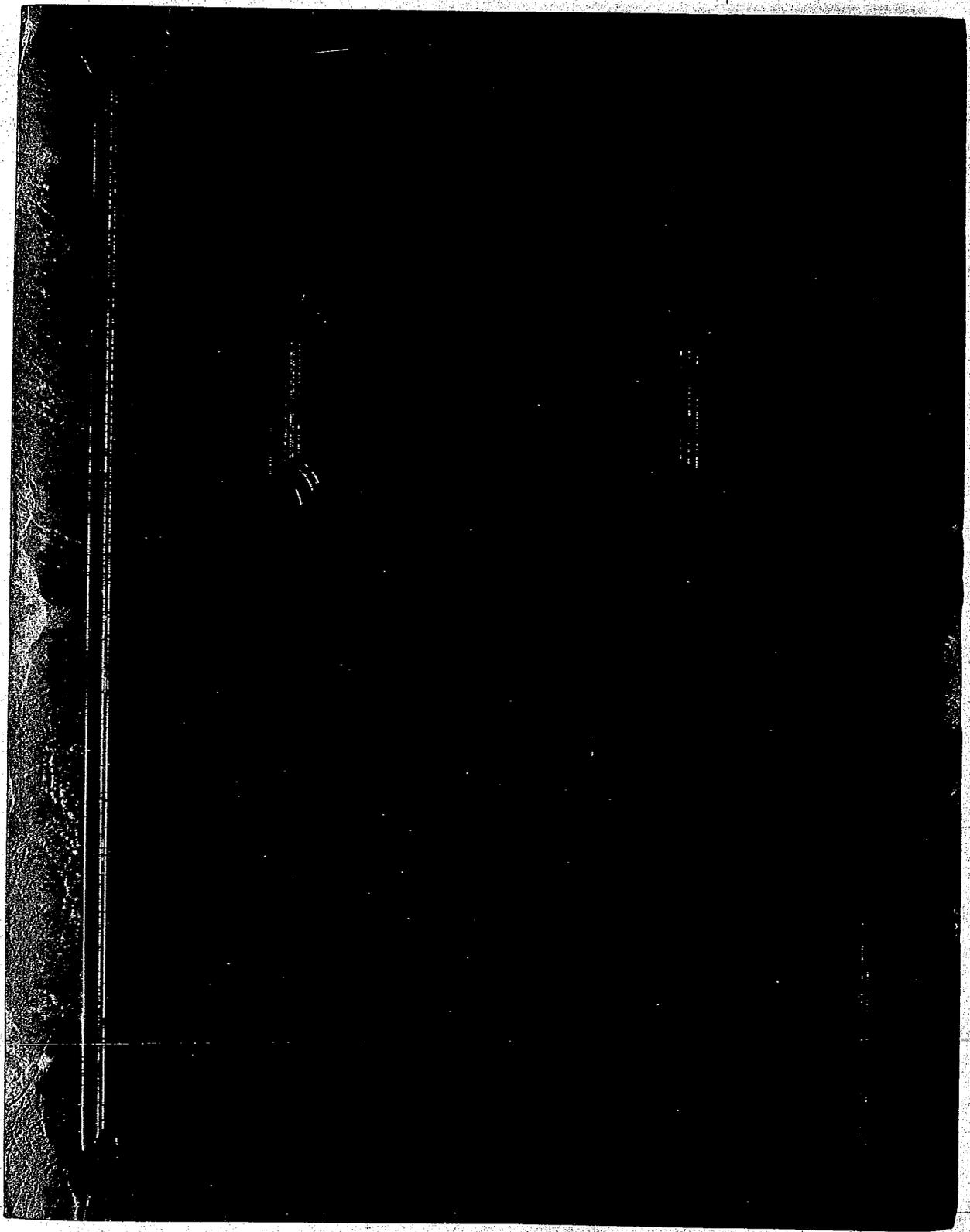


EXHIBITS: AMERICAN CHRISTIAN COMMITTEE FOR REFUGEES

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PART I

STUDY GROUP FOR POST-WAR REFUGEE PROBLEMS.

Introductory Letter.

Geneva, March 1944

In the summer of 1943 a group of members of private international organizations in Geneva, moved by a common concern about post-war refugee problems, decided to undertake the study of certain of these complicated questions. As the study proceeded, experts in certain aspects of the problem joined the first circle, and the group now has twenty members, most of whom are officers of international organizations. The members participate in this study as individuals, rather than as representatives of their respective organizations, and hence without committing these organizations to opinions stated here.

While it is hoped that cooperation of individual members of the group may lead eventually to closer liaison and coordination among the organizations concerned, the only aim of the group at present is to share the results of its study with other interested persons and organizations.

The group has dealt primarily with questions concerning assistance after the war to refugees from the war stricken countries, but by the very nature of these studies it has also been led to take interest in other problems of post-war reconstruction in Europe. The group has so far confined its work to the study of European problems, first, because it has felt more competent in this particular field and second, because it is convinced that the experience and collaboration of this Continent are essential elements in the successful achievement of the great enterprise of international reconstruction.

Herewith we submit four documents:

- 1) An attempt to define the term "refugee" and to state the numbers of real refugees which will have to be dealt with after the war.
- 2) A questionnaire. The group felt that special efforts should be made to find out the carefully considered opinion of the refugees themselves as to their future, and that a systematic method should be devised for this purpose. The present questionnaire is being used as the basis for a survey among typical groups of refugees in Switzerland. The group ventures to suggest that similar efforts be made in other countries and would be glad to be informed of their results.

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- 3) A memorandum on the phenomenon of statelessness, one of the most important legal questions involved in the refugee problem. The group felt that in this realm basic elements of human rights and personal dignity are at stake and that the achievement of a just and durable peace should involve special efforts to deliver mankind from this phenomenon of international anarchy.
- 4) A memorandum on the functions of private organizations in refugee-and-general relief work after the war, and the basis for their collaboration with inter-governmental agencies.

The group has given its special attention to the problems of cooperation between private organizations and official bodies, particularly the Inter-Governmental Committee for Refugees and the UNRRA. The document herewith presented was prepared before the group had access to the Resolutions and Reports of the UNRRA Conference at Atlantic City. The group now notes with satisfaction that this UNRRA document envisages the collaboration of private and inter-governmental agencies, and proposes the principles here stated as both pertinent to the situation and desirable as directives for such collaboration. The group holds that in the interests of all those benefitting from post-war relief action, private organizations should participate in all the planning and collaborate fully in the actual collaboration of relief and rehabilitation.

After having been prepared by individual members particularly competent in the given question, each of these documents has been thoroughly discussed by the whole group and the present version thus represents the group's general opinion. These papers represent the best thought of a given group; they do not presume to be encyclopedic or the final word on the subjects treated, but are simply offered as one group's contribution to the study of these problems.

The group is eager to exchange views with similar interested groups abroad. It would appreciate having your reaction on these documents as well as the reaction of more official organizations in so far as it has been possible to consult them. Replies should be addressed to any of the members of the group in Geneva (list of names and addresses attached).

March 1944
Geneva, Switzerland.

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LIST OF MEMBERS OF THE STUDY GROUP FOR POST WAR REFUGEE PROBLEMS, GENEVA

The group is no association of organizations, its members do not represent officially or commit the organizations of which they are officers.

Mr. Jean-Frédéric Bloch-Lainé, Hôtel de l'Ecu, Geneva.

Mr. Noël Haviland Field, Unitarian Service Committee, 37, Quai Wilson, Geneva.

Mrs. Beresford Fox, Worlds Y.W.C.A., 37, Quai Wilson, Geneva.

Secretary of the group:

Dr. Adolf Freudenberg, World Council of Churches (in process of Formation) - secretariat for refugees; 41, Avenue de Champel, Geneva.

Miss Milly Furrer, Schweiz. Zentralstelle für Flüchtlingshilfe, - Central Office for Aid to Refugees -, Kantonsschulstrasse 1, Zürich.

Mr. Paul Guggenheim, Graduate Institute of International Studies, 23, Avenue Beau-Séjour, Geneva.

Mr. Henry Louis Henröd, World Alliance for International Friendship through the Churches, 37, Quai Wilson, Geneva.

Miss Bertha Hohermuth, Aide aux Emigrés, Swiss Branch International Migration Service, 37, Quai Wilson, Geneva.

Mr. Max Horngacher, European Student Relief Fund, 13, rue Calvin, Geneva.

Mrs. Regina Kaegi-Fuchsman, Swiss National Labor-Union Relief Committee, Wibichstrasse 81, Zürich-10.

Mr. Richard Lichtheim, The Jewish Agency for Palestine, 37, Quai Wilson, Geneva.

Mr. Donald A. Lowrie, World's Committee Y.M.C.A., 37, Quai Wilson, Geneva.

Mr. Ross McClelland, American Friends Service Committee, 7, rue des Chaudronniers, Geneva.

Mr. Rodolfo Olgiati, Wernerstrasse 10, Berne.

Mr. Gerhart M. Riegner, World Jewish Congress, 37 Quai Wilson, Geneva.

Mr. Aron Syngalowski, Organization O.R.T., 8, Route de Malagnou, Geneva.

Mr. Georges Thélin, Save the Children International Union, 15, rue Lévrier, Geneva.

Dr. W. A. Visser 't Hooft, World Council of Churches (in Process of Formation), 41, Avenue de Champel, Geneva.

Dr. Joseph Weill, Union of the Societies for the Preservation of Health among the Jews, 15, rue du Mont Blanc, Geneva.

As Observer:

Mr. Lossier, International Committee of the Red Cross, Hôtel Métropole, Geneva.

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PART II

DEFINITION OF THE WORD REFUGEE
AND
EXTENT OF THE REFUGEE PROBLEM IN EUROPE.

1. DEFINITIONS.

a. Definition given by the "Institut de Droit International".

1. A draft scheme for the regulation of Refugee Problems was published in 1936 by the "Institut de Droit International", - the best qualified representative body of international law in Europe. In the said draft the meaning of the word refugee is explained as follows:

"Le terme réfugié désigne tout individu qui, en raison d'événements politiques survenus sur le territoire de l'Etat dont il était ressortissant, a quitté volontairement ou non ce territoire ou en demeure éloigné, qui n'a acquis aucune nationalité nouvelle et ne jouit de la protection diplomatique d'aucun autre Etat."

2. This definition, which was formulated after careful consideration of every possible contingency, may be looked upon as correct in every respect. It has already been applied in various international agreements, and is likely to go on being applied as a basis for further agreements, laws, and regulations dealing with the Refugee Problem.

3. The definition nevertheless contains one sentence which gives rise to discussion in view of present conditions. It is the sentence "En raison d'événements politiques..." The authors were apparently of the opinion that persons who leave their country voluntarily or involuntarily, who are unwilling or unable to acquire another nationality, who are not protected by any other State and no longer enjoy the diplomatic protection of their former home country, are, as a matter of course, victims of political events in that country. This

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definition takes no account of the question as to whether the said persons have been actively engaged in politics or have merely been affected by the consequences of political events.

Accordingly, persons who have, "as a result of political events", been placed in a position in which they have become refugees in accordance with the above definition, must necessarily be "Political Refugees".

In consequence of this formulation, the terms "Refugees" and "Political Refugees" are to be considered identical.

4. Practical experience has, however, proved that this interpretation is not always accepted by the administration of the various governments. The Swiss government, for instance, is of the opinion that Jews who have been expelled from Germany or have fled, as well as various other categories of refugees, are not to be considered political refugees. This interpretation is not compatible with the definition of the word refugee given by the "Institut de Droit International". It cannot be denied that Italians, Frenchmen, and Jews who have recently fled to Switzerland, are the victims of political events, having left their countries as a direct consequence of political happenings there. The decision arrived at by the Swiss government, not to apply the term "political refugees" as a matter of course to these categories of refugees was founded on special reasons bound up with Swiss legal traditions on the one hand, and with the present situation on the other.

