

United Nations
**ECONOMIC
AND
SOCIAL COUNCIL**

Nations Unies
**CONSEIL
ECONOMIQUE
ET SOCIAL**

LONDON
E/REF/17
11 April 1946
ORIGINAL: ENGLISH

SPECIAL COMMITTEE ON REFUGEES AND DISPLACED PERSONS

SUMMARY RECORD OF FOURTH MEETING

HELD AT CHURCH HOUSE, DEAN'S YARD, LONDON
ON 10 APRIL 1946 AT 3.15 P.M.

CHAIRMAN: MR. McNEIL (United Kingdom)

1. Credentials of Delegates

The Chairman stated that all the credentials of delegates had been received and were in order.

2. Statement by the Secretary

The Secretary gave notice that the final list of the composition of delegations would be issued shortly and requested delegates to submit suggested changes as soon as possible.

With reference to Document E/REF/1, he asked delegates to submit any further names for inclusion in a corrigendum which would be circulated shortly.

He drew attention to two documents containing definitions of the terms "refugee" and "displaced person" which had been circulated by the I.G.C. and UNRRA in accordance with the Committee's request. These papers would be distributed formally in time for the next meeting.

3. Continuation of the discussion of the Chairman's proposed plan of work (E/REF/9)

Mr. Bousquet (France) opened the discussion with the suggestion that the Chairman's plan required modification to meet the double problem which confronted the Committee. Both in its general consideration of the refugee problem and in its detailed examination, the Committee would have to recognize a distinction between statutory refugees and those refugees and displaced persons who

had left their countries willingly or as a result of war circumstances. The problem of the former would include financial and legal aspects and might be handled by a separate sub-committee. The latter, however, might best be solved through bilateral agreements between the countries of origin and the countries of temporary residence and a second sub-committee to examine this type of solution would be desirable. These two sub-committees might merge at a later stage to discuss what international machinery should be established.

He proposed a further sub-committee to consider the problem of quislings, war criminals and other undesirables. He found the sub-committees concerning financial arrangements and the question of refugees of non-European origin, as outlined in the Chairman's plan, quite acceptable.

It was explained that a text embodying these suggestions had been prepared and would be distributed formally to the Committee.

Mr. Schneider (Belgium) considered that the Chairman's plan of work was preferable to that outlined by the French Delegate as it emphasized more effectively the main task before the Committee. The sub-committees proposed for the study of resettlement and for the creation of future organization seemed extremely practical and relevant to the Committee's mandate. He thought that the special sub-committee to examine the problem of quislings etc., suggested by the French Delegate, would not be necessary since the Committee was not empowered to take decisions on this question.

With regard to the French proposal concerning statutory refugees, he believed that their position was already adequately regulated, and that the Committee's task was simply to fit them into the programme of the future organization. In reply, the Delegate for France said that the situation of the statutory refugees was far from satisfactory, and that it was essential that the Committee

give it adequate consideration, particularly in view of the large numbers involved. The Belgian Delegate explained that he had not intended to suggest that this question be ignored. Possibly the right solution for the statutory refugees in France might be found in direct negotiation between the French Government and the I.G.C.

Particular reference to the Chairman's proposal for a sub-committee to consider resettlement was made by the Delegates for the Dominican Republic and Brazil, both of whom welcomed it as a practical and valuable suggestion.

Commenting on the various remarks and suggestions which had been made, Sir George Rendel (United Kingdom) stated that the distinction which had been drawn by the Delegate for France between statutory refugees and other types of refugees and displaced persons was too rigid. The main task of the Committee was to devise a single system to handle all persons who could be classified as refugees, regardless of the date on which they had become refugees, or of any other previous arrangements which had been made for them. He pointed out that in the more recent groups of refugees there were to be found many who could not be classified according to either of the French definitions. Moreover, the French case for repatriating refugees and displaced persons (other than the statutory refugees) through bilateral agreements did not meet the actual situation. Such agreements would obviously not be applicable to the Spanish Republican refugees, nor, for example, to Hungarian Jews or Balts whose connections with their countries of origin had been severed. Past experience had proved that bilateral agreements were sometimes inequitable as well as inapplicable.

