention on Protection, two of the French delegation's main points were met and it would accept the amendment.

106. Indeed, the IRO definitions, as they stood, could not correspond to the future development of the problem.

107. As the second amendment, indicating the conditions on which the High Commission could make appeals, merely defined the French delegation's intentions and thus definitely improved the paragraph on assistance by the idea of appeal, which had previously been lacking, the French delegation accepted that amendment also.

108. The other amendments proposed by the United States delegation would not take from the High Commissioner any of his essential functions. The explanations that had been given in that connexion were completely reassuring; the intervention of the Economic and Social Council seemed desirable. The French delegation would vote for the amendments.

109. Coming after the explanations given in the Third Committee and reiterated in the Fifth Committee<sup>1</sup> and coming also after the submission of the United States amendments, the Brazilian delegation's amendment was surprising. Some misunderstandings might, it was true, have arisen in the minds of certain delegations during involved discussions, of which the least that could be said was that neither the refugees nor the High Commissioner's Office was always the subject of the debate. That, however, was probably not the case with the Brazilian representative, whose country, although not a member of IRO, had always shown an interest in the cause of the refugees.

110. The point was what should be the scope of the High Commissioner's activities. As he represented the United Nations, the High Com-

missioner could in no circumstances go beyond what the United Nations itself desired. France would therefore vote against the Brazilian amendment which showed a certain groundless mistrust of the Third Committee's proposals without adding anything to the text.

111. Mr. Rochefort had said that the draft adopted by the Third Committee was a compromise text and a compromise text, as everyone knew, was a text in regard to which each delegation congratulated itself on having triumphed over the others; nothing was more human. He did not, however, consider that to be the case, and he thought it necessary to say so. Neither the United States delegation nor the French delegation had won or lost; they had merely come to understand each other better. If any victory had been won, it had been won by the refugees alone.

112. Although each of the amendments did in fact modify the letter of the draft, they did not change its spirit and that was the main consideration. In any case, the High Commissioner's Office would not have to suffer, as the IRO had done, from the narrowness of its international basis; it was established on the plane and within the framework of the United Nations itself. Nevertheless, while a small majority could give it life, in the absence of the unanimity which might one day exist in happier times when the High Commissioner's problem would solve itself in an atmosphere of restored confidence, the driving force, energy and authority it needed would be derived from large numbers of accessions.

113. IRO had been unable to complete its task within the prescribed period because of the narrowness of its international basis, which had limited its financial means and thrown the whole burden of an international problem back upon the small number of Governments which had been members of IRO.

114. It was because of that initial weakness that the life of the organization had had to be extended because of it, it was to be feared that, despite that extension, part of the problem of the refugees who were victims of the war could not be satisfactorily settled. In the last stage of its existence, IRO would certainly make a considerable effort, at a cost computed at 22 million dollars, to resettle the most distressed of the refugees.

115. But the General Council of the IRO had pointed out in its latest memorandum that those allocations would only make a just and complete solution possible if active support were forthcoming from Governments.

116. That was true. Who could take the view that local resettlement in Germany, except in cases where the persons concerned agreed, was a just and acceptable solution? It was such a bad solution that the impossible must be undertaken to avoid it. It was not only the aged, the sick and the infirm who were in danger of being left in the country whose victims they had been; it was also a number of such highly-trained men as doctors, architects, and professors. The United Nations could not ignore either of those groups. In all cases what was at stake was the respect for human values and the faith in fundamental human rights and the dignity and worth of the

<sup>1</sup> For the discussion on this question in the Fifth Committee, see *Official Records of the fourth session of the General Assembly, Fifth Committee, 230th meeting.*

human person which the peoples of the United Nations had proclaimed at San Francisco on 26 June 1945 and had re-affirmed in the Universal Declaration of Human Rights.

117. At a time when the United Nations was giving fresh proof of faith in human rights by establishing a High Commissioner's Office for Refugees, how could it establish that office on a truly human basis and infuse it with the spiritual life it needed if the nations of good-will did not help the International Refugee Organization, in the words of its moving appeal, to set the seal upon its work by conferring upon the sum total of its achievements a character fully in harmony with the international ideal.

118. That was the sense of the second draft resolution which the French delegation had submitted and which the Third Committee had adopted. Mr. Rochefort hoped with all his heart that the appeal would be heard, to the salvation of the refugees and the honour of civilization.

119. Mr. STEPANENKO (Byelorussian Soviet Socialist Republic) noted that the question of refugees and displaced persons had been on the agenda of the General Assembly for the past four years. He intended to try to explain why there had as yet been no practical solution to that problem.