Switzerland has for centuries been the land of refuge for victims of persecution. The term "political refugee" has therefore a deeper meaning here than in other countries. Swiss national law currently uses the term which is not the case in the legal codes of other states. The opinion that the right of asylum is to be granted to political refugees is firmly rooted in the Swiss mind.

Not being inclined to grant this traditional right without exception to all Jews suffering persecution in their own countries, or to all French, Italians

and other nationals who leave their countries in consequence of German occupation, Switzerland has decided not to apply the term "political refugee" to one and all, but only to those who are regarded here as political refugees in a narrower sense of the term.

5. In order to cope with the present situation, it has been suggested that a distinction between political and non-political refugees should be clearly defined. One opinion was that the term "political refugees" should only be applied to persons who were compelled to leave the country of which they were nationals on account of their political activities. The passive victims of a particular form of government or of race theories should, on the other hand, not be treated as political refugees. This distinction is untenable both legally and morally. It would lead to arbitrary interpretation in different instances and would in complicated cases inevitably render clear decisions impossible. A person who has left his country in consequence of political events is necessarily a political refugee. The question of active or passive opposition to the government is of concern only to the country of origin, but not in defining the word refugee and its impartial interpretation in the land of refuge. Where is, after all, the boundary line between an active and a passive attitude in present-day politics?

In order to have a practicable definition of the word "refugee", it is necessary to adhere to the clear explanation given by the "Institut de Droit International" and to include every category of those who have become refugees "en raison d'événements politiques".

This does not prevent us from speaking of "political refugees" in the strictest sense of the word in order to designate those who have taken an active part in politics. It cannot be denied that such a category exists as a subdivision of political refugees in general, just as there are other groups that are classified according to nationality and race, political or religious beliefs.

In spite of these distinctions they are all refugees, political refugees, according to the definition given by the "Institut de Droit International".

b. Other definitions

6. During the period of transition between the two wars, the increase in the number of refugees and the appearance of fresh groups entailed, inter alia, the consequence that the meaning of the word refugee has been discussed and explained at various international conferences, though not always in the same way. The necessity of a precise classification of special cases, particularly of certain national groups, was felt to be urgent, while at the same time a general definition including all the different categories was difficult to find.

7. The question was discussed at length at the International Refugee Conference at Geneva in October 1933. In view of the difficulty of finding a general definition to cover all the cases under discussion, the President of the Conference proposed to give up the attempt to find a suitable definition and to let the governments concerned settle whom they were inclined to look upon as refugees in accordance with the terms of the Convention. The proposal was accepted. At a later meeting, nevertheless, it was decided that the Convention was to be applied by the States concerned to those refugees who had been defined as such in the previous arrangements of May 13th, 1926 and June 30th, 1928; but the Contracting Parties were to be entitled to make certain reservations at the time of signature. Corresponding reservations were subsequently made by different States, the application of the Convention thus being restricted in certain cases. Czecho-Slovakia, for instance, applied the term "Russian or Armenian refugees" only to persons who had actually been Russian or Turkish nationals, who had lost their nationality before January 1st, 1923, and had acquired no other nationality (Convention of 1933). Great Britain made the important reservation that the Conventions of 1933 and 1938 were only to be applied to persons who at the date of ratification or, respectively, of accession, did not enjoy the protection of

their respective governments. This reservation provided Great Britain with the possibility not to consider persons who had come to Great Britain after these dates (more particularly persons coming from Germany and Austria) to be refugees.

Reservations of this kind made for political reasons are naturally inconsistent with the definition of the word "refugee" as recognized by international agreements. Thus an international conference in May 1926, had defined the term "Russian refugee" as applying to "any person of Russian origin who does not enjoy or who no longer enjoys the protection of the government of the U.S.S.R. and who has not acquired another nationality". Another special definition applying to their particular case, was chosen for Armenian refugees.

The Convention of February 10th, 1938 described refugees from Germany as: "a) Persons possessing or having possessed German nationality and not possessing any other nationality who are proved not to enjoy, in law or in fact, the protection of the German Government; b) Stateless persons not covered by previous conventions or agreements who have left German territory after being established therein and who are proved not to enjoy, in law or in fact, the protection of the German government."

In an agreement dated June 30th, 1928, similar special definitions had been made for Assyro-Chaldean and Turkish refugees.

In his book on "The Refugee problem" published in 1939, Sir John Hope Simpson quotes a few of these definitions and then adds that for the purpose of his survey "a wider and less technical explanation of the word refugee is required". After a description of the situation of refugees, he comes to the conclusion: "The essential quality of a refugee therefore may be said to be that he has left his country of regular residence, of which he may or may not be a national, as a result of political events in that country which render his continued residence impossible or intolerable, and has taken refuge in another country, or, if already absent from his home, is unwilling or unable to return,

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without danger to life or liberty, as a direct consequence of the political conditions existing there."

In order to prevent any misunderstanding the writer adds: "The term political in this description is used in a sense wide enough to include religious conditions". Speaking of this definition he further says: "This working description raises many nice points and is open to some qualifications, especially in relation to nationality". In another part of his book, Sir John Hope Simpson gives a short and concise description of a refugee as "a person who, for one reason or another, is not protected by the government of the State of which he has been, or still is, a national". As may be seen all these definitions, though differently worded, are identical from a legal point of view, with the definition given by the "Institut de Droit International" in 1936. The decisive factor for the explanation of the meaning of the word refugee is therefore the lack of protection by the State of which the refugee was, or still is, a national. In Sir John Hope Simpson's definition we find the standpoint that refugees are political refugees, having become such on their departure from their country "as a direct consequence of the political conditions existing there".

This is quite in accordance with our view that the method recently adopted of distinguishing between "political" and other refugees is not correct and is not supported either by legal definitions or by actual conditions.

The difference between Sir John Hope Simpson's definition as quoted above and the definition given by the "Institut de Droit International" lies in the fact that the former goes beyond the formal legal definition of a refugee and points to the peculiar dangers and risks by which his existence is threatened or might be threatened on his return to his own country. In this way Sir John's more explicit definition is more realistic.

8. Whichever of the above formulas is accepted, they are all true and identical in effect. What we consider important is the conclusion to which they

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lead, that no political motives may be allowed to restrict or alter the accepted definition of the word refugee to the disadvantage of any group or class of refugees and that the different governments should not in future make reservations of any kind, as these would necessarily give rise to legal uncertainty and create new categories of defenseless human beings.

c. Refugee Groups - and New Problems

9. The definitions quoted above are all based on the idea of the refugee as an individual. This has its historical as well as its legal reasons. It is true that there were groups of refugees in former times, but the prototype of the refugee from the times of the religious wars to the end of the nineteenth century was the individual who was obliged to flee on account of his religious beliefs or his political activity. After the former World War there were large groups of human beings who were forced to leave their own country as being members of a certain race or class, quite independently of their individual religious creed or political activity. We need only call to mind Greeks and Armenians, "White" Russians and "Red" Spaniards. These beginnings led on to the new Refugee Problem which now assumes such gigantic proportions. Yet the legal definition of the word refugee still applied to individuals rather than to groups. Nor was it possible, at the time when the above definitions were formulated, to foresee the effects of the German National-Socialist interpretation of law and the methods of "total warfare". Conditions prevailing in war were certainly contemplated by the members of the "Institut de Droit International" when drawing up their draft-scheme for the solution of the refugee problem. This is shown by the Preamble. In paragraph 9, also, the possibility is mentioned that "political events in a country may give raise to mass-emigration". But the plan as a whole was primarily applicable to legal conditions in pre-war times and to the categories of refugees then in existence. New definitions and more accurate discrimination between the various groups of refugees would in all probability have been arrived at if the

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events of this war could have been foreseen. The chief problem at present no longer concerns the individual as such, but, as a rule, groups, classes of society, or minorities, vast masses of persons who have been driven away from their homes or were obliged to flee. The separate individuals belonging to these groups correspond exactly to the definition given by the "Institut de Droit International" at the various international conferences, but as a whole they disqualify that definition because no formula can be found to cover the enormous variety of phenomena which make up the refugee problem of the present day. There are cases when every-day language cannot be bent into line with attempts at a watertight legal definition. How can five hundred thousand women and girls from the Ukraine be classified, who have been driven to Germany to do forced labour? They are now "des individus qui, en raison d'événements politiques survenus sur le territoire de l'Etat dont elles étaient ressortissantes, ont quitté (volontairement ou non) ce territoire, qui n'ont acquis aucune nationalité nouvelle et ne jouissent de la protection diplomatique d'aucun autre Etat". They are therefore, - even though they should at a later period again be protected by the government of their own country, and thus cease to be refugees, - refugees de facto in the strictest sense of the legal definition quoted above. But in reality they are something else as well, something which has not been expressed in that definition and which could not have been foreseen by the authors of the said definition: they are Ukrainian women who have been carried off into slavery and who long to be liberated and to return to their homes.

10. The case here quoted shows the limits of all legal terminological possibilities. It proves that definitions of this kind can have no legal value for political and administrative purposes until conditions have become stationary. However necessary it may be for international agreements, laws, and regulations to have clear-cut definitions and cut-and-dry formulas to deal with, legal formulas are of doubtful value in times of transition, of historical upheavels

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and revolutions by which traditional ideas are overthrown and new conditions are created, giving rise to new ideas of law and justice.

Closer examination of the refugee problem of the present day proves that the legal and political problems connected with the refugee question have changed very considerably. We have already pointed out the fact that the terminology of the accepted definition applied in the first instance to individual refugees. Individual refugees had and still have legal difficulties to contend with, such as nationality, diplomatic protection, permits for temporary or lasting residence in the country of reception, permits to work, etc.

Soon after the last war new legal problems arose in connexion with Refugee groups as opposed to the individual political refugee of the 19th century. There were hundreds of thousands of Russians, whose nationality problems could not be solved by the old methods, a certain number of Armenians, and refugees from the Saar. New legal provision of some kind had to be discovered for all these groups, -- hence the Nansen passport.

11. In the same way the present refugee problem will cause civilized nations to be confronted with fresh tasks. Although the above-mentioned legal problems for individuals still exist, it is quite clear that the urgent problem of the day is not, in the first place, that of the legal handling of individual cases, but a mass problem for which adequate arrangements must be taken and new laws enacted.

We shall see below (Part 3) that the refugee problem as called into being by this war, has created the need of new sub-divisions of refugee groups.

Such is, above all, the distinction between "long-term" and "short-term" refugees, as made by the High Commissioner for Refugees. This distinction is very practical and will probably lead to special legal provision for the above-mentioned groups. The fundamental definition of a refugee as accepted above, is in no way affected.

12. It was felt to be methodically correct to start this survey with a clear specification of the meaning of the word refugee as generally accepted in political science and by the different States. In this connexion it was necessary to refute interpretations which would be liable to render the meaning of the word less clear and to endanger the legal position of certain groups of refugees. Nevertheless these terminological discussions should not be over-estimated, as the very best definitions must needs be inadequate in view of the multitudes of sufferers and the complexity of the different cases. What seems to us to be far more important is that the true significance of the present refugee problem should be recognized as the problem of the existence of millions of human beings who have been driven away from their homes and have had to flee to unknown destinations.

The problem as it now presents itself has no analogy and requires entirely new methods, organized repatriation or emigration, mass catering and mass transport, sanitary arrangements on a large scale, the coordination of this modern migration of nations within the framework of the economic reconstruction of Europe, and colonisation of as yet unclaimed territory.

Political science will first have to ascertain the real facts in order to be able to arrive at accurate legal definitions. Definitions that have once been accepted must be clearly formulated and impartially applied.

2. THE REFUGEE PROBLEM BETWEEN THE TWO WORLD WARS

1918 - 1939

a) Effects of the Former World War.

