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CONTENTS

	Page
Refugees and stateless persons (A/1385, A/1396, A/C.3/528, A/C.3/538, A/C.3/540, A/C.3/547, E/1850 and E/1850/Annex (<i>continued</i>))	335

Chairman: Mr. G. J. VAN HEUVEN GOEDHART (Netherlands).

Refugees and stateless persons (A/1385, A/1396, A/C.3/528, A/C.3/538, A/C.3/540, A/C.3/547, E/1850 and E/1850/Annex) (*continued*)

GENERAL DISCUSSION (*continued*)

- (a) PROVISIONS FOR THE FUNCTIONING OF THE HIGH COMMISSIONER'S OFFICE FOR REFUGEES: DRAFT RESOLUTION PROPOSED BY THE ECONOMIC AND SOCIAL COUNCIL; (b) DEFINITION OF THE TERM "REFUGEE" TO BE APPLIED BY THE HIGH COMMISSIONER FOR REFUGEES: RECOMMENDATIONS OF THE ECONOMIC AND SOCIAL COUNCIL; (c) PROBLEMS OF ASSISTANCE TO REFUGEES: MEMORANDUM FROM THE GENERAL COUNCIL OF IRO OF 20 OCTOBER 1949; (d) DRAFT CONVENTION RELATING TO THE STATUS OF REFUGEES

[Item 32]*

1. Mr. KOUSSOFF (Byelorussian Soviet Socialist Republic) remarked that, although the Second World War had been over for more than five years, thousands of Soviet refugees and displaced persons were still leading a wretched existence in camps and foreign countries in spite of the fact that the United Nations had repeatedly adopted resolutions with a view to settling the problem.

2. Those resolutions had not been implemented because a number of Member States, in particular the United States, the United Kingdom, France, Canada, Australia, Belgium, and several countries of Latin America, wished to use the refugees and displaced persons partly as cheap labour and partly for spying and subversive activities. The fact that the problem of refugees and displaced persons still existed was clearly the fault of the United States, the United Kingdom and France, of their occupation authorities in Germany and Austria, and of the International Refugee Organization, which, under the influence of those countries, had been transformed from an organ of repatriation into a slave-labour agency.

* Indicates the item number on the General Assembly agenda.

3. Whereas the Soviet Union had carried out its share of the agreement concluded at the Yalta Conference in February 1945, and had repatriated all the United States, United Kingdom and French nationals, the United States of America, the United Kingdom and France had ignored their obligations and had retained tens of thousands of USSR nationals and nationals of the peoples' democracies in the occupied zones of Germany and Austria.

4. When those people, among whom there were many Byelorussians, had been handed over to IRO instead of being swiftly repatriated, they had been exposed to a violent propaganda campaign against repatriation, and to threats and persecution if they remained firm in their desire to return to their homes. War criminals and quislings who, in violation of General Assembly resolution 8 (I), occupied positions of authority in displaced persons' camps did not stop short of murder in their efforts to prevent repatriation. A citizen of the Soviet Union had been killed because he had insisted on being returned to his country, while others had been threatened and imprisoned for the same reason. Eye-witness accounts were available to confirm the fact that, instead of welcoming information on conditions in the home countries, IRO officials and camp administrators had destroyed Soviet newspapers and periodicals, and had attacked Soviet repatriation officials who had attempted to visit the camps. On several occasions, police had prevented such officials from seeing their co-nationals and informing them of conditions in their home countries.

5. Such a state of affairs represented a flagrant violation of General Assembly resolution 62 II (I). Instead of facilitating the work of the USSR repatriation missions, the United States, the United Kingdom and France had gone to great lengths to obstruct them; for example, a Soviet mission had been compelled by the United States occupation authorities to leave the United States zone of Germany.