120. As early as February 1945, i.e., while the war was still being waged, the Soviet Union, the United Kingdom and the United States of America had signed agreements at the Yalta Conference providing that each State would repatriate to their country of origin all displaced persons within its territory.

121. The USSR Government had discharged to the full all the obligations it had assumed in virtue of that agreement. At the end of 1946, more than one million citizens of Allied countries had been repatriated. Among the repatriated persons there had been 315,000 French, 24,500 British and 22,500 American nationals. After that operation, no American, British or French national subject to repatriation had remained in the territory of the Soviet Union or in the Soviet occupation zones of Germany and Austria.

122. The Governments of the United States of America, the United Kingdom and France, on the other hand, had not displayed the same conscientiousness in carrying out the obligations which they had assumed in virtue of the agreements concluded between them and the Soviet Union. They had deliberately detained in the western zones of Germany and Austria hundreds of thousands of nationals of the USSR or the Peoples' Democracies.

123. On 12 February 1946, the General Assembly had adopted a resolution<sup>1</sup> indicating that the main problem with regard to displaced persons was to encourage their early return to their countries of origin.

124. In April 1947, at the meeting of the Council of Foreign Ministers in Moscow, it had been agreed, on the proposal of the USSR Government, to speed up the repatriation of displaced persons and establish conditions favourable to the work of the repatriation missions. In spite of that decision, the Governments of the United States,

the United Kingdom and France had adopted a series of measures which had not only rendered difficult but entirely suspended the repatriation of citizens of countries in Eastern Europe. The problem of displaced persons had thus been artificially created. The chief reason preventing its solution was the fact that the United States, the United Kingdom and France had deliberately shown no desire to repatriate nationals of countries in Eastern Europe, who continued to remain in camps in the western occupation zones of Germany and Austria.

125. The United States and United Kingdom occupation authorities had done all that lay in their power to oppose repatriation. Among the steps taken to that end, the appointment of persons selected from among war criminals and traitors to positions of responsibility in the administration of the camps should be given special mention. In the camps at Augsburg and Darmstadt, responsible posts were held by men who had served in the Vlasov army or in the Gestapo.

126. The criminal elements in the displaced persons camps were even protected by the occupation authorities of the western zones. In the high positions which they occupied, they used every means to carry on their campaign against repatriation and resorted to punishment and even to murder. In a Munich camp, for example, the camp administration had arranged for the murder of a Soviet citizen, after the man had asked to be repatriated. He quoted the further case of a Soviet citizen in a camp near Hanover, who had been threatened with imprisonment because he had expressed a desire to return to his country.

127. The report of the Secretary-General to the Economic and Social Council on the progress of repatriation activities (E/816) had implicitly recognized the existence of that situation in displaced persons camps. In fact, the report stated that the camps sheltered war criminals, traitors and quislings who tried to prevent displaced persons from making an entirely free decision in regard to their repatriation.

128. The occupation authorities of the United States, the United Kingdom and France encouraged and stirred up the activity of a large number of fascist and pro-fascist organizations, such as the Baltic Committee, the Ukrainian Committee and the Byelorussian Committee. Those Committees published daily papers, magazines and pamphlets which poured out slander against the Soviet Union and the countries of the Peoples' Democracies. That Press, which was definitely fascist in character, kept up a bitter fight against repatriation.

129. In order to oppose the repatriation of Soviet citizens, the American and British authorities in Germany and Austria did everything in their power to limit the activity of the Soviet repatriation mission and did not permit Soviet representatives to meet their compatriots. In support of his remarks, Mr. Stepanenko cited three cases which had occurred in February and in September, 1948; on each occasion, the American military authorities had refused Soviet representatives access to displaced persons camps. He added that, in May 1948, the American military occupation authorities in Germany had forbidden the sale and distribution of Soviet daily papers, magazines and books among displaced persons.

<sup>1</sup> See *Resolutions adopted by the General Assembly during the first part of its first session*, page 12.

130. That policy, which was hostile to the Soviet Union, had reached its culmination when, during 1949, the American occupation authorities had decided to remove the Soviet repatriation mission from the American occupation zone in Germany, although more than 116,000 Soviet citizens were still in camps in that zone.

131. In notes dated 24 February 1949, the Government of the USSR had called to the attention of the United States and the United Kingdom Governments the unacceptable situation which had developed in regard to the repatriation of Soviet citizens who were in the British and American occupation zones of Germany and Austria. Those notes had given concrete examples of illegal acts on the part of occupation authorities.

132. The Governments of the United States, the United Kingdom and France were therefore responsible for the fact that the question of refugees and displaced persons had not been settled.