13. In his standard work "The Refugee Problem" (1939) Sir John Hope Simpson deals with those persons and groups who were driven away or obliged to flee from different European countries, the former Ottoman Empire, and Russia. He does not discuss refugee problems in China, South America, and Abyssinia.

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As a consequence of the former World War and the unsettled times that followed, movements of emigration set in among Greeks, Bulgarians, Turks, Armenians, Assyrians; Russians belonging to the former Russian Empire; Italians, Spaniards; Germans and Austrians. Among the latter there were emigrants from the Saar and more particularly Jews who were suffering persecution at the hands of the National Socialists, as well as socialists, members of the Confessional Church, Roman Catholics, and others who were hostile to the government or whom the government looked upon as enemies.

14. It is almost impossible to give accurate statistical data concerning all these groups of refugees. Such statistics would, in many cases, merely be of historical value. Most of the refugees from the former Turkish Empire, especially Armenians and Assyrians, have in the meantime settled down permanently elsewhere either in groups or as individuals. Thus a Nansen Report published in 1925 states that about 400,000 Armenians settled in Russia, while another 100,000 took refuge in Syria, and 115,000 in different European countries and in the Near East. Large numbers of Armenians emigrated to America and have there been absorbed.

Although a considerable number of these Armenians, who had received Nansen passports, are still, technically speaking, refugees, not having acquired any new nationality, they do not, at the moment, present any acute problem, because the difficult question of the right to permanent residence and to work has, in the main, been solved.

It would, indeed, be desirable that the National status of these and other groups should be finally regulated, in so far as they are still without any definite nationality and only possess a Nansen passport, which does not, in some countries, provide the full rights that go with a normal passport, - or in so far as they have no passport of any kind.

The remaining Assyrians, numbering about 80,000, found refuge in Iraq and Syria after endless difficulties and negotiations. The Greek Refugee Problem

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was largely solved after the last war by means of an exchange of population between Greece and Turkey; 338,000 Mahometans were transferred from Greece to Turkey, while about a million Greek nationals from Turkish territory settled down in Greece.

The Bulgarian Refugee Movement largely consisted of the return of Bulgarians to their own country, which certainly confronted the Bulgarian government with economic difficulties but which can also be looked upon as a complete solution of the Bulgarian refugee problem.

The enormous mass of Russian emigration as a direct result of the last World War and the Russian Revolution called forth political and economic difficulties in numerous European and American countries for many years. The problem was nevertheless solved fairly satisfactorily, politically by means of the Nansen Passport, and economically by absorption in the land of refuge. According to statistics published in 1922, the number of Russian refugees, which had been estimated as reaching a total of $1\frac{1}{2}$ millions from 1918 to 1922, still amounted to 700,000 in various European States. By 1936, however, the number had gone down to about half that amount, chiefly through naturalisation and absorption.

The Italian refugee question in pre-war days as a result of Fascism, consisted of the emigration of nationals who were opposed to the government. They were not very numerous nor do they now present a political problem of any kind.

The question of refugees from the Saar is also comparatively unimportant. The number of emigrants after the Saar plebiscite amounted to some 7,000, 3,000 of whom were Jews. About 800 subsequently returned to Germany.

The wave of Spanish refugees in consequence of the long Civil War, was at times far greater. We cannot here take into consideration the migration of fugitives in Spain itself. By far the larger of those who left the country found refuge in France. In 1937 and 1938 about 100,000 Spanish refugees emigrated to that country. Military refugees were largely sent back to the neutral zone by

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their own wish, while civil refugees and a number of evacuated women and children from the Republican zone were placed in camps or in families. After the conquest of Barcelona in 1939, a fresh stream of refugees, numbering approximately 500,000 persons, poured into France. About half of them were soon repatriated, more than 100,000 emigrated overseas, chiefly to Mexico. In February 1940, according to French reports, the number of Spanish refugees remaining in France amounted to 140,000. Of these a certain number returned to Spain, while others moved on until the number was reduced to 120,000, some of whom are now employed in the Todt Organisation and in public works. Others are employed in industries and agriculture, and the remainder have been placed in camps.

b) Consequences of National Socialism

15. A refugee problem of far greater magnitude was created by the coming into power of National Socialism. The systematic persecution of all those who held different opinions and above all the persecution of the Jews, in Germany and in the countries annexed by Germany before the out-break of war (Austria and the Protectorate of Bohemia and Moravia), produced a refugee problem of a special kind. The total number of refugees from "Grossdeutschland" was probably about half a million.

We have no accurate knowledge concerning the number of Christians who left Germany in consequence of oppression by the National Socialist government, nor of the proportions in which they are scattered in different countries. Mr. James G. MacDonald, the former High Commissioner of the League of Nations for refugees, estimated their number as being 15 to 20% of the total number of refugees from "Grossdeutschland". According to statistics received, 15% is probably the correct estimate. They may be divided into two categories: Non-Aryan Christians, i.e. baptized Jews or those who are partly of Jewish origin, and who are treated as Jews by the German Racial Laws, - and Christians who are not of Jewish origin but who have left Germany or had to flee on account of their religious or political convictions.

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According to our calculations the first of the two categories numbers about 35,000 persons, i.e. 8% of the volume of Jewish emigrants or 7% of the total number of refugees, - and the second about 40,000, i.e. 8% of the entire volume of emigration. (In 1934 the Gestapo estimated the number of the second group at 20,000).

Increasing deprivation of civil rights and expropriation caused 275,000 out of a total of 500,000 German Jews, and 100,000 out of 190,000 Austrian Jews to emigrate before the outbreak of war. After hostilities had begun another 25,000 German Jews and 15,000 Austrian Jews managed to escape.

The number of Jewish emigrants from the Protectorate of Bohemia and Moravia is far smaller. It was approximately 15 to 20,000, the growing difficulty of finding reception in England and overseas and the outbreak of the war having caused the majority to remain.

The 435,000 Jewish emigrants from "Grossdeutschland" were distributed as follows: Palestine 85,000; U.S.A. 80,000; South America 70,000; England 60,000; France 33,000; Belgium 25,000; Holland 23,000; Shanghai 20,000; South Africa and Australia 10,000; Switzerland 7,000; Yugoslavia 7,000; Hungary 3,000; Italy 3,000. The remaining 9,000 fled in smaller groups to various European countries (Sweden, Luxemburg, Lithuania, Roumania), as well as to Egypt, India, and other overseas countries.

In the above estimate the number of those who merely passed through certain countries or migrated further was taken into account, i.e. deducted, but only up to 1942. Accordingly the new influx into Switzerland since 1942 has not been considered, although many of these refugees are included in the figures given for France, Belgium, Holland and Italy.

c) The Jewish Refugee Problems Before the War

16. The wider aspects of the Jewish question will not be discussed here. The permanent character of this problem and of Jewish emigration as a whole must be considered separately. In so far as the Jews who emigrated from

Central Europe from 1933 to 1939 are considered a part of the general Refugee Problem, as it arose in the period between the two World Wars, the difficulty was solved by their reception in Western European countries, in Palestine, or in other overseas countries. Most of the Jewish emigrants had found permanent homes and obtained permits to work in the countries to which they had fled. *)

But we must not forget in this connexion that in some countries, such as England and Switzerland, the reception of Jews was only looked upon as a temporary measure for their protection. Both of these countries had only given shelter to a comparatively small proportion of Jewish Refugees before the war, viz. Switzerland about 7,000, and England 60,000. Nor did economic burdens ensue for either of the two countries, many of the emigrants bringing money into the country. The question of their economic activity or of moving on to other countries was not yet settled when the second World War broke out.

d) The Refugee Problem in General Before the War

17. The above short survey proves that most of the Refugee problems in the time between the two World Wars were approaching their solution, even though this was not yet complete.

The "older" Refugee Problems, as they arose from 1918 to 1939, had certainly become less acute, partly as a result of countless international conferences and measures taken for the benefit of refugees, - above all the indefatigable efforts made by Nansen, - partly as the outcome of relief work carried on by private organizations, and last but not least, by time, - that great healer of wounds, - allowing refugees to become subjects of other States and giving them opportunities of living and working in peace in the countries of settlement.

*) In Holland, Belgium, Jugoslavia, Italy and France, Jewish emigrants were subsequently re-arrested by the German occupying forces and soon shared the fate of German Jews in general.

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Certain legal difficulties have as yet found no solution, above all the question of national status for those who have not, so far, acquired any new nationality. In some countries, like England and Switzerland, there is also considerable difficulty in obtaining the right to work.

Looked upon as a whole, the Refugee Problem as it was before 1939 would have presented no insurmountable difficulties, had further developments in the world at large (at least outside Germany) continued to progress peacefully.

Besides the solution of legal questions, a certain amount of economic support, distribution and transfer from one country to another would, of course, still have been necessary.

And yet it may be said that, given static conditions, the refugee problem as it was before the second World War, was easy to survey and could have been solved without much difficulty.

There remained two acute problems of some importance, --that of Spanish refugees in France, and that of the Jews who had remained in Germany, Austria, and the Protectorate, many of whom were anxious to emigrate because of growing persecution. In the year preceeding the present war, the U.S.A. and the British Empire showed no inclination to receive a still larger number of Jews. Their admission to Palestine, too, was severely restricted for reasons connected with the general political situation. This is the true reason for the complete failure of the Evian Conference in 1938. Had political considerations not predominated, it would probably have been possible, with good-will on all sides, to find room in the world for the Jews who urgently desired to leave Hitler Germany. One third could have settled down in Palestine, a third in some part of the British Empire, and a third in other countries. This would, very likely, have come about in spite of threatening war clouds and the corresponding political atmosphere, had the different governments been able to foresee the fate in store for these

e) Conclusions

18. Our point of view concerning the comparative facility of finding a solution of the Pre-War Refugee Problem is confirmed by the classification which the League High Commissioner, Sir Herbert Emerson, adopted in his latest report.

He there speaks of "Pre-War Groups of Refugees" and enumerates as such:

- a) Nansen Refugees, i.e. Russians, Armenians, and refugees from the Saar
- b) Refugees from Spain
- c) Refugees from "Grossdeutschland"

The short account given above concerning the number and the fate of these categories of refugees proves that many Refugee Problems that occurred after the first World War had, so to say, found a solution, - that the number of Nansen refugees was steadily diminishing, and that the majority of the "older" Spanish refugees had been repatriated.

There remained as the chief pre-war problems the question of finding homes or arranging for the repatriation of the 140,000 Spanish refugees in France, and the gradual emigration or further migration of about 200 to 300,000 Jews, who wished to leave Germany or, having already done so, had not yet found a country of permanent settlement. In the meantime, however, the new World War has entirely altered the situation and has created refugee problems of unheard-of dimensions.

At this point we must turn our attention to the future and broach the refugee problem afresh.

3. THE POST-WAR REFUGEE PROBLEM

a) Long-Term and Short-Term Refugees

19. After having thoroughly examined the position of the groups of refugees now in existence, the High Commissioner for Refugees, Sir Herbert Emerson, has divided them into two chief groups. This distinction is likely to prove exceedingly useful for the practical handling of the Refugee problem.

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He speaks of "long-term" and "short-term" refugees. This denotes that a certain number of refugees present a permanent problem, or at least one of some duration, while others merely create a temporary difficulty. The expression "short-term" evidently applies to by far the greater number of those persons who have become refugees as a direct consequence of the present war. They comprise the following groups:

- a) Deported persons *)
- b) Persons who have been displaced and settled elsewhere by force.
- c) War refugees who have had to leave their homes on account of military operations.
- d) Persons who have been recruited for forced labour in and outside Germany.
- e) Prisoners of war.

The exact number of persons comprised in these classes cannot be ascertained, but it certainly amounts to many millions.