The interpretation of the Committee's responsibility for war criminals etc. given by the Delegate for Belgium was, he thought somewhat limited. It was clear that amongst the various

groups of refugees there would be found all shades of opinion and all qualities of desert. Many would deserve full assistance; others would be of more doubtful merit; and others would deserve nothing. The experience of military and civil authorities in sorting these types had shown that the task was not simple. It was extremely important that help should be given only to those who deserved it. Therefore it was proper that whatever organization was set up for the care of refugees should have some criteria of its own by which to judge where assistance was justified. Some study should be made at this stage of methods of screening as a means by which these criteria could be reached. The question was of sufficient complexity to merit special examination in a sub-committee as envisaged in paragraph 4 of the Chairman's plan.

In view of some remarks which had been made concerning the work of the sub-committee on resettlement, the Delegate for the United Kingdom felt it should be made clear that this sub-committee would not be empowered to negotiate any specific arrangements; it would rather collate all available information regarding the possibilities of resettlement. The negotiations with the Governments of the reception countries would of course come within the province of the organization to be set up. Generous offers in this regard had been made by some of the Latin-American countries.

Mr. Haveman (Netherlands) preferred the Chairman's plan of work as representing a highly practical approach to the problem. It should be recognized that too much should not be expected of the fact-finding sub-committee. Its research would be valuable only if precise definitions of the various groups and categories of refugees were laid down into which facts and figures could be framed. For this reason the Committee's decision to begin its work with a definition of these essential terms was right, although it might delay the work of the sub-committee. Since considerable

investigation would be required, he thought it might be useful for the sub-committee to concentrate its time on the best methods of making this investigation. It could then consider the temporary measures of assistance necessary for the various categories and groups, which would, in turn, facilitate the task of the sub-committee recommending the permanent machinery to be established.

The other sub-committees outlined in the Chairman's plan of work were quite satisfactory. It might be desirable, however, that the terms of reference of the sub-committee on resettlement should include a study of the juridical status of the refugees from the moment they came under the care of the future international body until their eventual resettlement.

Commenting on the observations made by the Delegate for the United Kingdom, Mr. Smoliar (Byelorussian S.S.R.) stated that he agreed with the necessity for a proper definition of the terms "refugee" and "displaced person". Such a definition would serve to identify the many undeserving persons who were receiving help. The fact-finding sub-committee proposed by the Chairman was particularly welcome since the statistics to be provided would assist the definition of terms. Field trips would undoubtedly be a very useful method of investigation.

Concerning the value of bilateral agreements, he did not share the doubts of the United Kingdom Delegate. In certain cases, of course, these could not be concluded, but experience had proved such agreements most satisfactory.

He emphasized that the paramount task before the Committee was to encourage the return of refugees and displaced persons to their countries of origin. He mentioned the case of many thousands of Poles in German camps who had not returned home. In reply to enquiries, the UNRRA authorities had cited difficulties in transport etc., though the camps were near the Polish frontier.

It was certain that many of these persons could and would return to Poland if conditions for their return were facilitated.

Mr. Warren (United States) pointed out that the Committee was actually discussing substantive issues, rather than the plan of work before it. He thought that this was a useful way to proceed since it would probably expedite a decision on the manner in which the work could be tackled.

He agreed with the observations made by the Delegates for the United Kingdom and the Netherlands. It was true, as the latter had suggested, that much of the value of the information provided by the fact-finding sub-committee would depend on the definition of the categories and groups of refugees. Perhaps, therefore, it might be advisable for the sub-committee to concern itself with methods of obtaining this information, leaving its actual preparation to the future organization. It must be remembered that the Committee's main task was to recommend the functions, financing, and relationship with the United Nations, of the organization to be created.

Speaking on behalf of the Chairman who had been unavoidably called away to other duties, the Vice-Chairman, Mr. WINIEWICZ (Poland) endorsed the remarks of the Delegate for the United States concerning the Committee's discussion. A general debate at this juncture would not only be valuable, but would afford time for the thorough study of the various documents circulated. Similar approval was given by the Delegate for the United Kingdom who felt that general discussion might be canalized by following the Chairman's plan of work, paragraph by paragraph. The debate had emphasized the desirability of an early definition of the terms "refugee" and "displaced person". This subject appeared as the first item on the Chairman's paper. Once agreement had been reached on this question, the Committee might discuss the other substantive paragraphs in the

Chairman's paper, leaving to the end perhaps, the actual terms of reference of the sub-committee. Wide approval was given to this suggestion.