133. It must also be noted that the International Refugee Organization had proved to be an instrument in the hands of the Anglo-American authorities and that all its activity had tended to prevent repatriation.

134. The IRO was an independent international organization only in appearance; it was really in the service of the Governments of the United States and the United Kingdom. That fact was confirmed by a statement of the director of the IRO, Mr. Zelle, who had told Soviet officers in April 1949 that the IRO could do nothing without the United Kingdom. He had said that he would have been glad to help Soviet citizens but that that might cost him his life. Other officials of the IRO, not content with encouraging the campaign against repatriation, were themselves carrying on active propaganda against the return of displaced persons to their countries.

135. Mr. Stepanenko quoted two statements by officials of the IRO who had told displaced persons that they would be put to death as soon as they returned to the USSR.

136. Having kept in their occupation zones in Germany and Austria hundreds of thousands of citizens of the Soviet Union and of the countries of the Peoples' Democracies, the Governments of the United States, the United Kingdom and France were striving to use those displaced persons for political ends in the fight against the Soviet Union and the countries of the Peoples' Democracies. Those acts constituted a flagrant violation of the United Nations Charter. The draft resolution adopted by the majority of the Third Committee and submitted to the General Assembly in no way contributed to the solution of the problem of refugees and displaced persons. In fact, it completely ignored the fundamental guiding principle in the solution of that problem, namely the principle of the repatriation of those persons to their countries of origin. For that reason, the draft resolution was at variance with the resolution adopted by the General Assembly on 12 February 1946.

137. The draft resolution proposed that the whole problem should be transferred to the United Nations, and that a High Commissioner's Office for Refugees should be established within the framework of the Organization. It was proposed that the expenditure for the maintenance

of the administrative machinery of the High Commissioner's Office should be included in the budget of the United Nations as from 1 January 1950.

138. Furthermore, the draft resolution pre-judged the question of the origin of the funds to be used for assisting the refugees. It provided that those funds should be taken from the budget of the United Nations, which would inevitably lead to a considerable increase in the contributions of Member States. He drew the attention of representatives to the serious financial implications of the adoption of that draft resolution.

139. For the above reasons the Byelorussian delegation had submitted its own draft resolution, which proceeded from the assumption that the only equitable solution of that problem consisted in the repatriation of displaced persons and their return to their countries of origin. The Byelorussian draft resolution recommended that the United Nations should implement the General Assembly resolution of 12 February 1946, so as to complete the repatriation of all refugees and displaced persons during 1950.

140. The draft resolution also recommended that the Governments of Member States of the United Nations in whose territories there were refugees and displaced persons, and the International Refugee Organization, should be requested to furnish the Secretary-General of the United Nations with complete information concerning the refugees and displaced persons in their territories, as well as information concerning the living conditions of those persons.

141. During the discussion in the Third Committee no serious arguments had been advanced against the Byelorussian draft resolution. He thought that all persons who wished to see the question of refugees and displaced persons solved equitably should vote for the draft resolution submitted by his delegation.

142. Mr. MAKIN (Australia) stated that his delegation would be pleased to support the first and second amendments proposed by the representative of the United States of America. It would be unable to support the third amendment, namely, the deletion of paragraph 6 of the annex.

143. In the first paragraph of the operative part the resolution itself contained the provision that the High Commissioner's office should be established to discharge the provisions contained in the annex and "such other functions as the General Assembly may from time to time confer upon it". That reference to additional functions had been included in the resolution at the request of the Australian delegation and had received the support of the Committee. The Australian delegation had proposed that addition to meet the feeling of some Members that the plan for a High Commissioner who would deal solely with protection might be too limited. A number of representatives in the Committee had said that it was difficult for Members to make contributions towards the legal protection of a restricted class of refugees when they had pressing refugee problems of their own. All were aware of the refugee problem in the Near East, in Greece, in India, Pakistan and other parts of the world. Some of those problems were being handled by special organs of the United Nations, but it might well be that in the



future the General Assembly might wish to hand certain residual functions to the High Commissioner.

144. Moreover the Assembly had before it a separate draft resolution, resolution B, whereby the Assembly decided to postpone until the next session of the General Assembly the examination of the problem of assistance which might occur in respect of the IRO refugees after the IRO had been terminated. As a country of large-scale resettlement, Australia was very interested in that aspect and also in the humanitarian problem posed by the elderly and sick people among the IRO refugees. It had, he thought, been generally admitted in the Committee that the functions of the High Commissioner might be expanded, and indeed that idea was reflected in one of the amendments proposed by the United States, which provided that the refugees falling under the competence of the High Commissioner would in the first place be the IRO refugees, that definition could be expanded as the General Assembly might from time to time determine.