20. Whether, - as the High Commissioner believes, - the process of repatriation of the displaced populations will take several years, cannot as yet be said. It may be taken for granted that in the chaos which must be expected in many parts of Europe after the defeat of Germany, the self-help of those concerned will play an important part. Prisoners of war who have regained their liberty, millions of foreign workers and other displaced persons will very likely try to find their own way back. But even if the Allied Nations succeed in restoring order and in carrying out a well organized plan of repatriation that can be spread out over a longer period of time, the categories mentioned above must still be defined as "short-term" refugees. Their repatriation may meet with technical but not with fundamental difficulties.

*) This category comprises not only deported Jews but also hundreds of thousands of Russians, Czechs, Poles, Dutch, Norwegians, French, Italians and others who have been deported either within the boundaries of their own countries or to Germany, and who have been imprisoned or placed in penal or in work camps.

21. There may be exceptions to this rule: deserters, for instance, may not wish to return to their country of origin and will take refuge in neutral countries, and persons who have been displaced by force may wish to remain in their country of asylum. Questions of this kind will doubtless be looked into and settled by the governments concerned.

On the whole it may be said that the vast majority of those who have become refugees as a consequence of this war are in reality short-term refugees.

b) Number of Displaced Persons

22. This opinion is supported by an essay recently published by Professor E. Kulischer at the request of the International Labour Office at Montreal. The number of displaced persons is there estimated as being more than 30 millions. A comprehensive report published by the International Labour Office at Geneva makes the following statement: "This total of over 30 millions comprises the four following categories:

1.) Two and a half millions of Germans and persons of German origin who were transported into the countries occupied by Germany or her allies. The majority of this number consists of 1,300,000 Germans or persons of German origin who were sent to Poland, viz. 500,000 persons of German origin who were transferred from non-German territory to the Polish provinces annexed by Germany, - and 800,000 German officials, employees and workmen from Germany itself.

2.) 19 millions of non-Germans: evacuees, refugees, and deported or exchanged persons. This category comprises, first, a group of 7 million persons who were forced to change their place of residence within the sphere of influence of Germany and her allies, and among whom there are 1,660,000 Poles, 500,000 Alsatians, and 570,000 Yugoslavians; secondly it includes a group of 12 million persons living outside the occupied countries, 10 million of whom belonged to the Soviet Union and whom the fear of German invasion caused to flee to the East.

3.) Foreign workers in the Reich who numbered about 6,500,000 at the beginning of 1943, viz. 4,800,000 civilians, and 1,700,000 prisoners of war who were employed as labourers. Since that time foreigners have been recruited on a far larger scale, so that their number had risen to 12,000,000 by the end of May 1943.

4.) The total figure of more than 30 millions includes about 4 millions of Jews who were driven away from their homes since the beginning of the war.

The report of the International Labour Office emphasizes the necessity of active international cooperation as soon as peace is restored, in order to start the repatriation of all these millions of human beings, and to bring about a fresh distribution of workers in Europe as required for purposes of reconstruction. Provision for employment and for overseas emigration, to countries willing to admit workers, is, of course, of primary importance."

23. The figures given in the above-mentioned report have naturally undergone a certain change. Many of the 2,500,000 Germans who were sent to occupied countries for purposes of colonisation or administration have now returned to Germany on account of changed conditions. Others will soon follow, while a large number will, in all probability, lose their lives in consequence of events closely bound up with the war. In so far as they return to Germany, they will create an economic problem, similar to that of "bombed" persons in German towns. This category of Germans or persons of German origin returning to Germany may give rise to political problems of a special kind. Persons from Alsace, the Balkan or the Baltic Provinces who emigrated to the East either voluntarily or involuntarily, as "Volksdeutsche" may possibly claim the right to return to their country of origin and thus arouse hostility among the inhabitants of these areas.

We mention this as an instance of the many complicated problems created by the modern migration of nations.

24. The number of foreign workers in Germany, which is valued at 12 millions, tallies with the latest statistics from Germany, though it is

naturally always liable to fluctuation. Among this number there may be individuals who do not wish to return to their country, either for political reasons or because they are anxious to leave Europe and to emigrate overseas.

One of the most difficult questions which will have to be settled by the different States or the Relief organisations acting in their name will be whether and to what extent individual wishes of this kind may or can be compiled with. Generally speaking it is to be expected that the voluntary repatriation of the above groups will be achieved, provided that the necessary assistance is given by the governments concerned.

25. Among the 19 millions of non-Germans who were evacuated, deported or exchanged, or who had to flee, there are said to be 10,000,000 from Soviet Russia who fled from the war area or occupied territory to the East. These refugees will, in all probability, be repatriated after the war, either by the Russian government alone, or in cooperation with the U.N.R.R.A.

Most of the Poles who have fled to the East will also in all probability return to their country. There are said to be about 3 to 400,000 Jews among them, part of whom fled to the East in order to escape from German occupation, while others were evacuated and sent eastward in 1940 when Russia occupied part of Poland in agreement with Germany. Most of these Jews will probably be treated as nationals by the Russian government, having come from Eastern Poland.

The Jugoslavs, Alsatians, Poles, etc. who were displaced, exchanged or expelled from their homes within the boundaries of Germany or the occupied countries will have to be repatriated by the governments concerned, aided by the U.N.R.R.A., in so far as they can be found or have not undertaken the homeward journey unaided.

26. The report of the International Labour Office quoted above mentions 4 million Jews who were driven away from their homes and who are included in the total figure of 30 million War refugees. This is too low an estimate. In

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Poland alone 3 million Jews were deprived of their homes, i.e. driven away or deported, - and more than a million in other parts of Europe, (Western Europe, Middle Europe and the Balkans). We must, alas, assume that only very few of this number are likely to be alive when the war ends, except, perhaps, the group of Polish Jews mentioned above, who fled to the East or were deported there by the Russians.

Besides the four millions already mentioned, there are large numbers of Jews from White Russia and the Ukraine who fled to the Eastern part of Soviet Russia, as well as the Jews who were killed in or deported from Western Russia.

o) Economic Planning and Personal Freedom

27. Professor E. Kulischer rightly remarks that there are two points of view to be considered which may be opposed to the theory of repatriation pure and simple, apart from personal wishes. These points of view are:

a) The absolute necessity of bringing the migration of nations occasioned by this war into line with economic conditions and the requirements of post-war times.

This point raises the question of a future international economic planning.

Repatriation may not be advisable in many cases, because it is liable to produce unemployment in some places, while there is a shortage of man-power in others.

We may mention here the fact that French experts have calculated that France will require a million more foreign workers after the war than she employed before. (The pre-war figure was 3 millions). Decreasing birth-rates and war damages would otherwise prevent French economics from regaining their full capacity.

b) The wish expressed by many Europeans to leave this morally and economically devastated continent and to settle down overseas.

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Thus a problem arises of which we can only give a brief outline. As a matter of principle, personal freedom and civic rights should be respected, i.e. nobody should be forced to settle down in another country if he wishes to return to his own country, not even should it appear desirable from the standpoint of economics. On the other hand nobody should be compelled to return to his home country if he has good reasons for not wishing to do so, i.e. if he finds better conditions of life elsewhere, or if he cannot be expected to return for political or other reasons. This in no way affects the fundamental principle that States reserve the right to pronounce judgment on their subjects in war-time, especially in cases of high treason or desertion.

The admission of foreigners to other countries will indeed require regulation, however, desirable it may appear that the restrictions on immigration into some other countries should become less prohibitive.

The principle of free will in the question of repatriation or emigration of refugees is of great importance for a new world order and should be firmly adhered to in spite of certain restrictions which may become necessary for economic or other reasons. It is of the utmost importance that the rules of action to be adopted for the handling of this very difficult and complicated task should be carefully thought out.

d) Tasks Awaiting the UNRRA and the High Commissioner for Refugees

28. As we have seen the overwhelming majority of refugees belongs to the short-term class. It is probable that most of them will wish to return to their countries under acceptable conditions with the assistance of the UNRRA. In dealing with these cases the governments will have to keep in mind the points of view mentioned in the preceding paragraph (27.).

The whole of the gigantic task of assistance for short-term refugees will, in all probability, lie in the hands of the UNRRA, and will be coordinated with assistance rendered to the rest of the population. The High Commissioner draws attention to the fact that assistance for all the many millions of refugees,

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- accomodation, food supplies, medical aid, - can, at first, not be separated from the relief afforded to the inhabitants of the respective countries. For this reason the High Commissioner does not propose to deal with the question of short-term refugees but rather with that of long-term refugees, whose welfare is his special concern. It may be noted that after the war most of the "short-term refugees" will no longer come under the term of "refugees" but will simply be termed "displaced persons" in view of the fact that they will again enjoy the protection of their respective States.

e) The Refugee Problem in Post-War Times

29. The distinction made between long-term and short-term refugees shows that after the war long-term refugees will probably belong to the same categories as they did before the war. These categories constitute the true refugee problem. We have given a short account of these groups in a preceeding paragraph, explaining the situation in which Nansen - and Spanish refugees were and showing how they had diminished between the two wars. We do not know what has become of the individual members of these groups in the course of time, but the development of affairs in pre-war times leads to the conclusion that this category will present no peculiar difficulties. Many of the Spanish refugees in France will, no doubt, return to Spain, while some will remain in France where foreign workers are urgently required, as we have already mentioned.

30. The problem of refugees from Germany, Austria, and other European countries is more complicated. It is possible that changes in political conditions will cause many of the so-called long-term refugees to become short-term refugees. Provided that legal matters can be satisfactorily settled, it may be taken for granted that a considerable number of refugees from Germany and the occupied countries will wish to return. Others will naturally prefer to stay where they are or to pass on to other countries. On the other hand it may happen that persons who now appear to be short-term refugees, such as deported and

displaced persons who are unwilling or unable to return may, in their turn, become long-term refugees.

31. It is important to add here that the High Commissioner, Sir Herbert Emerson, definitely adheres to the principle upheld by us, viz. that repatriation must be voluntary and not compulsory. We have already pointed out that carefully planned methods are required in order to be able to carry the fundamental principle of free will into effect, while avoiding misuse of the fulfilment of unreasonable personal wishes, and taking economic requirements into consideration. The question as to what can fairly be expected of the individuals concerned will, moreover, play an important part in cases of repatriation. Compulsory repatriation must above all be out of the question for all those who are definitely long-term refugees, more especially for all pre-war emigrants and refugees from Germany and Austria.

32. This question is especially acute for the numerous Jewish refugees in England and in neutral countries. Sir Herbert says in his report of August 1943 to the League: "There are comparatively few at present who would definitely commit themselves to return and, since compulsory repatriation would seem to be out of the question, this is likely to prove the least tractable of the many problems that will arise."

33. The High Commissioner appears to assume that many, if by no means all of the non-Jewish refugees from Germany and Austria will wish to return, provided that they can be assured of being protected by the government of their country. Others will wish to stay where they are now or to pass on to other countries. This group of non-Jewish, long-term refugees from Germany and Austria is not important numerically, and the question of their places of residence, permits to work, and nationality should present no great difficulties if the expected international cooperation and the new world order for securing lasting peace are in any way realised.

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f) Preliminary Results of Inquiries Conducted in Switzerland

34. The High Commissioner's opinion regarding the intentions of this group are confirmed by inquiries that have recently been made by private persons or associations in Switzerland. The value of such preliminary inquiries should not be over-estimated, the field of inquiry being too limited to supply reliable statistical material. They do, however, give a certain picture of the feelings and opinions of refugees themselves and may therefore be mentioned here. The vast majority of pacifists, socialists, confessional Christians and Communists who were active opponents of National Socialism, of whom inquiries were made, wish to return. Among the Pacifists and Socialists there are a few Jews who consider themselves bound to fight for their political ideals and who wish to return for this purpose. A few Dutchmen are anxious to go to the Dutch East Indies, a small number of Socialists to migrate overseas, others wish to settle down in France or Belgium instead of returning to Germany or Austria.