6. The United Nations had long had official cognizance of such facts. The report on the progress and prospect of repatriation, resettlement and immigration of refugees and displaced persons submitted by the

Secretary-General in collaboration with the Executive Secretary of the Preparatory Commission of the International Refugee Organization (E/816) spoke of " 'incidents' where representatives of governments have been threatened, insulted, and in some cases injured, in the course of visits to assembly centres, with the object of urging persons they considered as their nationals to return to the country of origin" (paragraph 6), and noted that the refugees and displaced persons had for years "been living in uncertainty and fear, never being allowed to decide anything for themselves" (paragraph 17).

7. The fact was that the Governments of the United States, the United Kingdom and France had been unwilling to repatriate USSR nationals, in contravention of the 1945 agreement, the agreement concluded by the Council of Foreign Ministers in Moscow in 1947, and General Assembly resolutions 8 (I) and 136 (II). Their claim that refugees and displaced persons did not choose to return to their countries of origin was belied by the facts, which plainly showed that there was no freedom of choice. A Danish newspaper had reported in October 1949 that refugees had been shipped to Australia in circumstances reminiscent of the slave trade; a Soviet citizen who had finally returned to his country had testified that he had been made to work in a Belgian mine in appalling conditions; a London radio broadcast had reported that 150 USSR citizens employed in England had gone on a hunger strike to protest against inhuman treatment and had then been put in manacles.

8. Citizens of the Soviet Union who had been forcibly transported to the United States, Canada, Australia and Latin-American countries had fared still worse. He cited various United States newspapers to the effect that refugees and displaced persons had been imported into southern states to be employed on plantations in conditions approaching slave labour and that they had been chosen on the basis of their ability to work, much as slaves had once been chosen for the same purpose.

9. In a number of cases families had been forcibly separated, the aged and the children being left behind in the camps while the more physically fit members of the family had been sent against their will to work in Canada, Australia and the United Kingdom. It was noteworthy that only 10 per cent of all the refugees and displaced persons who had left the camp had been repatriated, while 90 per cent had been resettled.

10. The refugees and displaced persons were not only a source of cheap man-power; those among them who were the avowed enemies of the Soviet Union and of the peoples' democracies were either given authority in the camps or were permitted to enter the United States, the United Kingdom and France in order to be trained as spies and subversive agents. Once admitted, those war criminals found themselves in a privileged position. Under the new United States displaced persons act of 7 June 1950, admission would be granted to men who had served under Anders, to White Russians who had escaped from China to the Philippines, and to so-called "political emigrants" who had fled from Eastern European countries. They would all be trained to engage in subversive activities against the Soviet Union.

11. Thus, Hitler's policy towards prisoners of war and the population of occupied territories was being

continued by States Members of the United Nations. That was a shameful blot on the Organization's record.

12. Thousands of examples could be given to show that displaced persons were treated worse than cattle; the young and strong were handed over to employers who were free to exploit them, while the aged and weak were condemned to a lingering death in the IRO camps in Germany or Austria.

13. The conditions in the IRO camps were appalling: basic necessities were lacking, there were epidemics of measles and scarlet fever, and many children died from pneumonia and intestinal diseases.

14. The Byelorussian delegation was of the opinion that IRO, acting as a tool of the United States, the United Kingdom and France, had deliberately hindered repatriation. If the governments of those countries had not flagrantly violated every agreement and resolution on the subject of refugees and displaced persons, the problem would have been settled long since. Instead, they had resorted to hostile propaganda against the USSR and the people's democracies, had used the foulest means for preventing displaced persons from returning to their countries, and had first interfered with and then completely forbidden visits to the camps by Soviet repatriation missions. Worse still, they had forcibly resettled great numbers of refugees and displaced persons in various countries where they were either exploited or held in reserve for subversive purposes.

15. Those three governments, as well as the administration of IRO, were endeavouring to legalize that state of affairs and to lay the full responsibility for IRO's failure on the United Nations, the Members of which were expected to carry the financial costs of the High Commissioner's Office for Refugees. That was why the United Nations was asked to examine not the problem of repatriation, but the provisions for the functioning of that Office and a convention relating to the status of refugees, and to define the term "refugee" in such a manner as further to hinder the repatriation of displaced persons.