145. The Committee had agreed to provide for the possibility of enlarging the powers of the High Commissioner at some future time. It had further agreed to the proposal in paragraph 6 of the annex, which was actually a consequential proposal. The annex provided the principles on which the final terms of reference of the High Commissioner's office would be drafted and it was important that the possible need to broaden its functions should not be lost to sight.

146. It had been suggested that the specific reference to repatriation and resettlement activities was not necessary, since that matter was mentioned in paragraph 4 (c) of the annex. The Australian delegation, however, considered that paragraph 4 gave the High Commissioner power to facilitate operations rather than actually to take part in operations directly, and since a specific reference was made to assistance funds in paragraph 5, it seemed appropriate that a special mention should be made also of repatriation and resettlement activities. He therefore hoped that the General Assembly would uphold the report of the Committee and retain paragraph 6 of the annex.

147. With regard to the first paragraph of the Brazilian amendment, the Australian delegation agreed that expenditures other than administrative expenditure should not as a matter of course be borne by the United Nations budget. It did not, however, feel that it would be wise to tie the hands of the United Nations in such precise terms at that stage. It could not, therefore, accept that paragraph.

148. The Australian delegation considered that the second paragraph of the amendment was open to the serious objection that it restricted the Assembly in advance to one particular method of financing the activities of the High Commissioner. The Australian delegation feared, moreover, that should the amendment be adopted, a precedent might be established which could in the future lead to the placing of similar restrictions on other United Nations projects, such as the advisory social welfare services.

149. For those reasons, the Australian delegation would vote against the Brazilian amendment.

150. Mr. ZEBROWSKI (Poland) stressed that the problem of refugees and displaced persons concerned hundred of thousands of human beings, many of whom were Poles. If, therefore, the language of the Polish delegation, which had spoken so many times on the subject, had been bitter, it was because the problem had taken a turn such that it was imperative that the facts should be brought out into the open and faced squarely, so that the truth might be made clear.

151. During the Committee stage of the discussion, there had been an attempt to place the work of the International Refugee Organization on a high pedestal of humanitarianism. He would not at that juncture bring forward everything for which that Organization and the Powers which supported it could be reproached. The knowledge of one single fact concerning the activities of the IRO, of an event that had occurred very recently, should be sufficient for the Assembly to brand that Organization morally, if the Assembly had enough courage to judge the matter objectively. Representatives would know to what fact he was referring: he had in mind the abduction to Canada of a group of 123 Polish children, which had been engineered by the IRO, with the assistance of some of its sponsors.

152. During the war, that group of Polish children had been sent to a camp in Tanganyika, Africa, under an UNRRA war-time emergency scheme and they were to have been repatriated immediately upon the cessation of hostilities. They had remained in Africa for four years after the war. No Polish missions had ever been admitted to see them. Not a single attempt had been made to repatriate them. Then, suddenly, in August 1949, the IRO had shipped the group to Italy. He had been informed by one of the IRO employees that the children were presumably destined for repatriation to Poland. Instead, however, of going to Poland from Italy, the children had been dispatched to Bremerhaven, in the American zone of Germany. Within a few days, they had been sent to Canada, arriving there in September. Seventy-two members of the group were between the ages of 10 and 16, and many of them had parents still living in Poland. That fact was well known to the British authorities in Africa, and must therefore have been known to the IRO.

153. Despite the Polish Government's official requests, protests, and diplomatic representations to the Governments of Italy and the United Kingdom, the children had been completely cut off from any contact with the Polish officials. The Italian Government had tried to do something about the situation, but the IRO had redoubled its haste to get the children out of Italy. Only two girls had managed to escape from the camp in Salerno. They had gone to the Polish Embassy because they had had letters from their mother in Poland and wanted help to get home. After they had returned to the camp, nothing more had been heard of them. They had been well guarded. The representative of the IRO, Mr. Kingsley, speaking in the Third Committee, had tried to imply that the girls had undergone some special questioning at the Polish Embassy which had made them change their minds and had allegedly caused other children also to decide not to return to Poland. That, of course, was incorrect, just as Mr. Kingsley's implications that Polish officials

had had access to the children did not correspond to the facts.

154. Polish officials had had no access to the group all through their journey. Everything had been arranged to keep the children away from them. That fact had subsequently been confirmed by the Press in Canada, which had cynically boasted about the way in which the Polish authorities and the parents of the children had been outwitted.