The inquiries made in this group throw still more light on the matter if compared with further inquiries conducted among a group of about 117 refugees of whom the majority are Jews who were not actively engaged in politics.

Of these 117 refugees only 11 expressed the wish to return to Germany or Austria, 8 of them are anxious to go back to other former countries of residence, such as France, Holland, Poland, Belgium; 8 gave vague answers, and 90 wish to migrate to different European and overseas countries which are not their countries of origin. The order of the countries mentioned was: France (38), Belgium (17), Palestine (6), while a small number of single individuals hope to be able to emigrate to other European or overseas countries. In studying these statistics we should take into account that a large proportion of the refugees have come to this country from France and Belgium where they lived before the war. Although statistics dealing with such small figures cannot be conclusive, they confirm the general impression that very few Jewish refugees and a very large

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number of non-Jewish persons are anxious to return to Germany and Austria, the latter having been actively engaged in politics and wishing to renew their activity in this line. These preliminary statistics also serve to show that the largest group of long-term refugees from Germany and Austria is very probably the Jewish group.

Further comprehensive inquiries initiated and planned by the Geneva Study Group to be conducted among emigrants and refugees in Switzerland by permission of the Federal authorities, will no doubt help to solve many questions, and will, above all, show whether the preliminary inquiries here mentioned are reliable.

g) Appendix to the Jewish Question

35. The Jewish question is a problem of a very special kind, requiring separate handling. As previously stated, this matter cannot here be dealt with in detail in its general, permanent aspects. The Jewish Problem in general and the Jewish Refugee Problem are, indeed, not identical, but they are closely interconnected, and in dealing with the Refugee Problem it is important not to overlook the more permanent side of the Jewish question. The discussions between Zionism and the assimilatory tendency is an internal Jewish affair and must be settled by the Jews themselves. Nevertheless the migration problem connected with the Jewish question, which is always acute in times of crisis and has become even more so in the Refugee Problem of the present day, also affects Christian nations and demands a humane solution showing due respect for Jewish wishes.

36. The Jews have the right to claim that the four "freedoms" of the Atlantic Charter should be applied to them and that they should be allowed the full rights of citizenship and the material necessities of life. In this respect the demands of Jews of all trends of thought coincide with those of all civilized nations. But it cannot be denied that the rights of citizenship alone do not provide a full solution to the Jewish question. This is clearly proved by the history of European Jews and by the events of the past ten years.

In a number of European countries, especially in Central and Eastern Europe, antisemitism is to some extent endemic. But even in the "free" countries of Western Europe and America there are often antisemitic tendencies by which the immigration policy of the respective countries is affected.

On the other hand, a certain amount of freedom to emigrate is claimed by the Jews owing to the fact that they have repeatedly been obliged to emigrate in the course of centuries whenever political or economic conditions in their countries of residence became intolerable, or when latent opposition turned into open persecution.

Zionists look upon a Jewish Palestine as the solution of the problem, seeing that final settlement there would put an end to migration. They hope, moreover, that a Jewish Palestine will give them the opportunity of renewing their own national religious culture, and that the return to their own soil will produce the physical regeneration of their people. Their ultimate aim is national independence in their own land. The Zionist standpoint is not shared by all Jews. Nevertheless, as developments among American Jews show, the majority now agree in demanding that they should be given the opportunity of reconstructing their national home in Palestine by means of immigration and colonisation. They draw attention to their achievements in Palestine, which prove that they are capable of colonizing and developing the country. As a matter of fact, the Jewish population has increased from 50,000 to 520,000 from 1922 to 1943 and during the last years Palestine has contributed the largest share towards the solution of the Jewish Refugee Problem. Moreover the Jews do not only look upon immigration to Palestine from the point of view of the solution of the Refugee Problem, but as a privilege to which they have a right and that has been promised to them by international agreements since the Balfour Declaration and the acceptance of the Palestine Mandate by the British Government.

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37. The above is a short summary of the Jewish standpoint and of Jewish demands. In this survey we do not purpose to discuss the Jewish Question as a whole, though it is necessary in dealing with the Refugee Problem to consider Jewish opinion and the solution they consider desirable. The success of any practical attempt at finding the desired solution must depend largely on the given opportunities for emigration, further migration, and final settlement.

38. In view of the wishes expressed by the Jews, and also of the potential factors, three methods can be suggested for the treatment of the Jewish question, the advantages and disadvantages of each of which must be carefully balanced, and which may all be applied at the same time.

- a) A National Home for the Jewish People in Palestine
- b) Jews remain in the different States as individuals and subjects
- c) Migration from countries where severe pressure is exercised to countries where there is less pressure.

It should be remembered that most of the Jews still living in Europe are to be found in Hungary, Roumania, Poland, and Bulgaria, the very countries in which anti-Semitic pressure has for long been so strong as to entail considerable emigration. This would be sure to continue even though equal civil rights should be granted as prescribed by the Allied Nations. The Jewish people cannot forget what they have suffered in these countries. The same is the case to a still greater extent with refugees from Germany and Austria who do not wish to return.

In order to find a solution of the acute Refugee Problem as well as of the latent problem of potential Jewish emigration from Eastern Europe, a combination of the three methods mentioned above should be attempted. Even those who are of opinion that it is best for Jews to remain where they are, are at present faced with the urgent problem of the dire distress of Jewish refugees, - distress that cannot be alleviated by a return to the country of origin, - as

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well as with the permanent phenomenon of inevitable emigration of at least part of the European Jews. The Jewish Refugee and Migration Problem can only be successfully dealt with under two conditions: 1) The Jewish demand for the right to settle down in Palestine must be taken into account, - the volume and the speed with which immigration could be carried out being a political question not to be decided on here. 2) The restrictions on immigration into Western countries must be rendered less prohibitive so that some at least of the Jewish Refugees and potential Jewish Emigrants from Central and Eastern Europe may find reception there. At the same time attempts must be made to provide facilities for Jews to remain in their countries of origin by abolishing all discriminatory legislation and anti-Semitic restrictions.

39. In making the above suggestion we largely agree with the Refugee Programme put forward by the High Commissioner for Refugees, Sir Herbert Emerson, who recommends the following methods:

- a) Voluntary, not compulsory repatriation of individuals
- b) Absorption in the present countries of refuge. This would depend largely on conditions on the labour market. Wherever possible, naturalisation should be urgently recommended.
- c) Immigration into other countries by infiltration. To this end the restrictions now in force should be loosened and a more liberal policy be pursued by the different States.
- d) Immigration into other countries by means of mass colonisation. Sir Herbert Emerson is very sceptical with regard to this suggestion, excepting Palestine which he hopes will admit a considerable number of Jewish immigrants, providing that corresponding political and economic conditions are created.

40. Unfortunately the fear of broaching the Jewish Question and the Palestine Problem as well as the dread of mass movements of Jews from Central and Eastern Europe to the Western countries and overseas, have made it difficult to come to a clear understanding of the Jewish Refugee Problem and have complicated

the tackling of the question. As a matter of fact the number of Jewish refugees prepared for emigration and even of potential Jewish refugees is much lower than is generally accepted. The number of Jewish refugees is, in round figures: Switzerland 22,000; Shanghai 20,000; Spain, Sweden, North Africa and Italy, several thousands each; Portugal only a few hundred. The position of refugees in England is not quite clear. They have been granted temporary protection with a view to passing on elsewhere, most of them having now found work in connexion with war conditions. We may, on the whole, conclude that the number of Jewish refugees, strictly speaking, who are obliged or who wish to emigrate from European countries immediately after the war can be estimated as being some tens of thousands instead of hundreds of thousands or even millions as was believed to be the case.

41. What, then, is the volume of potential Jewish emigrants from Europe likely to be? In the last edition of "Foreign Policy Reports" Winfried N. Hadsel, an American expert on refugee questions discusses this problem and comes to the conclusion that at least 2,000,000 of the Jews residing in Europe before the war will be dependent on assistance from the Allied Nations in post-war times. He believes that homes will have to be found in other parts of the world for these 2 millions and strongly recommends settlement in Palestine and elsewhere for a large number of Jews. This expert opinion is also based on too high an estimate of the number of real Jewish refugees or potential Jewish emigrants.

The sum total of Jews in Continental Europe, - with the exception of Soviet Russia which need not be considered here, - will, in all probability, not amount to more than $1\frac{1}{2}$ million or at most 1,700,000 after the war. Of these, 800,000 Jews live within the present boundaries of Hungary, 270,000 in Roumania, 60,000 (in miserable conditions) in Transnistria, and about half a million to 700,000 in other continental European States, assuming that the number of Jews still living in Germany, the occupied countries and Poland number some 440,000

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(which may indeed prove to be too high an estimate). It is estimated that 200,000 of this number are in Poland (chiefly in hiding or in work camps), 50,000 in Germany, Austria and Yugoslavia (chiefly in work camps and partly in hiding), 40,000 in Theresienstadt, and 150,000 (partly free, partly in hiding, partly in camps) in France, Belgium, Holland etc. There are, at present 40,000 Jews in Switzerland (including refugees), 40,000 in Italy (many of whom have recently fled or been deported), about 15,000 in Sweden (including refugees), 40,000 in Bulgaria, and a few thousand each in various other European countries.

At least 4 million, possibly even 5 million Jews, have been killed, either directly or indirectly, by National Socialism in Germany, Poland, Russia or the countries occupied by Germany. The majority of Jews after the war, i.e. about 1,100,000 will therefore be found in Roumania and Hungary. How many of them will wish to emigrate cannot as yet be foreseen, but it is a recognised fact that the tendency to emigrate was not strong among the 500,000 Hungarian Jews living within the former boundaries of Hungary and that assimilation has taken place to a very large extent. It may happen that the wish to emigrate from Hungary, Roumania, Bulgaria and other countries in Central and Eastern Europe may grow in consequence of the war. It may, on the other hand, happen that the wish for and the possibility of emigration may have diminished as a direct consequence of political events in these countries.

But even if practically all the Jews of Continental Europe - $1\frac{1}{2}$ million - would have to be regarded as potential candidates for emigration, experience has taught that only part of them will actually emigrate, partly on account of obstacles put in the way of emigration in some countries, and partly because, even in anti-Semitic countries like Roumania and Poland, only a certain number of Jews could definitely make up their minds to emigrate, economic ties to their native land being very strong. If the new World Order provides even a minimum of social and economic security for Jews in all countries, - and this is demanded by Jews of

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every category, including Zionists --, emigration, more especially to Palestine, will certainly be considered desirable by a large number of Jews, particularly Jewish youth. But even in this case there is not likely to be as great an exodus as has sometimes been expected.

Even though it is perfectly true, as Sir Herbert Emerson supposes, that not only the Jews who are now removed from their country of origin, but also many others in Hungary, Roumania, Bulgaria, and other countries, will wish to emigrate, it can only be a question of a few hundreds of thousands, and even they will emigrate gradually, while the candidates for immediate emigration will only number some tens of thousands. There is in reality no reason to fear the danger which the High Commissioner has in mind when he says: "There is a school of thought which contemplates an exodus which may run into millions ... If a solution is to be found of the refugee problem, it is absolutely essential that not only should a stampede of this character not take place, but that the centrifugal movement should be actively discouraged and kept within the smallest practical volume." Sir Herbert Emerson considers it important that the governments of Continental European countries should be advised to give Jews the rights of citizenship in order to enable them to remain there. On the other hand, he realises that a certain amount of "centrifugal movement" cannot be avoided. Stateless Jews or those who are unable or unwilling to return, must be given opportunities for emigration, Palestine being the most suitable country of settlement for large numbers of emigrants.

We agree with this programme in its essential points, even though we do not share Sir Herbert Emerson's fears. Jewish emigration from Europe in the course of the next few years is likely to be far less considerable than has been suggested in most of the reports on this subject, or than is seemingly believed by the High Commissioner, the different governments, or even the leading Jewish organizations in London and New York.

