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Council Committee on Non-governmental
Organizations

REFUGEES AND STATELESS PERSONS

Summary of Statement submitted by the Consultative Council of Jewish Organizations, a non-governmental organization granted consultative status in Category B.

The Secretary-General has received a statement on the above mentioned subject, a summary of which statement is circulated in accordance with paragraphs 22 and 23 of Council Resolution 288 B (X).

1. In reference to Paragraph 9 of the Annex to the General Assembly Resolution of December 3, 1949 (A/1199) the Consultative Council refers to the experience of UNRRA and IRO, which were also established as temporary agencies, and points out the inevitable waste of material and other resources entailed in setting up agencies of this kind for relatively short periods of time. It therefore suggests that the Office of High Commissioner be established as a continuing agency without any specified, even if tentative, date of termination.
2. With respect to Paragraph 2 of this Resolution, the Council submits that in view of the increasing difficulties faced by voluntary agencies throughout the world in the field of fund-raising, these agencies would not be in a position adequately to discharge the responsibilities envisaged for them in the Resolution. As a result, the Office of the High Commissioner would necessarily

be restricted to the function of providing legal assistance and prove of limited value. It suggests that the High Commissioner be authorized to administer other forms of assistance, albeit on a more limited scale than that of the IRO, and that he be assigned the necessary budget for administering such assistance.

3. With respect to Paragraph 11 of the Annex to this Resolution, the Consultative Council submits that on the basis of past experience, unless the High Commissioner is given the authority to appoint, on his own initiative, resident representatives - in consultation, of course, with the Governments in question - his efforts would almost invariably be of limited effect. It suggests that this Paragraph be amended accordingly, and that in addition, the resident representatives be accorded quasi-consular authority.

4. Referring to the proposed Draft Convention Relating to the Status of Refugees (E/1619), the Council observes:

Article 30 of the proposed Convention leaves undefined the nature of the contact between the Contracting States and the High Commissioner and other United Nations agencies, except in respect to reports, whereas the functions of the High Commissioner cannot be separated from the proposed Convention. It suggests that this Article be amended to include the substance of Paragraph 5 of the Draft Resolution of the Secretary-General (E/1619), which defines in more specific terms the authority and functions of the High Commissioner.

5. Finally, with respect to Article 1 of the proposed Draft Convention and Article 5 of the Draft Resolution by the Secretary-General (E/1669), the Council comments:

The definition of refugee in Article 1 takes into consideration only cases of refugees resulting from past events in Europe. The proposed Convention would be a limited achievement if the legal standards formulated in it were restricted only to these categories of refugees. Although Paragraph B of Article 1 permits the broadening of the definition by subsequent agreement among the Contracting Parties, experience shows that not only are

such recommendations achieved with great difficulty, but even where success is finally achieved, a considerable, and possibly crucial, lapse of time ensues before adoption of ameliorative action, during which period the refugee remains unprotected. The Consultative Council therefore suggests the adoption of the broader definition suggested by the representative of France which would include all refugees, irrespective of when or where they originated.