155. While in Italy, the IRO had placed the children under the protection of a Polish ecclesiastic hostile to the Polish Government, who had later accompanied them all the way to Halifax. It had been at that time that the plot to send the children to Canada had been devised.

156. In Germany the surveillance of the group had been strengthened by the arrival of a Canadian mission headed by a certain Miss Page. So thorough had been the surveillance that not even Polish Red Cross representatives had been admitted to the camp where the group had awaited the ship's departure for Canada. When a Polish Press correspondent had finally been allowed to see the children, in the presence, of course, of camp officials, the ecclesiastic and the Canadian, Miss Page, the children had been so frightened by the vigilant presence and behaviour of their so-called protectors that they had hardly dared to open their mouths. As had later been established from the report in the Montreal paper *La Presse* of 10 September 1949 of an interview with the ecclesiastic, the children had not even been told where they were going.

157. It would, he hoped, be agreed that the episode had all the features of an abduction planned in advance and in full detail.

158. The Canadian Ministry of External Affairs and the representative of Canada in the Third Committee might well contend that they had acted in good faith, but the scandal had become so evident that they themselves had been obliged to admit that at least some of those children should have been sent home.

159. In Quebec, the group had been shut up in a monastery and they were now in the hands of certain people who had no right whatsoever to dispose of their fate.

160. It happened that whenever the topic of refugees came up, the Polish delegation was always obliged to speak of Canada. Mr. Dionne, who two years earlier had hired one hundred Polish girls in a camp in Germany to work in his Quebec factory and to spend the rest of their time in a convent, was a Canadian citizen. The Province of Manitoba, where Polish displaced persons happened to be placed in a horrid, filthy barracks on a sugar plantation and made to work ten hours daily under a two-year contract, also happened to be in Canada. It was no fault of the Polish delegation that the 123 kidnapped Polish children had been taken to Quebec, which, again, happened to be on Canadian territory.

161. The Canadian Government had had every opportunity to avoid those controversies. It could not, surely, think that it had no moral duty at least to communicate with the Government of Poland on the matter of immigrating refugees since those displaced persons were Polish citizens. It could scarcely think that its way of acting was

in conformity with morality and international law, or that it could avoid all responsibility for what its citizens and official missions were doing if what they were doing violated the rights and vital interests of another State.

162. Canada was one of the main sponsors of the IRO. Only the previous day Canada had boasted that it had taken in the largest number of refugees and displaced persons under the so-called resettlement scheme. Some light had been thrown on the nature of the IRO's resettlement activities during the discussion of discrimination against foreign labour.<sup>1</sup> In the Third Committee recently one representative had chosen to refer to the displaced persons as the clients of the IRO. The truth was that the IRO's real clients were the labour recruiting missions of countries of immigration, whereas the displaced persons themselves had become the objects of a labour traffic which was carried out by that so-called humanitarian organization.

163. It was obvious why the living conditions of workers whom the IRO so readily placed in foreign countries had not been mentioned by the representative of the IRO when he had spoken before the Third Committee. Part of the truth, however, had leaked out in a statement by the IRO which had been quoted by the Secretary-General on page 11 of his report of 26 October 1949 (A/C.3/527), which stated that the entry of refugees was often encouraged in a period of prosperity when there was a shortage of national labour, but that in periods of unemployment it was often the refugee who was dismissed first, which dismissal might lead to his expulsion from the country of asylum.

164. The working and living conditions of displaced persons in countries of immigration constituted a story which would go down to history as one of the most shameful chapters of slave exploitation in the middle of the twentieth century. That was the achievement of the IRO.

165. He would remind the General Assembly that the main task of the IRO was to have been repatriation. Instead of repatriation, however, it had arranged, under the innocent-sounding title "resettlement", for the recruitment and immigration into various European and overseas countries of over 600,000 displaced persons for slave labour and had repatriated only about 65,000, a ratio of about ten to one. In comparison with the total budget of the organization the budget for repatriation was still more eloquent, for it amounted to only one and one-half per cent of the whole.

166. The recent appeals of the IRO urging its member countries to take in also the sick and disabled displaced persons, the essence of the "hard core" problem which had now been brought to the General Assembly, showed very clearly that those recruited were the strong and healthy who were fit for labour. Those who remained were, firstly, those who refused to emigrate because they had an inkling of what the "immigration paradise" really looked like; secondly, those who did not meet the labour requirements of the countries of immigration; and, last but not least, the

<sup>1</sup> For the discussion on this question in the Third Committee, see *Official Records of the fourth session of the General Assembly, Third Committee, 249th to 251st and 261st meetings inclusive.*

famous "hard core", the invalids who were unfit for work but yet were prevented from returning home.