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Final Conclusions

42. Our survey of the European Refugee Problem leads to the following conclusions:

a) Fundamental discrimination is essential between the enormous masses of refugees created by this war, and "genuine" refugees. The difference may be expressed in the words "short-term" and "long-term" refugees, as proposed by the High Commissioner.

b) The first category is by far the larger. It will occasion tremendous expenditure for food, clothing, sanitary materials, and means of transport, but it is a problem for which a solution can be found, and which will very seldom give rise to special difficulties, physical complications, or conflicting interests. For the vast majority of this category it is a question of returning to their own country and their own people.

c) The second category, that of genuine or long-term refugees, gives rise to problems of a very different kind. It consists of persons who are homeless whose future is quite uncertain, whose lot is dependent on factors as yet unknown. They are human beings for whom the words home and country have lost their meaning, and whose peculiar troubles and sufferings must be met with sympathy and understanding.

Sir Herbert Emerson says of the Jewish Question that it will prove to be "the least tractable of all the many problems"; it is rendered particularly complicated, indeed, by the question of "potential" Jewish emigration which in contradistinction to other Refugee Problems, is of a permanent character.

d) At the same time we must emphasise the fact that the problem of genuine or long-term refugees, - both of Jews and Christians, - is easy to survey, is, numerically, far from overwhelming and that a solution can be found in spite of the difficulties mentioned above. It no longer affects more than

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some hundreds of thousands, - in the first place Spaniards and Jews who are either willing and able to return to their countries of origin, or who wish to be allowed to settle down in other European countries or overseas.

The peculiarities of the different groups may of course give rise to difficulties, but statistics concerning the number of refugees and the plans made for emigration and colonisation show that a solution may be arrived at in a comparatively short span of time. In order to attain this end it is essential that there should be continued co-operation between the various States, the international organisations created or to be created by them, and free or private relief organisations. Their united efforts will, no doubt, succeed in finding new homes for homeless beings, provided that the work is carried on in a spirit of good-will, sympathy and true charity.

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PART III

During 1943 a group of 117 refugees, representing fourteen different nationalities and living in a workcamp in Switzerland, were questioned as to where they wished to go after the war. Nineteen of them - 10 Germans, 3 French, 3 Poles, 1 Belgian, 1 Dutchman and 1 Austrian - desired to be repatriated, 90 wanted to emigrate and 8 were undecided. Of the 90 who wished to emigrate, 57 looked forward to returning to countries of previous residence (principally France, Belgium and Holland), 6 planned to go to Palestine, while only 8 intended, if possible, to travel overseas to such countries as Argentine, Peru and New Zealand.

In the course of the past year it has become increasingly clear to the members of relief organizations working in Switzerland and planning to take part in the task of repatriating or emigrating refugees in Europe after the cessation of hostilities that precise statistical information as to the composition of the various groups of "emigrants" and "refugees" *) at present in Switzerland should be gathered without delay. Such information should particularly concern the so-called "long-term" refugees - principally stateless Jews of former Austrian and German nationality - who do not wish to be repatriated after the war. A satisfactory solution to their problems will present far greater difficulties than in the case of the "short-term" refugees now in Switzerland who possess definite nationalities (i.e. the French, Dutch, Belgians, certain categories of Poles, etc.) and desire to return to their countries of origin.

The attached questionnaire was composed with a view to obtaining this information. It will be filled out by a social worker experienced in the field of refugee relief and in direct consultation with each individual refugee.

*) The Swiss authorities, in classifying refugees, distinguish between "émigrants" and "réfugiés." By the former they mean those persons (refugees) who entered Switzerland, in transit and legally, prior to August, 1st, 1942. They classify as "réfugiés" those who have entered the country, in the main illegally and clandestinely, since that date.

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Although the members of the "Post-war Study Group on Refugee Problems" fully realize that questions of emigration and repatriation will be largely determined by the conditions prevalent in the post-war world, many of which cannot now be foreseen, they nevertheless felt it important to carry out in advance as much preparatory ground work as possible. In the first place, in order to determine the extent of the problem it was urgent that this reliable statistical information with respect to the various groups of "long-term" refugees in Switzerland be secured. Secondly, in questioning the individual refugees in this category it seemed essential to take into account their personal opinions, desires and hopes regarding their eventual emigration or repatriation so that the particular problem confronting each one in this respect could be more clearly defined. The separate questions have therefore been designed so that their answers, in so far as possible, will furnish all the data necessary for a competent case-worker to formulate a practical recommendation in each individual case. The lack or presence of identity papers, for example, the problem of dispersed or deported family members, the reestablishing of contact with relatives overseas, the possibility of securing overseas entry visas, the possession of adequate financial means, professional qualifications, knowledge of languages, and the like, are all factors having a direct and important bearing on a future satisfactory solution of the refugee's problems. As more questionnaires are filled out for more refugees, the general picture of the larger categories of refugees involved and with whose problems the relief organizations will have to cope will become progressively clearer. It will be known, for instance, with a reliable degree of accuracy, how many persons wish to return to their countries of origin, or, on the other hand, how many prefer to remain in Europe and go back to countries of former domicile, such as France, Belgium, and Holland. It will also become apparent, how many plan to emigrate overseas, and of these, which ones have a reasonable chance of securing immigration visas for the United States, or of being admitted to Palestine.

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The questionnaire is accordingly composed of five parts:

- 1) Identity of the head of the family.
- 2) Information relative to the family composition.
- 3) Information relative to education, professional training and occupational experience.
- 4) Information relative to repatriation or emigration.
- 5) Remarks, observations or suggestions of the individual refugee concerning his or her repatriation or emigration.

It is planned to work through the questionnaire with an original group of 500 persons representing a cross-section of the principal categories of "long-term" emigrants and refugees at present in Switzerland. In carrying out this first stage of the work refugees from the following groups will be questioned:

- 1) Those who are at liberty
- 2) Those in workcamps for men
- 3) Those in Jewish Orthodox workcamps for men
- 4) Those in workcamps for women
- 5) Those in workcamps for boys
- 6) Those in workcamps for girls
- 7) Those in internment homes for women and children
- 8) Those in internment homes for elderly couples

This entire plan of a questionnaire has been submitted to and approved by the "Schweizerische Zentralstelle für Flüchtlingshilfe," the coordinating committee of all Swiss relief organizations, which in turn consulted the Federal Department of Justice and Police in Bern. Dr. Heinrich Rothmund, Head of the Federal Police Division, has shown a great interest in this project and is anxious that it be started as soon as possible. Clearly such an undertaking is of value to the federal authorities who are equally concerned with the problem of repatriating and emigrating refugees now on Swiss territory after the war.

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As soon as the results of this preliminary investigation among 500 cases are evaluated and whatever practical changes necessary in either the make-up of the questionnaire or in the method of applying it are made it is planned to rapidly enlarge the scope of the investigation to include all refugees who definitely fall into the "long-term" category.

QUESTIONNAIRE FOR THE PREPARATION OF
REPATRIATION OR EMIGRATION

1. Identity of Family Head *)

- 1.) Surname and first name (maiden name as well).
- 2.) Date and place of birth.
- 3.) Civil status (single, married - give date and place of marriage - widowed, separated, divorced, separated through deportation).
- 4.) Religion (Jewish, Protestant - indicate denomination -, Roman - Catholic, Greek-Orthodox, without religion).
- 5.) Present residence and exact address.
- 6.) Nationality (a. Former; b. Present; c. if Stateless, since when and for what reason. Give details)
- 7.) Identity papers possessed (birth certificate, certificate of origin, marriage certificate, passport, certificate of baptism, identity card, military papers, stateless passport, etc.)
- 8.) In what year did your first emigration or deportation take place and from what country? (Beginning with 1919).
- 9.) Places and countries of residence since that date (give approximate length of stay in each).
- 10.) Date and place of entry into Switzerland (legal or illegal entry?)
- 11.) State of health (Invalid? Any chronic illness? Under medical treatment?)
- 12.) Athletic ability.
- 13.)

*) (This page is to be filled out by the husband if both husband and wife are in Switzerland, or by the wife if she is here alone. It is also to be filled out by single persons).

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2. Information concerning family composition

- 1.) Surname and first name of wife, as well as maiden name; surname and first name of husband if the latter is not in Switzerland. *)
 - a) Place and date of birth.
 - b) Nationality (See page 42).
 - c) Religion (See page 42).
 - d) Present place of residence and exact address.
 - e) If precise information concerning present place of residence is lacking, give address of last known place of residence.
 - f) Profession or trade.
- 2.) First names and addresses of all children as well as above-mentioned information (a-f) on each child.
- 3.) Have you already notified the International Red Cross in Geneva or other organizations elsewhere concerning missing relatives? If not, please give precise information concerning the missing persons, last known address, circumstances, etc.

3. Information concerning schooling, professional training and occupational experience.

- 1.)
 - a) What schools have you attended? (Primary, secondary?) What periods of schooling did you satisfactorily finish, having passed the necessary examinations?
 - b) What universities or other advanced schools have you attended? Where? When? Did you receive any degrees, diplomas or certificates? In what faculties and for how many semesters?
 - c) Have you continued your studies through scientific work or research? If so, in what fields?
 - d) If you have had to interrupt your studies, do you wish to take them up again? Do you feel adequately prepared to do this?
 - e) Have you ever held an apprenticeship or received other practical training? In what trade?

*) This information should concern the wife if both husband and wife are in Switzerland. If the wife is alone in Switzerland, this page should contain information on the husband.

3. (Continued)

- 2.) What profession or trade did you exercise before your emigration?
- 3.) What is your present occupation?
- 4.) What professions or occupations have you exercised since your original emigration?
- 5.) Have you attended any schools for professional reorientation? If so, what schools and where? For how long?
- 6.) Have you any particular experience or training in agriculture, in a handicraft or technical trade? Do you possess certificates, diplomas or other proof of your practical activities or ability?
- 7.) Have you ever done social work? If so, where, when and in what field?
- 8.) Information concerning hobbies or other particular ability along this line (such as photography, music, etc.)
- 9.) What is your knowledge of languages? (German, English, French, Spanish, Italian, Polish, Russian, Hebrew, and others). Indicate the degree of your knowledge.
- 10.) Do you wish to continue your professional training? If so, along what lines? Do you consider professional reorientation courses important? If so, in what fields?
- 11.) Do you wish to improve your knowledge of languages? If so, in what languages?

4. Information concerning repatriation, or emigration.

- 1.) Do you see any possibility where your family could be reunited? Is it your desire that preparatory steps to this effect be taken by a competent organization (for instance, the contacting of relatives overseas, the filing of visa applications, etc.)?
- 2.) Do you wish to emigrate with all your relatives at present in Switzerland? If not, what are the emigration plans of your relatives, particularly your children?
- 3.) What are your plans for further migration after the war, when it will again be possible for you to leave Switzerland?
 - a) Return to your country of origin (Indicate name of country)?
 - b) Resettlement in another European country (Which country)?
 - c) Emigration overseas? (Indicate country).
 - d) Emigration to Palestine (Indicate which type of certificate is possessed: A, B, C, or D. Does the applicant possess the necessary qualifications as a colonizer, handworker or craftsman?)