16. The Byelorussian delegation felt convinced that the High Commissioner's Office for Refugees would merely be another centre for the exchange of slave labour, and that it would serve no worth-while purpose. The Byelorussian delegation would therefore vote against the draft resolution on the provisions for the functioning of the High Commissioner's Office for Refugees (A/1385).

17. The Byelorussian delegation had submitted a draft resolution (A/C.3/L.120) in which it called on the United States, the United Kingdom and France, as well as other countries, to implement General Assembly resolution 8 (I), by encouraging and assisting the return of the displaced persons to their countries of origin, their repatriation to be completed during 1951. By adopting that draft resolution the Committee would remedy the great injustice done to the refugees and displaced persons and would remove the blot on the United Nations record.

18. He therefore urged the Committee to give the Byelorussian draft resolution careful and sympathetic consideration.

19. Mr. ROCHEFORT (France) said his delegation wished to make a purely objective statement and would

refrain, for the time being, from answering the charges made against France by the representative of the Byelorussian SSR.

20. He simply wished to declare that his government could not accept as well founded the statement of the Byelorussian representative that not a single French citizen remained to be repatriated from USSR territory. Proof that that assertion was incorrect was to be found in the fact that diplomatic negotiations between the Governments of France and the USSR were still in progress.

21. Mr. BEAUFORT (Netherlands) stated that the problem of refugees and stateless persons was above all a problem of human beings, endowed with human dignity and the rights proclaimed in the Universal Declaration of Human Rights. All human beings constituted one family, and it was the duty of the more fortunate members of that family to help the afflicted members.

22. The humanitarian aspect of the refugee problem being all important, the problem should be tackled from that angle. Some of the statements made so far in the debate had not been sufficiently humanitarian in their approach. Some had merely paid lip-service to humanitarianism while claiming that the refugee problem would have been settled a long time ago if some major Powers had not kept it alive for political reasons. He deplored the use of such vague and unproven generalities. It was quite incredible that the United States of America would spend millions of dollars on refugees with the secret intention, not of helping them, but of perpetuating their plight in order to play a political trump card from time to time.

23. The statements of others, while not lacking in human feelings, had reflected a desire to get rid of the refugee problem. Those who wished to do that were calling it a temporary problem; they were trying to narrow it down to apply to Europe alone. Accordingly, they favoured a restrictive definition of the term "refugee".

24. The fact was that, as matters stood, the refugee problem was not near its final solution, especially if responsibility were accepted as being world-wide, as it should be, and not arbitrarily limited to Europe. Conditions being what they were, it would be totally unrealistic to believe that a time limit could be fixed after which there would be no new refugees and that the problem would no longer exist in a few years time. The United Nations could not shrink from its international responsibilities in that sphere.

25. He shared the views expressed at the 324th meeting by the United Kingdom representative, particularly the view that it was unthinkable for the United Nations to adhere to a definition of "refugee" which confined itself to European peoples and which, moreover, was limited by certain arbitrary dates. Adoption of such criteria would merely mean the disappearance of the problem for the United Nations, leaving it to be solved by others. He was fully aware that the means available to the United Nations for alleviating the plight of refugees were limited, and that many refugees would claim help in vain. That, however, must never be due to the adoption by the United Nations of any deliberate, theoretical restrictions but only to the simple fact that the Organization could not do all that it wanted to do.

26. His delegation, accordingly, favoured a broad and general definition of the term "refugee" and was opposed to any attempt to limit such a definition artificially. The question of the definition of the term "refugee" was crucial and basic and should therefore be settled by the Committee forthwith.

27. His delegation opposed the suggestion made at the 324th meeting by France and the United States for the establishment of a working group which would be instructed to prepare the draft convention on refugees to be submitted to the Committee for final decision.