167. The IRO, however, could still come to the United Nations and cynically say that after it had finished its work there would remain a humanitarian problem, a mass of people whom it had not succeeded in resettling, and that the United Nations should therefore create, and pay for, a new organization to care for them.

168. That a mass of disabled and sick people, victims of the most cruel fascist terror, whose sufferings never seemed to end, still existed in Europe; that their existence should be a direct consequence of a policy carried out by an international so-called social organization; and, to crown all, that those people were called the "hard core", like a mass of useless dead matter: that in itself was the gravest historic indictment against those who had created the problem. It was not a problem; it was a crime.

169. The fact was that the IRO did not recognize repatriation. The negligible percentages of repatriation carried out had been merely intended as a face-saving measure. The Assembly had heard more than once, and would probably hear again, that repatriation had ended when the IRO had taken over and that the remainder of the displaced persons did not want to return. Repatriation had not ended; it had been stopped. The IRO had done its best, although not quite successfully, to have it stopped for good.

170. The majority of refugees and displaced persons consisted of people who had been torn from their homes by force and against their will, by a fascist aggressor in the course of the war. He would remind the General Assembly, because it was too easily forgotten, that that had been one of the greatest and most cruel human tragedies of the Second World War. After the terrible sufferings they had experienced, those displaced persons had naturally longed to return to their homes as soon as the war was over. And they had returned, millions of them, by every means of transportation, on foot if necessary. Poland alone had repatriated more than five million of its citizens.

171. Repatriation had been recognized as the normal solution of that post-war problem by the great Powers during the war, by the Council of Foreign Ministers in 1947, by three subsequent resolutions of the General Assembly, and by the IRO Constitution itself. The impulse to return, the longing for home of the refugees had been so great, the justice of the repatriation movement so self-evident, that it had compelled even its opponents to recognize it, at least on paper. That, however, had been done only for the sake of appearances, and it had been done in bad faith.

172. When the Western occupying Powers had set up their organization in displaced persons camps in Germany and Austria, repatriation had slowed down. That was because a purposeful policy against the Soviet Union and the Peoples' Democracies had already started to operate. The attitude of the Western Powers towards repatriation and resettlement had become an integral part of the cold war policy, with hundreds of thousands of men, women and children as its innocent victims.

173. To Poland the problem had always been a humanitarian one; to the Western Powers it had been a political issue. War criminals and traitors had been put in charge of displaced persons camps and settlements. Displaced persons had been organized into military and para-military organizations. It was enough for a person to show outright hostility to the Polish Government for him to be put promptly at the head of a camp and to receive complete freedom to rule, to intimidate and to terrorize the inmates. Poland had never been able to find out for what purpose, if not for war preparations, those military organizations were being maintained.

174. The same men who had collaborated with the nazis during the occupation, who had helped to exterminate the population of their own countries, who had been the organizers of the displaced persons' battalions, those men had trained the refugees for the future aggression against their own countries, they had helped the terrorist underground which had tried to foment a civil war in Poland, fortunately without success. The military units still existed and recruitment still went on, although no official United Nations reports mentioned that part of the picture.

175. At the existing time they were assuming a deeper significance and importance. It was evident that they were closely linked with the whole of the militarization of Western Germany, with the whole of the military plans within the so-called European Defence Council, with the Atlantic Pact, and so forth.

176. Whenever it was claimed that repatriation should be carried out fully and that the activities of the IRO should be stopped, the answer was that there was a new type of refugee in Europe, the refugee from the East to the West. All the recent reports spoke of new refugees for whom the new refugee organization should care. As one more argument for the necessity of creating a successor to the IRO, it was said that a number of new refugees were to be taken under the protective wing of a United Nations specialized agency and paid for, this time, by all the Members.

177. He wished to make it clear that the question of the so-called new refugees, who were really escapees, had nothing to do with the problem of displaced persons. It had been introduced for the specific purpose of confusing the issue.

178. When the Polish delegation discussed refugees and displaced persons, it had in mind those who had been forcibly displaced during the war. The escapees coming from the East to the West were not refugees. Poland did not intend to include them in its problem and had no intention of repatriating them. They, so to speak, repatriated themselves to those countries that they had served before they had escaped from East to West, the countries that they continued to serve.

179. Against that background it became quite clear why the United States Congress had voted an unheard of bill which gave free entry visas to those who were on the payroll of American intelligence and who, in their own countries, could not be called anything but traitors and spies. It became clear why those escapees, together with the war criminals at the head of the displaced persons' camps and military units, people who should have been extradited for trial, were placed

at the head of the so-called Committee for Free Europe, and were becoming its agents. Those people were given a premium for their criminal activities against their own countries, for treasonable activities that were punishable under the laws of any State.

