

OF 3186
Political Refugees
1936

Department of State

BUREAU
DIVISION }

WE

ENCLOSURE

TO

Letter drafted Apr. 21, 1936

ADDRESSED TO

The President.

ORIGINAL RETIRED FOR PRESERVATION

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April 21 1936
DIVISION OF WESTERN
EUROPEAN AFFAIRS
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T.C. [Signature]
DEPARTMENT OF STATE

My dear Mr. President:

With regard to the Inter-Governmental Conference on Jewish and Non-Jewish Refugees coming from Germany, referred to in Mr. Frankfurter's letter to Mr. Koley, and the latter's letter which you sent to me by confidential memorandum of April 20th, I should perhaps state that the Council of the League of Nations has called a conference of the States members of the League, as well as the United States of America and the United States of Brazil, to meet at Geneva on July 2, next. The provisional program of this conference (a copy of which I am appending hereto) contains the following items of discussion:

1. Framing of provisional arrangements concerning the legal status of German refugees.
2. Drafting of a convention determining the status of refugees.
3. Examination of methods of obtaining facilities

for

The President,
The White House.

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the delivery of civil status and other papers by the authorities of the country of origin.

As you will see, the agenda of the conference calls for discussion only of matters pertaining to the legal status of German and other refugees. As far as this country is concerned, the status of all aliens is determined by law and there is no latitude left to the Executive to discuss questions concerning the legal status of aliens. It does not appear advisable, therefore, for this Government to place itself in the position of even appearing to have any authority or discretion in connection with the status of other than American citizens. We have, in consequence, already informed the Secretary General of the League that this Government does not contemplate participating actively in the conference or in becoming a party to any convention which it may draw up, but will be very glad to have the American Consul in Geneva, or a member of his staff, attend the meetings as an observer.

In response to an inquiry on his part, we have informed Professor Joseph P. Chamberlain, who was the American representative on the Governing Body of the High Commission for Refugees from Germany until the recent dissolution of that Body, of our intention to

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- 3 -

have an observer from the American Consulate in Geneva attend the conference. Professor Chamberlain, in acknowledging the Department's letter, stated that he understood the position of this Government and that he was glad to learn that the American Consul would attend the conference as an observer.

Faithfully yours,

Enclosure:
Copy of Agenda,
as above.

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Enclosure No. 3 in List No. 38
C.L. 57. 1936. XII.

LEAGUE OF NATIONS

3186

INTER-GOVERNMENTAL CONFERENCE FOR THE ADOPTION OF THE
LEGAL STATUS OF REFUGEES COMING FROM GERMANY

The Secretary-General has the honour to communicate to the Government of _____ the following:

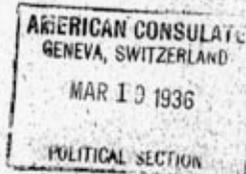
The Council of the League of Nations in those parts of its resolution of January 24th, 1936, which concern Jewish and non-Jewish refugees coming from Germany laid down that the High Commissioner's duty would be, among other things:

"To prepare and arrange, in agreement with the Secretary-General, for the meeting of an inter-governmental conference with a view to arranging a system of legal protection for refugees coming from Germany;

"The States Members of the League of Nations, as well as the United States of America and the United States of Brazil, shall be convened to this conference by the Secretary-General, in agreement with the High Commissioner."

In order to give effect to this decision, the Secretary-General, in agreement with the High Commissioner, has the honour to inform the Government of _____ that the proposed conference will meet at Geneva on July 2nd, 1936.

The Secretary-General would be obliged if the Government of _____ would let him know before May 15th, 1936, whether it intends to be represented at this conference, and, if so, to state, if possible, the names of



its representatives who will attend. The Secretary-General also requests the Government of _____ to inform him whether it wishes to avail itself of the right, allowed by the Council to all the States invited, to suggest that any questions should be added to the agenda of the conference.

Without prejudice to any proposals which Governments may desire to submit, the Secretary-General has the honour to _____ communicate herewith a note prepared by the High Commissioner concerning the conference's programme.

The High Commissioner reserves the right to re-adjust this programme as a result of the consultations now in progress and of the replies of the Governments, and possibly to submit draft texts.

The Secretary-General ventures to draw attention to the urgent nature of the question. In order to fall in with the Council's wishes, it has been necessary to convene the conference at comparatively short notice.

Geneva, March 18th, 1936.

3186

**PROVISIONAL PROGRAMME OF THE INTER-GOVERNMENTAL CONFERENCE
ON JEWISH AND NON-JEWISH REFUGEES COMING FROM GERMANY,
SUBMITTED BY THE HIGH COMMISSIONER OF THE LEAGUE OF NATIONS**

In view of the urgency of the questions at issue, the High Commissioner proposes in the first place the framing of provisional inter-governmental arrangements which might be put into force without delay. The conference might next consider the question of a convention determining the status of refugees. Lastly, it would examine the question of the delivery of civil status papers.

1. Framing of provisional arrangements concerning the legal status of German refugees.

The object of these provisional arrangements would be to give the refugees a legal status as soon as possible, pending the putting into force of a more stable conventional regime.

These arrangements would cover the following points:

1. Definition of the categories of refugees to which the arrangements would be applicable.

2. Administrative measures:

(a) Identity and travel certificates issued to refugees -
Validity of these certificates - Authorisation to holders of the certificate to enter and leave a country - Visas, renewal, cost of issue of certificates and of visas on certificates;

(b) Expulsion and refusal of admittance (refoulement).

3. Legal standing:

(a) Determination of the law governing the personal status of the refugees;

(b) Validity of papers delivered by the religious authorities;

(c) Rights acquired in virtue of the national law.
(Matrimonial regime - legal capacity of married women:)

(d) Dissolution of marriage;

(e) Right to appear before the courts as plaintive or defendant.

2. Drafting of a convention determining the status of refugees

3. Examination of methods of obtaining facilities for the delivery of civil status and other papers from the authorities of the country of origin.