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4. (Continued)

- 4.) What reasons motivate your decision to choose one of the above mentioned specific solutions? Please specify whether for family reasons, political, financial, or professional grounds, or any other considerations which have caused you to take this decision.
- 5.) Have you ever been in possession of a valid entry visa to some overseas country? If so, for what country and where was this visa issued? When? Length of validity?
- 6.)
 - a) Have you ever registered for a United States immigration visa? When, at what U. S. Consulate, under what quota?
 - b) Did you ever receive an immigration visa issued by a U. S. Consulate in Europe on the basis of affidavits examined by a Visa-Consul under the old system valid up until July 1st, 1941?
 - c) Under the revised regulation in force since July 1st, 1941, whereby all immigration visa applications are examined and passed on in Washington, did your application ever reach the point that a U. S. Consulate in Europe had received advisory approval on your visa from the State Department? Were you ever summoned by letter by a U. S. Consul in Europe to receive your visa upon submission of proof of identity, satisfactory travel bookings, exit visas, etc?
 - d) Names and addresses of your affiants in the United States. Give some details concerning their professional and financial situations.
 - e) Have these affiants or relatives renewed your visa application with the State Department in Washington since January 1942?
 - f) Do you plan to pursue your efforts to emigrate to the United States after the war?
- 7.) Do you have any particular occupation or professional activity in mind which you will take up in your country of immigration? (For instance, a work contract?)
- 8.) Do you have relatives or friends who may be in a position and willing to assist you financially with your emigration or with your efforts to reunite your family? Is it your wish that they should already be contacted?
- 9.) Have you or your relatives ever deposited money with a relief organization or travel agency to pay for steamer tickets? Or have you any other claim to passage money or tickets?
- 10.) Do you possess financial means of your own?
 - a) In Switzerland?
 - b) Abroad?
 - c) If not, will you be supported financially by any organization?

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5. General remarks, observations and suggestions.

- 1.) With reference to your own repatriation or emigration, or that of your relatives.
- 2.) With reference to the preparation of and carrying out of the emigration problem in general.
- 3.) Any other pertinent suggestions or remarks.

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PART IV

THE PROBLEM OF STATELESS PERSONS

1. STATEMENT OF THE FACTS

Among the legal questions urgently requiring solution after the war is foremost the problem of statelessness.

1. In the period between the two world wars the phenomenon of statelessness which previously was an isolated and rare occurrence has increased to enormous proportions in international life.

2. Three groups of persons were affected by denationalization measures:

- a) political refugees who, owing to a change in the government had left their country and were punished by the loss of nationality;
- b) certain groups of persons or minorities which were undesirable to the state and, although they remained in the country, were divested of their political and, especially, economic rights;
- c) Jewish communities which in the course of the antisemitic policy inaugurated by the Third Reich were excluded from social and national life.

3. Denationalization took place according to different measures:

- a) laws denationalizing generally defined categories of citizens;
- b) laws providing for the individual loss of nationality;
- c) laws providing for the revocation of naturalization;
- d) laws involving a general revision of the nationality of certain groups of the population with the aim of depriving them, as far as possible, of their nationality (indirect denationalization).

4. The following record gives without any claim to completeness a survey of the legal measures concerning denationalization and the resulting extent of statelessness in our time. Regulations which, in the meantime, have been repealed in legal form by governments or governmental committees in exile, but are still in practice of considerable importance are contained in the following list.

Germany: Law on the Revocation of the Citizenship and the Withdrawal of the German Nationality of July 14, 1933 (RGBl I p. 480); 11th Decree to the Law on the Reichscitizenship (Reichsbürgergesetz) of November, 25, 1941 (RGBl I p. 722).

Roumania: Royal Roumanian Decree on the Revision of Nationality, of January 21, 1938, (M.O. of January 22, 1938); Law on the Acquisition and Loss of Roumanian Nationality, of January 16, 1939 (M.O. of January 19, 1939); Decree on the question of the nationality of the inhabitants of Bessarabia and of North Bucovina, of September 3, 1941, (M.O. of September 4, 1941).

Czecho-Slovakia (II Republic): Decree concerning the Revision of the Czecho-slovakian Nationality of Certain Persons, of January 27, 1939 (Slg. G.V. p. 28); Decree of February 10, 1939 (Slg. G.V. p. 98).

Slovakia: Constitutional Law of the Slovakian Republic concerning the Expatriation of Jews, of May 15, 1942, (Sl. Z. p. 507); Decree of the Government of the Slovakian Republic of May 14, 1943 (Sl. Z. p. 303).

Protectorate of Bohemia and Moravia: Decree on the Revocation of Protectorate Nationality, of October 3, 1939 (RGBlp. 1997); Decree on the Loss of Nationality, of November 2, 1942 (RGBl I. p. 637 - VOBl RP p. 301).

France: Law concerning the Procedure of the Loss of French Nationality of July 16, 1940 (J.O. p. 4534); Law concerning the Revision of Naturalizations of July 22, 1940, (J.O. p. 4567); Law concerning the Loss of Nationality of Frenchmen who left France, of July 23, 1940, (J.O. p. 4569).

Poland: Law on the Withdrawal of Nationality of March 31, 1938, (D.U. of April 1, 1938); Decree of October 6, 1938, (D.U. nr. 80).

Italy: Decree of January 10, 1926 (G.U. of January 15, 1926); Law of January 31, 1926, (G.U. of February 4, 1926); Law of November 25, 1926, (G.U. of December 6, 1926).

Soviet-Russia: Decree of the RSFSR of December 15, 1921; Regulations of the USSR of March 28, 1922 and of August 4, 1924; Decree of the Trans-Caucasian SSR of May 21, 1923; Ukrainian Regulation of March 28, 1922; White-Russian Regulation of August 4, 1922; Decree of the USSR on the Union Nationality of October 29, 1924; Law of November 30, 1925; Law of the Union of April 22, 1933.

Turkey: Law of May 28, 1927.

Laws forbidding the acquisition of nationality by certain groups of persons, or depriving citizens of their rights as citizens without making them stateless are juridically beyond the scope of this paper. They require special legal solutions which cannot be an investigation of the problem of statelessness.

With reference to this question see:

Germany: Law on Citizenship of September 15, 1935, (RGBl I p. 1146); I. Decree to the Citizenship Law of November 14, 1935 (RGBl I p. 1333); 12th Decree to the Citizenship Law of April 25, 1943 (RGBl I p. 268).

France: Law concerning the Repeal of the Decree of the Government of National Defence of October 24, 1870, and Defining the Statute of native born Jews of the Departments of Algeria of October 7, 1940 (J.O. p. 5234); Statute of the Jews of Algeria of November 20, 1940 (J.O. p. 5773).

Bulgaria: Law for the Protection of the State of January 21, 1941, (J.O. p. 1).

5. The consequences of the Statelessness are generally known; they consist especially in the loss of diplomatic protection by the country of origin, lack of personal identity documents, with the accompanying restriction on freedom of movement, uncertainty in questions of personal status, limitations of free economic and professional activity, impossibility of applying social legislation and impossibility of repatriation.

6. Efforts to remove the consequences as well as the causes of statelessness have been made at different times. Scientific bodies such as the "Institut de Droit International" (Session of Brussels in 1936) have elaborated plans. The International Conference for the Codification of International Law of 1930 also gave serious consideration to this problem. Only the following practical results of these scientific and legislative efforts, however, can be retained:

- a) the Convention Relating to the International Status of Refugees of October 28, 1933 concerning the so-called Nansen-Refugees by which the former arrangements of July 5, 1922, May 31, 1924, May 12, 1926 and of June 30, 1928 were replaced, and
- b) the Convention concerning the Status of Refugees Coming from Germany of February 10, 1938 which replaced the Provisional Arrangement of July 4, 1936.

Both conventions, however, did not alter the fact of statelessness but only tried to alleviate, or remove its consequences.

2. THE CONCEPT OF STATELESSNESS

All denationalization measures have in common the concept of the stateless person. This concept should be differentiated from the notion of the political refugee which legally is not identical with the former.

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The best definition of statelessness has been given by the Institut de Droit International (Session of Brussels, 1936, Vol. 2, p. 294). It runs as follows:

"Le terme apatride désigne tout individu qui n'est considéré par aucun Etat comme possédant sa nationalité."

(The term stateless denotes any person considered by no State as in possession of its nationality.)

3. SOLUTION OF THE PROBLEM OF STATELESSNESS

The starting point of an attempted solution to the problem of the statelessness must be the basic consideration that statelessness is, from the point of view of International and Public Law, undesirable and results in serious prejudice to personal liberty.

Any effort to find a solution must be based on the conviction that the attempts made hitherto, such as the Nansen Statute and the Statute for Refugees from Germany were only palliatives aimed at helping stateless persons by providing them with identity documents and so on. Such efforts were unequal to the problem and, accordingly, failed to solve it.

There will never be a more favorable opportunity to definitively solve this problem than at the coming post-war settlement which for many years will determine the future of both Europe and of the world.

The problem of combatting statelessness may be divided into two parts: the removal of existing cases and the prevention of the occurrence of future cases.

A. Removal of the Existing Cases of Statelessness

1. General Principles for the Solution of the Problem.

a) The problem combatting existing statelessness consists in the endeavour to make it possible for stateless persons to reacquire a nationality. Since, under existing conditions, a general measure granting all stateless persons the

nationality of the state in which they are at present domiciled, is not feasible, a differentiated solution must be looked for.

In principle, three solutions are possible:

- aa) reacquisition of the former nationality of which the individual has been deprived,
 - bb) acquisition of the nationality of the country of residence,
 - cc) acquisition of another nationality.
- b) The problem cannot be solved automatically. The starting point is that there are different kinds of stateless persons whose objective situation and subjective attitude must be taken into consideration.
- aa) Objectively, the connection with the territory of a state is an essential criterion.
 - bb) Subjectively, the starting point is that the desire of the individual in question plays an essential part in the foundation of the territorial connection, whether he wants to take up a permanent residence, or to be repatriated, or to emigrate.
- c) These objective and subjective conditions are different for different categories of stateless persons. There are, chiefly, the following distinctions to be made:

- aa) Stateless persons who were denationalized while still in the territory of the denationalizing state and who have since remained there;
 - bb) Stateless persons who were denationalized while still in the territory of the denationalizing state, but who have left it since as a result of general political conditions, to emigrate;
 - cc) Stateless persons who were denationalized when deported by force from the territory of the denationalizing state;
 - dd) Stateless persons who were denationalized after they had left the territory of the denationalizing state for political reasons for the purpose of emigrating;
 - ee) Stateless persons who were denationalized, and, independently of denationalization measures and political conditions in their country of origin, had their customary residence or domicile abroad;
 - ff) Stateless persons who belong to any of these categories, but who since have acquired a new nationality.
- d) From the political point of view the problem of stateless persons falls into principal 4 categories:

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- aa) The category of so-called Nansen refugees i.e. Russian refugees who, for the most part, have adapted themselves to the national and social life of their different countries of domicile. Whereas the older generation, for sentimental reasons has often declined to adopt the nationality of the state of domicile, the attitude of the younger generation has been quite different. With respect to this group general naturalization measures by the states of domicile should not offer to great difficulties.
- bb) The category of those refugees who, owing to their political activity, were compelled to leave their country of origin, and, who after a change of the political conditions in that country, will make an effort to return, and, for the most part, will be willing to reacquire their former nationality. For this category the solution consists chiefly in the reacquisition of their former nationality.
- cc) The category of certain denationalized undesirable population groups which have remained in the territory of the state and wish to remain there. For this category, as well the solution consists in the reacquisition of their former nationality.
- dd) The category of Jews and Christians of Jewish origin who were denationalized as a result of antisemitic measures and whose subjective attitude widely varies. In such cases, the subjective attitude must be as far as possible taken into account i.e. the desire either to be repatriated, to emigrate, or to remain permanently in the country of domicile.

e). These differentiated factors point to the unadvisability of any solution generally advocating the compulsory acquisition of a nationality. With respect not only to the subjective attitude of the various categories of denationalized persons, but also to the question of their objective expectancy of acquiring a given nationality - a question which cannot be answered equivocally - an elastic system should rather be aimed at. Such a system would do justice to the subjective aspect of the question and at the same time assist the greatest possible number of categories of stateless persons to acquire a new nationality.

2. Concrete Propositions for a Solution

a) The reacquisition of the lost nationality.