28. It supported the United Kingdom proposal (A/C.3/L.68) that the draft convention should be referred to a conference of plenipotentiaries. There was not enough time to expect positive results from the procedure suggested by France and the United States. The Committee should decide upon an adequate definition of the term "refugee" and should then refer the draft convention to a conference of plenipotentiaries. Such a conference would have a number of advantages: the High Commissioner to be appointed could attend and provide it with first-hand experience; interested countries non-members of the United Nations could also attend the conference, whereas their views could not otherwise be heard by the Committee; and the draft convention, which, after all, would be a legally binding document, could be considered with the utmost care. Furthermore, once the Committee had reached a decision regarding the definition of the term "refugee"—a definition which would then serve as a basis for the High Commissioner's terms of reference—there would be no harm in deferring a decision on the remaining parts of the draft convention.

29. Turning to another point, he said he doubted the wisdom of subordinating the High Commissioner to the Economic and Social Council and the General Assembly. Moreover it was suggested that an advisory committee should be established and he feared that such over-organization might lead to the issuing of contradictory directives to the High Commissioner.

30. He reserved his right to offer concrete suggestions in that connexion at a later stage and to speak again during the debate, if necessary.

31. Mr. LORCA (Chile) wished, first of all, to take issue with what he termed a false and slanderous allegation made by the Byelorussian representative that repatriation had been impossible because certain countries, including some in Latin America, had attempted to use refugees as a cheap source of man-power and as potential spies.

32. His country, which had welcomed thousands of refugees, could not let such a charge pass unchallenged. The truth was that many of the refugees were fleeing from Soviet persecution, and the Byelorussian representative was fully aware that a veritable flood of refugees would pour out of the Baltic States if the frontiers were thrown open. Chile was a free country and events there could be followed by the entire world. It was therefore not necessary to dwell upon the dignified, humane and uniform treatment accorded to those who had found refuge in Chile and who could, if they so desired, become Chilean citizens. His remarks had been prompted by a desire to defend those new inhabitants of Chile who were, fortunately, beyond the reach of their former persecutors.

33. He then reviewed briefly the events leading up to the establishment of IRO, and said that his country, though not a member of IRO, had consistently supported United Nations efforts to solve the refugee problem. He paid a tribute to the work so far performed by IRO. Chile had fully lived up to its 1946 agreement with the Intergovernmental Committee on Refugees by admitting a certain number of refugees; in so doing, it had been influenced only by humanitarian considerations.

34. His delegation had serious objections to the definition of the term "refugee" adopted by the Economic and Social Council at its eleventh session (Council resolution 319 B (XI)). Instead of taking a wide and generous view of the problem, the Council had looked for the most restrictive definition. The definition given by the Council was unfair and lamentably short-sighted, limited as it was to victims of the First and Second World Wars in Europe. It was short-sighted in that it created the impression that history would never repeat itself, and that at a time when additional millions of human beings had become refugees as a result of the aggression against the Republic of Korea.

35. Such a restrictive definition could not be accepted by an organization such as the United Nations, which was under the obligation to make sure that agreements concluded under its authority were wide in scope; it could not be accepted by the Third Committee, where almost every delegation had shown a most progressive attitude during the long discussion on the draft first international covenant on human rights. The proposed definition of the term "refugee" was a complete negation of the essence of that draft covenant, and its approval by the Committee would be in complete contradiction with the stand it had taken in connexion with the draft covenant. Such a definition would set up a privileged caste of refugees and would amount to bestowing that title only upon a limited group, affording little or no protection to those who might sooner or later find themselves placed in similarly lamentable circumstances.

36. In defining the term "refugee", it was the duty of the United Nations to extend international protection to every person who, for reasons beyond his control, could no longer live in the country of his birth. Chile had always been faithful to those principles and had always granted asylum, work and freedom to refugees; it would not go back on those principles.

37. His delegation was in general agreement with the amendments submitted by Belgium (A/C.3/L.114) and the United Kingdom (A/C.3/L.115). It was completely opposed to the draft resolution submitted by the Byelorussian SSR (A/C.3/L.120) which, for obvious reasons, sought to change the refugee problem into one relating to repatriation, and to transform the High Commissioner's Office into an organization which would compel those who for religious, political or racial reasons could not or did not wish to be repatriated, to return to their countries of origin. Far from helping them, the draft resolution would, if adopted, be prejudicial to refugees.