180. He stressed that the creation of a United Nations organization for such persons would be an intentional and complete confusion of the problem before the Assembly. The prospective officer the Assembly was called upon to appoint by virtue of resolution A would not be a High Commissioner for refugees, but something quite different. Such an organization would be in direct contradiction with the aims of the United Nations. Under Article 1 of the Charter, the United Nations was meant to be a "centre for harmonizing the actions of nations in the attainment of common ends".

181. There had been attempts in 1946 to mislead public opinion concerning the humanitarian nature of the way in which the refugee problem had been handled by the Western Powers. While UNRRA had still been operating there had been a few honest officials who had tried to help repatriation, but step by step repatriation had slowed down and the net holding back displaced persons had been tightened more and more until it had reached its peak in the establishment of the IRO.

182. If naive people could still have been in some doubt in 1946, that was no longer possible in 1949. In 1949, with Western Germany being prepared as a new arsenal for an aggressive war, with displaced persons in military battalions and their criminal leaders admitted to the United States merely because they were spies, it had become perfectly clear that Poland had been right when, four years earlier, it had objected to the nature of the camps and had demanded that those criminals should be removed from their leadership, that military organizations of displaced persons should be disbanded, that free access should be given to Polish repatriation missions to enter the camps, and that true information about the conditions in Poland should be spread among the refugees and hostile propaganda stopped. His country had seen clearly what the developments would be.

183. Public opinion could no longer be misled. The situation had become all too clear. It had become perfectly clear what role the refugees and displaced persons were supposed to play, those plain people who were being purposely confused in order that they might serve as tools in preparations for war and as a reserve army. That constituted another aspect of the problem. The aims of the Western Powers in regard to the problem were economic on the one hand, but clearly and obviously political on the other.

184. The IRO and the Western occupation authorities, instead of telling the displaced persons about the true conditions in Poland, about the normal possibilities and even special privileges for repatriates in that country, had spread a propaganda of hate and a propaganda in favour of so-called resettlement. That had been done instead of telling them what economic progress Poland had made, how workers' rights were being protected in Poland and what opportunities it afforded to every working person. That had been done instead of showing them reports about social welfare and the care of children which had been

prepared by IRO officials like Mrs. Dresden Lane who had visited Poland, or by Dr. Rusk who, on behalf of the United Nations, had recently studied, on the spot, care for disabled children and adults, and who had written about it in *The New York Times*. Those reports had been drawn up by Americans and not Poles, and had been printed in the *New York Herald Tribune* and *The New York Times*, and not in the Polish Press.

185. To the Polish delegation the problem of refugees was a humanitarian and not a political one. It had always been said that every refugee and displaced person had a right to return to his home and join his or her family. Although a few officials of UNRRA had thought the same, the majority, those who had hampered repatriation, had been the ones to take over the key positions in the IRO, and now that the IRO as a temporary organization was nearing its end, those officials who had served their masters well were asking for their reward in the form of new positions in a new and similar organization which was intended to become permanent. There was so little justification for the continuation of the IRO and the arguments had been so artificially concocted, that even within the IRO itself doubts had arisen as to whether the United Nations would be prepared to accept the proposal. In that connexion, some changes in the leadership of the IRO itself had taken place.

186. That was the background against which resolution A must be considered, the background that was clearly visible through the smoke screens of legalistic and humanitarian phrasology.

187. He was sure that as soon as he had finished his speech, a representative—probably French, British or Canadian—would address the Assembly and say that he had already heard all those accusations before; he would speak of the political situation in Poland and bring up any number of questions irrelevant to the problem of refugees. He would tell all kinds of hackneyed stories about Poland.

188. The Polish delegation would be greatly obliged, however, if such speakers would explain why, owing to their actions, tens of thousands of Polish men, women and children were kept abroad, away from their families. Perhaps they would explain how that fitted in with their moral codes, to which they so often referred. He did not wish to go into details of whether a Polish miner was better off in Belgium than he would be in Poland or whether a Polish girl scrubbing floors in England was happier than she would be in her own country. The problem went much deeper.

189. It was not possible to conceal all that activity by references to "morality", "democracy" or "love of freedom". It would be much simpler if the cloak of dignity and humanitarianism were abandoned, for to cover up such action with high-sounding phrases was an abuse of the dignity of the United Nations.