Mr. Ratov (U.S.S.R.) accepted the principle of sub-committees as proposed in the Chairman's plan of work. He disagreed with the French suggestion of a special sub-committee to examine the questions of war criminals for reasons similar to those stated by the Delegate for Belgium. He pointed out that there were certain international agreements already in force which covered the problem generally admitting the principle of extradition. It would be preferable and sufficient that the fact-finding committee should study the question with a view to establishing precise definitions of these undesirables. A study of the methods of screening should also be included. This sub-committee might collect its information by setting up a number of sub-commissions, whose composition should include the representatives of the countries directly interested, including the countries of origin.

He thought the sub-committee for resettlement would be superfluous since resettlement was listed under the terms of reference of the sub-committee to examine the organization to be set up.

With regard to the question of bilateral agreements, he agreed with the French and Byelorussian Delegates that these could be very useful. Experience, however, had shown that their implementation had not been as complete as desired. The Committee might therefore usefully emphasize the desirability of increasing their effectiveness.

Mr. Hood (Australia) observed that the Chairman's plan was consistent with the logic of the Committee's mandate, and anticipated that the general discussion would lead to its approval.

It was not to be expected that the work of all the sub-committees would proceed at the same pace. In fact it was likely that the sub-committee making recommendations regarding the future organization

would be the focal one, and would qualify and guide the work of the others. He saw a certain duplication of functions between this sub-committee and that concerned with resettlement, but considered both were required. He thought that bilateral agreements would go far to reduce the numbers of refugees with which the future body would have to deal, and it might therefore be desirable for the Committee to investigate further possibilities in this direction.

Mr. Bebler (Yugoslavia) thought the inclusion of field trips in the terms of reference of the fact-finding sub-committee as proposed by the Delegate for the U.S.S.R., a wise one.

He considered that the Chairman's plan of work contained one notable defect namely, that it did not recognize repatriation as the ideal solution of the refugee problem. He suggested therefore that an additional sub-committee be set up charged with the consideration of the subject of repatriation. There were many intergovernmental measures which could expedite it, measures such as the recent arrangement reached between the United Kingdom Government and the Polish Government concerning the Polish forces serving with the British Army - an arrangement which had made a very favourable impression in Europe. It was quite within the Committee's powers to recommend to the Economic and Social Council that member governments should be encouraged to take such bilateral action for the return to their countries of origin of all refugees of all categories. If this were not accomplished these refugees would always remain a danger.

Commenting on the Soviet Delegate's statement that the question of resettlement was included in the terms of reference of the sub-committee concerned with the future machinery, the Delegate for the United Kingdom explained that the Chairman's paper had in fact made no such provision. It had rather specified that resettlement should be examined by a special sub-committee.

Replying to the remarks of the Delegate for Yugoslavia concerning the work of the fact-finding sub-committee, he suggested that detailed discussion of this matter should be held over until the main functions of the sub-committees had been decided.

He did not agree with the Delegate for Yugoslavia that the repatriation of all refugees of all categories was the ideal solution. At the close of the war, there had been between fifteen and twenty million uprooted persons in Europe. The concentrated effort of the military authorities and UNRRA had reduced this figure by eighty to ninety percent. In almost every case repatriation had proceeded faster than anticipated. In recent months, however, several complaints had been made to UNRRA regarding the slowing down of repatriation. It had been effectively answered that this slowness was due to difficulties of transport and reception during winter months, particularly in certain areas of Poland. There had also been many refugees who were unwilling to return to their countries of origin because of unsettled conditions there. The latest information indicated a considerable speed-up, and it was anticipated that the hard core of non-repatriable refugees would soon be reached. In fact, it was on such a hypothesis, that the Committee should make its examination. The Committee would be dealing with those refugees who could not or would not return to their homes. There were large numbers whose homes had been destroyed, whose families had been lost, or whose return would be difficult for political reasons. Furthermore there were many stateless refugees, Spaniards, German Jews and even Yugoslavs. Therefore repatriation could not be regarded as the only solution.

To meet the above arguments, the Delegate for France suggested that the mandate of the sub-committee charged with the study of the future Organization should be widened to include study of possibilities of repatriation and resettlement. The special sub-committee which had been suggested for this latter question could be replaced by one dealing with bilateral agreements.

The Meeting rose at 6.15.