38. His delegation was willing to support paragraphs B and C of article 1 of the draft convention (A/1385, appendix II). It noted with satisfaction that one of the

provisions of the Universal Declaration of Human Rights would thus for the first time assume a contractual character.

39. As to the draft statute of the High Commissioner's Office, his delegation thought, in general, that the powers to be conferred upon that Office were somewhat excessive. In regard to chapter I, article 4, of the draft statute, his delegation believed that the administrative expenses of the High Commissioner's Office should be financed from the regular United Nations budget and that all other expenditures relating to that Office should be met from voluntary contributions.

40. Mr. PEREZ PEROZO (Venezuela) observed that the definition of the term "refugee" was the most difficult problem to be settled. Upon the Committee's decision depended the questions of the statute of the High Commissioner's Office for Refugees and the draft convention relating to the status of refugees.

41. The Venezuelan delegation, which had served on the *Ad Hoc* Committee on Refugees and Stateless Persons, had always supported the idea of a restricted definition of the term "refugee" setting out categories, because it was essential that international instruments, to be really effective, should obtain the greatest possible number of signatures. That principle was the more important when the convention was one dealing with humanitarian aims rather than with immediate material benefit to the signatories. It was to be feared that a broad definition might deter States from signing, because they would wish to know in advance what type of persons they would be undertaking to admit to their territory and also because such a definition might be interpreted as demanding free admission of all types of persons, however undesirable, at a time when the granting of an entry visa was the exception rather than the rule. It would be unrealistic to expect States to accept a broad definition.

42. In accordance with the text of the statute of the High Commissioner's Office prepared by the Economic and Social Council (Council resolution 319 A (XI), annex) under the competence of that Office would be those defined in article 1 of the convention relating to the status of refugees as approved by the General Assembly, which meant that the definition of the term "refugee" would be the same in both documents.

43. The same applied to the amendments submitted by the delegation of Belgium (A/C.3/L.114) and the United Kingdom (A/C.3/L.115), but under the draft resolution submitted by the latter (A/C.3/L.68) the General Assembly would decide "to convene a conference of plenipotentiaries to complete the drafting of and to sign the convention". If that draft resolution were adopted, it would be hard to adopt the recommendation of the Economic and Social Council concerning the competence of the High Commissioner's Office, because the conference of plenipotentiaries might well adopt a different view with regard to the definition.

44. That was a disturbing possibility, because his delegation supported the United Kingdom proposal for two reasons: first, because there would not be time for the thorough examination of the draft convention at the current session, and, secondly, because some States took a more direct interest in the convention than

others. Although, obviously, all matters coming before the United Nations should concern all its Members equally, an exception could legitimately be made in the case of certain conventions, concerning which some States had no direct interest and others might be able to plead that their own legislation was more advanced. All the Members who so desired had had ample opportunity to express their views in many organs of the United Nations and in the specialized agencies, so that it was only fair that only the countries most directly concerned should have to participate in the final discussion. A conference of plenipotentiaries was the appropriate body for such a discussion and there was the additional advantage that such a conference would permit the participation of non-member States, such as Switzerland, Italy and Austria, which were particularly concerned with the refugee problem.

45. A prerequisite for the convening of the conference was, however, the previous examination and approval by the General Assembly of article 1 of the draft convention, embodying the definition of the term "refugee". That did not mean that the conference of plenipotentiaries would necessarily be obliged to adopt that definition, as it would be a sovereign body, but it was to be hoped that a definition approved by the General Assembly would give it valuable guidance.

46. His delegation agreed with the view of the Economic and Social Council that the definition should be the same in the draft convention and the statute of the High Commissioner's Office. If, however, that view hindered the transmission of the draft convention to the proposed conference, there would be no insuperable objection to the existence of two different definitions.