190. It was his country's sacred duty as a State and as a nation to give whatever protection it could to those who, through no fault of their own, had suffered one of the worst fates, that of becoming war refugees, and who, four years after the end of hostilities, remained severed from their land and their culture, their families and their

friends. His country would continue to speak up in their defence and to give them its protection wherever they were. No words of its opponents, no abuse or accusations and no artificially created organizations would force it to relinquish that right.

191. In view of what he had said and in view of what had been said by the Byelorussian repre-

sentative, the situation of whose countrymen in the camps for displaced persons and refugees was very similar to that of his own, the Polish delegation would obviously vote against the Committee's resolution and for the Byelorussian draft resolution.

The meeting rose at 6.10 p.m.

## TWO HUNDRED AND SIXTY-FIFTH PLENARY MEETING

*Held at Flushing Meadow, New York, on Saturday, 3 December 1949, at 10.45 a.m.*

*President: General Carlos P. RÓMULO (Philippines).*

### **Refugees and stateless persons: report of the Third Committee (A/1118) and report of the Fifth Committee (A/1177) (concluded)**

1. Mr. FREYRE (Brazil) stated that, in spite of the long discussion which had taken place in the Third Committee on the item before the General Assembly,<sup>1</sup> his delegation felt that it must return to the subject because of the grave responsibilities of the United Nations in the matter and because of the important precedent which would be established by a resolution such as the one proposed by the Committee (A/1118).

2. During the discussions in the Committee, much had been said about the legal protection of refugees; little, in fact, almost nothing, had been said about the problem of material assistance. If the latter aspect had finally been referred to once or twice, it was only after a few delegations, notably those of India, Pakistan, Mexico and Brazil, had emphasized the necessity for a precise formulation of the responsibilities to be assumed and, above all, of the financial consequences of the various possible solutions. The question of financial repercussions seemed to be particularly unpopular, for all the sponsors of the formula which obtained the majority of votes had systematically refused to discuss it. Despite the insistence of the Brazilian delegation, supported by several other delegations, it had been at the last moment only that the representative of the Secretary-General had found it convenient to say anything on the subject and he had merely repeated the argument contained in the Secretary-General's report (A/C.3/527) to the effect that the respective estimates could only be prepared after a decision in principle had been reached by the Committee with regard to the functions of the High Commissioner.

3. The Brazilian delegation, however, maintained that such a procedure could not be followed in a matter where decisions on principle must be based on an exact knowledge of the financial responsibility which would fall upon each Member State. Strangely enough, the Secretary-General's report, which was so precise and detailed concerning the problem of legal protection, suddenly became vague and reticent with regard to the financial implications of the other

aspects of the refugee problem, that was to say, repatriation, resettlement and care and maintenance. Thus, in taking its decision, the Third Committee had had all the details which could be desired on how much it would cost the United Nations to give the refugee legal protection, but had had not the slightest idea how much it would cost to feed and shelter those refugees while they were waiting for work, or to transport and settle them when suitable work had been found for them.

4. The IRO budget for the year 1948-1949 showed, in round numbers, the following allocations of the appropriated funds: repatriation, 2,200,000 dollars; resettlement, 68 million dollars; care and maintenance, 54 million dollars. The cost of legal protection seemed to have been so small that it had not even been mentioned in the budget under such a heading.

5. No one seemed to think that the refugee problem would be solved by the time the IRO was to cease its activities. On the contrary, the general consensus of opinion among the delegations was that by that time the problem would present itself in an acute form. That was probably the reason why the sponsors of the resolution approved by the Third Committee had found it expedient to leave the door open for the assumption by the United Nations at a later stage of the financial implications of repatriation, resettlement, and care and maintenance.

6. Paragraph 41 of the Secretary-General's report stated that the Director-General of the IRO, in a statement to the fourth session of the General Council on 13 October 1949, had expressed the opinion that, of the estimated 149,400 refugees who would still need maintenance after the IRO had ended, about 20,000 would require institutional care of an indefinite duration for reasons of old age, poor health, chronic elements, and so on, and that, in addition, there would be some 30,000 dependents of those institutional "hard core" cases.

7. It was to be noted, however, that the same paragraph described those 149,400 remaining refugees as having "limited opportunities for resettlement" and stated that on 30 June 1950 they would still remain in need of "care and maintenance".

8. Since the opening of the debate in the Third Committee, the Brazilian delegation had wished to know the approximate extent of the financial burden to be added to the regular budget should

<sup>1</sup> For the discussion on this question in the Third Committee, see *Official Records of the fourth session of the General Assembly, Third Committee, 256th to 264th meetings inclusive*.