47. The argument that the conference of plenipotentiaries should not be convened because the draft convention must be adopted by the Assembly before the High Commissioner's Office began to function was not tenable. The convention would not only have to be approved by the Assembly at its current session, but would also have to receive the requisite number of ratifications before it came into force—and that would require some time. The conference could perfectly well be convened in the first half of 1951 so that the convention could be approved and opened for signature before the High Commissioner's Office started work in the autumn of that year.

48. He asked the United Kingdom delegation if it would be prepared to accept the addition to the first paragraph of the operative part of its draft resolution (A/C.3/L.68) of the words "and the draft protocol relating to the status of stateless persons".

49. It would be better to alter the order of the four sub-divisions of the item on the agenda, part (d)—the draft convention relating to the status of refugees—to be taken first. The definition of the term "refugee" should be settled before the statute of the High Commissioner's Office was considered. That definition was embodied in the draft convention, so that part (b)—the definition of the term "refugee" to be applied by the High Commissioner for Refugees—would be automatically eliminated. Further, it was likely that legal difficulties might arise in the consideration of the draft convention, particularly concerning the principle of reciprocity, so that there should be time for reference, if necessary, to the Sixth Committee.

50. In order to facilitate the consideration of the draft convention, the Committee should first decide whether, in principle, a general definition or a definition by categories should be adopted, whether the definition approved for the convention should be applied by the High Commissioner in determining his competence or whether two different definitions were required and whether the draft convention should be transmitted to a conference of plenipotentiaries or should be adopted by the General Assembly at its current session.

51. After taking those decisions, the French representative's proposal that a sub-committee should be set up could be accepted. Such a sub-committee should be given broad terms of reference, so that there would be no repetition of the futilities of the sub-committee set up by the Third Committee (281st meeting) to work on the long-range activities for children, which had been relatively useless owing to its lack of powers to study both substance and form.

52. His delegation proposed (A/C.3/L.121) that paragraph A of article 1 of the draft convention should be amended by the addition of a paragraph, to form a paragraph B, the existing section B to become section C. That paragraph should read as follows:

"B. The Contracting States may agree to add to the definition 'refugee' in this article persons in other categories recommended by the General Assembly."

53. That amendment was not an innovation. It had been embodied in the first draft prepared by the *Ad Hoc* Committee on Refugees and Stateless Persons, but had been rejected by the Economic and Social Council on the grounds that any of the contracting parties could at any time agree to accept any categories of refugees they deemed fit. That was true, but such a paragraph should be included because the existing draft might give the impression that it was inflexibly restrictive and that the General Assembly could not subsequently augment the number of categories. It was improbable that the States themselves would be greatly interested in increasing the categories, whereas the General Assembly would be continuously concerned with the question. If it proposed new categories, the States would be free to accept or reject them. Lastly, it would be wise to keep, by means of such a paragraph, a link, however slight, between the General Assembly and the contracting States.

54. Mr. PLEIC (Yugoslavia) believed that, although the solution of the refugee problem should be primarily the concern of the countries directly affected, the United Nations should take an active part. In order to do so, it must approach the problem as a purely humanitarian one; it should attempt to discard the political approach so far as possible; and it should regard the problem as general rather than as purely European.

55. To deal with only a few defined categories of refugees would be to run the risk of political disputes and of having assistance to refugees transformed into political action against one country or a group of countries. The attitudes of certain countries either for or against IRO had in the past been a source of political tension. That past should be reviewed to see if a clean break could not be made with the former disputes and hatreds. It would probably be better to take

no action at all if action on the widest possible scale was impracticable. It was not, however, impracticable.

56. Hence, the proposals concerning the definition of the term "refugee" submitted by the Belgian (A/C.3/L.114) and United Kingdom (A/C.3/L.115) delegations were a useful beginning.

57. The United Kingdom proposal was more complete, but did not differ greatly in substance from the Belgian; the authors might perhaps work out a joint text. Those proposals had one defect, namely, that they did not refer to any restrictions, although restrictions were necessary. Any person who had committed a crime specified in article VI of the London Charter of the International Military Tribunal, common criminals and persons deemed guilty of actions contrary to the purposes and principles of the United Nations could not be given the status of refugees. The Belgian or United Kingdom text should be amended to that effect. The representative of Yugoslavia submitted an amendment (A/C.3/L.122) in that sense.

58. The amendment embodied the same idea as that contained in paragraph C of article 1 of the text submitted by the Economic and Social Council, but in that text it was linked with a definition by categories, whereas in his amendment it would be connected with a general definition.

59. As the refugee question was within the competence of the United Nations, a body able to work on it systematically and continuously would have to be created, since there was no appropriate body in existence. At the previous session, the Yugoslav delegation had maintained that the question of such a body could be discussed only after the adoption of international obligations and the definition of the principle involved.¹ That view had not been accepted, but, in a spirit of cooperation, the Yugoslav delegation would participate fully in the discussion of the High Commissioner's Office and assist in making it work. Logic required that the term "refugee" should be defined before the statute and organization of that Office was considered.

60. Accepting in principle the establishment of such an Office, his delegation would submit specific proposals when the annex to resolution 319 A (XI) of the Economic and Social Council was examined in detail.

61. The United Kingdom proposal for a conference of plenipotentiaries (A/C.3/L.68) had seemed attractive at first sight. Subsequently, however, the Yugoslav delegation had come to the conclusion that it was undesirable. A diplomatic conference could only establish obligations between States, whereas obligations incumbent on the United Nations as a whole could not be established unless that Organization specifically accepted them. The draft convention adopted by such a conference would therefore have to be referred again to the United Nations for approval.

62. If the draft convention could not be prepared at the current session for practical reasons, the Committee

should confine itself to defining the term "refugee" and setting up the High Commissioner's Office and defer the drafting of the convention until the following session. The first thing to do was to adopt the definition so that the High Commissioner would have his terms of reference as soon as possible. The adoption of the convention at the following session of the General Assembly would be in keeping with the normal procedure of the United Nations with regard to such questions.

63. Mr. HOFFMEISTER (Czechoslovakia) emphasized his view that the question of refugees was essentially political rather than humanitarian. Certain countries were attempting to divert the United Nations from strict compliance with the principles embodied in General Assembly resolution 8 (I). They had failed to implement the provisions of the General Assembly resolutions concerning the repatriation of refugees and displaced persons and had supported rather than prevented endeavours to turn a humanitarian action into assistance to persons engaged in subversive activities directed towards overthrowing the governments of the countries they had quitted.

64. All the documents before the Committee omitted to specify the important point that relief should not be given to persons who, since the termination of the Second World War, had participated in any organization having as one of its purposes the overthrow, by armed force, of the government of their country of origin or of any other Member State of the United Nations, had been a member of any terrorist organization or had been a sponsor of any movement encouraging refugees not to return to their country of origin. It had been stated that subversive broadcasting stations had recruited such persons precisely from IRO's refugee camps and it was to be feared that such practices might be continued by the proposed High Commissioner's Office.

65. The definition of the term "refugee" proposed by the Economic and Social Council gave grounds for that fear, particularly the proviso that the term should apply to any person "who has had, or has, well-founded fear of being the victim of persecution . . . and owing to such fear, has had to leave, shall leave or remains outside the country of his nationality . . .". The idea that any person who considered himself persecuted, without any independent confirmation, should be regarded automatically as a refugee was neither good law nor good sense.

66. To grant or assist in granting protection to fascist propagandist, warmongers and political enemies of peace and democracy would be contrary to the Czechoslovak Constitution and contrary to the purposes and principles of the United Nations.

67. He would therefore oppose all the proposals submitted and vote for the Byelorussian draft resolution (A/C.3/L.120).

68. He reserved his right to intervene again later in the debate.

The meeting rose at 1.10 p.m.

¹ See *Official Records of the General Assembly, Fourth Session, Third Committee, 257th meeting.*