From a legal and political point of view the reacquisition of the former nationality is particularly worth striving for, since such reinstatement would emphasize the illegality of withdrawing nationality and would thus assume the character of a sanction by International Law. This would be especially the

case if the reacquisition of the lost nationality would take place ex tunc whereby questions of personal and civil status and so forth would be considerably simplified.

- aa) In principle this solution should be aimed at and welcomed for all persons who have been denationalized but have remained in their countries.
- bb) For persons who have emigrated after the denationalization or have been forcibly deported such a solution is from a legal and political standpoint only to be recommended if these persons are willing to return to their former country of origin and to take up permanent residence there. Such a desire is not to be expected of a considerable number of persons who will doubtless decline reacquiring their former nationality. For this category the right of option might be reserved to reacquire their old nationality and simultaneously of choosing another nationality.
- cc) For those persons who, already before their denationalization, and independently of the circumstances which led to it, were regularly domiciled abroad the right of option should likewise be reserved. In such cases, owing to the long interruption of national contact, the political and psychological connexion between the denationalized persons and their old nationality is apt to be lacking. In many cases political changes of regime have brought these persons into opposition not only to the present government but even to the country itself. Hence, subjective factors also point here to a solution involving the optional reacquisition of nationality.
- dd) Denationalized persons who, in the meantime, have acquired a new nationality are legally not stateless and consequently need not be included in this exposé.

The a priori condition for all cases of the reacquisition of a former nationality is the existence of the former state. If this condition is not fulfilled the required solution will have to be found in the regulations of International Law governing state successions.

b) Acquisition of the nationality of the state of domicile.

The acquisition of the nationality of the state of domicile has played an important role in all conferences between states devoted to the problem of stateless persons. It must, however, be pointed out that a compulsory solution in this respect, desirable though it may be, could never be achieved.

Insofar as the states of domicile are typical immigration countries, such as many overseas countries, naturalization by the state will not offer too great difficulties. In such cases general facilitations for stateless persons

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who had immigrated to these countries for permanent residence to acquire nationality should be aimed at, insofar as they do not already exist.

The situation appears more difficult in such countries of domicile which are not typical immigration countries and in which stateless persons have been granted only temporary asylum.

The consent of such states to general naturalization measures for stateless persons resident in them will, after the war, depend chiefly upon economic and social conditions, especially the situation of the labour market which will not be the same in the different states.

The extent to which such circumstances oppose general naturalization measures by the state of domicile, temporary limitations as to the choice of profession, or residence, or similar measures might be imposed on the persons applying for naturalization in order to avoid the overcrowding of certain professions and the opposition of professional organizations.

Furthermore, certain categories of stateless persons who have become identified with the country of domicile through many years residence i.e. born in the state of domicile and permanent settlement there, or through special merit such as the performance of military or other service and who have grown into the national life of the state of domicile might be granted an obligatory claim to the acquisition of the nationality of this state. It would not be too difficult to concede a right of option to the citizenship of the country of domicile to these categories.

c) Acquisition of a particular nationality

While the above mentioned solutions will in large measure bring to an end the statelessness of so-called Nansen-refugees, and in the main part, of those refugees, who had left their country because of former political activity, as well as that of certain other denationalized population groups wishing to remain in their countries or origin, this might not be the case for a considerable number

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of stateless persons who neither wish to return to their country of origin nor are willing or able to remain permanently in the state of their domicile.

aa) Statelessness and Immigration Countries

The general question of those categories of stateless persons whom one cannot objectively expect to return to their country of origin and who will endeavour to find a new home in oversea countries should be considered at this point. The solution for this group lies in the direction of acquiring the nationality of the state to which they emigrate. It has been already mentioned that the typical immigration countries will not place any great difficulties in the way of naturalizing new immigrants who wish to take up a permanent residence. Efforts should be made, however, so that the future peace settlement does justice to the rights of this group and the immigration countries may be more generous in granting facilities for naturalization than they have been in the past. This should not occur only by way of general recommendation, but by stressing the political necessity that people who have found permanent residence in a country should be given its nationality.

bb) Special Aspects of Jewish Statelessness

To the group of stateless persons whom one cannot objectively expect to return to their country of origin belongs especially that category of stateless Jews who are in a state of emigration or deportation, and who, for the most part, do not wish to return to their country of origin nor to be forced to accept their former nationality.

It has accordingly been proposed to make Palestinian nationality accessible to this group and to give stateless Jews, in the peace settlement, who wish to take up permanent residence in Palestine, a right of option to acquire this nationality. Simultaneously, the question should be examined whether the acquisition of this nationality should depend upon later immigration to Palestine within a certain time limit.

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It must in fact be recognized that the problem of stateless Jews has certain special aspects which are not to be found in the case of other groups of stateless persons, and that Palestine as the Jewish National Home has already played an important part in the solution of the problem of the Jewish refugees and the Jewish homelessness.

It is, however, not yet possible, at the present moment, to take a definitive stand with respect to this proposal which, legally, implies the right of free and unhindered immigration to Palestine - at least of this group of Jews - as its realization depends partly upon the future political and legal status of Palestine.

In any case, this point of view merits both mention and close examination with regard to any future settlement of nationality questions since in such a way a considerable number of stateless persons would be able to acquire a new and permanent nationality.

d) The Problem of Family Unity

As a basic principle, the problem of statelessness with regard to the different members of a family should take into account, as far as possible, the principle of the family unit. For instance, the wife who is not divorced from her husband and minor children ought to follow in the acquisition of the nationality of the head of the family. The same solution should be applied to adopted children as far as they are considered as family members. Married women living separately from their husbands should be given their own right of option.

A special regulation should be provided for foundlings who should simply be naturalized by the state of domicile; as far as Jewish foundlings are concerned the option of Palestinian nationality might be considered.

e) Regulations as to Procedure

The above-mentioned propositions involve a system providing the right of option to one or more nationalities in most cases of statelessness. It will

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depend upon the political and social conditions prevailing in Europe after the war of which of these rights of option the stateless person will make use. In order to give such a person the possibility of a pertinent decision delays of option to be determined by the peace settlement ought not of a necessity to be too short. It should be avoided that a great number of persons remain stateless because they have failed to make use of their option in time, as was the case after the last world war.

The acquisition of the new nationality, the reacquisition of the old one, for instance, should take place at the time of the actual presentation of the declaration of option to the former or the future state.

f) Legal Guarantees

Experiences made after the last war in many countries, especially in Roumania, when the questions of nationality were to be settled make it appear necessary that provisions on nationality questions should be placed under the protection of International Law in the course of the future peace settlement. Any individual who by virtue of the future provisions of the International Law has a right to the acquisition or reacquisition of a nationality should be given the opportunity to assert his claim before an International Court by normal legal procedure. For this reason it is desirable that an International Appellate Court be instituted and be accessible to any individual for all questions arising out of the regulations of the peace settlement on nationality.

CONCLUSION

In conclusion the following leading principles may be stated:

First Leading Principle: In the coming peace settlement every effort should be made to bring all existing cases of statelessness to an end.

Second Leading Principle: In the coming peace settlement a general provision should be made by which all state measures aimed at the withdrawal of nationality are repealed to the widest extent possible. Simultaneously full justice should be done to the individual's legitimate rights and he should by no means be forced to accept a nationality which he no longer desires, but rather given the possibility of acquiring a nationality which he desires (right of option).

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Third Leading Principle: Insofar as a solution by means of general naturalization of stateless persons by the state of domicile cannot be secured certain categories of stateless persons should, at least, be given the right of acquiring the nationality of the state of domicile.

Fourth Leading Principle: Efforts should be made to the end that stateless persons who immigrate to typical immigration countries be granted facilitations for naturalization.

Fifth Leading Principle: With respect to stateless Jews who do not wish either to return to their country of origin or to remain there if at that time in the country, but desire rather to take up permanent residence in Palestine the question should be examined whether this group could be granted, within the framework of both the coming peace settlement and the future political status of Palestine the right of option to acquire the nationality of the Jewish National Home.

Sixth Leading Principle: The future peace settlement should institute an international court to deal with its provisions concerning nationality questions to which any individual in case of denial or retardation of legal procedure in a given country, can submit his case.

B. COMBATING THE CREATION OF FUTURE CASES OF STATELESSNESS

Future cases of statelessness can only be avoided if the following principles are realized.

1. International Agreement

The withdrawal of nationality must be declared unacceptable by International Law, if at the same time, another nationality is not acquired.

It is generally known that it was not possible to pass such a provision in the international conferences of the past devoted to nationality questions, particularly at the Conference for the Codification of International Law. In view of the fact that Statelessness has increased to tremendous proportions in recent years it is therefore particularly urgent that such a provision be successfully put through.

It must, of course, be granted that States are not readily willing to renounce denationalization as a penal sanction. On the contrary such measures have been recently introduced in many countries where respect for legal institutions still prevails. This, however, does not invalidate the claim that such

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measures are against the common interests of the community of states and stand in the way of every solution calculated to abolish the problem of statelessness.

Denationalization as a national penal measure is often problematic as, in practice, it frequently has no effect upon persons residing abroad. In addition, under many national laws this kind of punishment affects innocent persons, as denationalization is often extended to members of the family *f.i.* descendants who had no connection whatsoever with the cause of the punishment.

Thus denationalization as a penal measure should not be recognized in the future rather replaced by other types of punishment which may be inflicted upon the national who has repatriated himself or is to be extradited by a foreign state. The opportunity of denationalization as a punishment is also doubtful on the ground that, in the past, states got along without this type of penalty. It cannot therefore be considered as indispensable.

The prohibition of denationalization without simultaneous acquisition of another nationality must be agreed upon by an international legal convention of states at the peace conference. The recognition of such a law would invalidate all opposing regulations concerning denationalization, withdrawal of nationality or revision of nationality at present in force.

2. Prohibition of Circumventions.

It is, however, not enough to sign an international agreement in which such a principle is recognized. Even if statelessness according to the International Law *de iure* no longer exists there is a danger that states may practice a policy of *de facto* denationalization against undesirable nationals. Such a policy would render the prohibition illusory.

Future international convention must therefore declare all measures illegal which are in fact tantamount to denationalization and forbid such measures if the individual in question does not at the same time possess another nationality. States must be particularly prohibited from refusing to issue identity documents

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with reference to an individual's nationality, such as birth certificates, certificates of origin and other documents concerning personal status.

3. Nationality as an Individual and General Human Right

The now widely propagated idea of an international declaration of the rights of the citizen and of man by which the primitive rights of all men would be guaranteed deserves general approval. The right to a nationality is to be numbered among the minimum rights which the present day structure of the community of nations should grant human beings.

The catalogue of rights of man which is still to set up and which is to be guaranteed by International Law should therefore contain the right to a nationality.

The efficiency of such an international declaration will depend upon the legal provisions as to procedure which will have to guarantee the rights of the man and the citizen. Real protection can be only attained when every individual is granted the right of appeal to an international court in order to present his claim. This problem, however, depends upon the general executive procedures to be established after the war, in the realm of International Law, and goes beyond the scope of the present study.

CONCLUSIONS

The following leading principles may be stated:

First Leading Principle: The future peace settlement should declare denationalization as contrary to International Law unless another nationality is not simultaneously acquired.

Second Leading Principle: The future peace settlement should declare any measure as contrary to International Law which in fact is the equivalent of loss of nationality unless the individual in question possesses another nationality.

Third Leading Principle: The future peace settlement should insure everybody's right to a nationality guaranteeing this by a general Declaration of the Rights of Man and the Individual as well as by establishing the necessary legal procedure through which the individual may assert this right.

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PART V

STUDY GROUP FOR POST-WAR REFUGEE PROBLEMS.

January 1944

Functions of private organizations in post-war refugee and general relief work after the war and the basis for their collaboration with intergovernmental agencies.

Editorial note: The document herewith presented was prepared before the group had access to the Resolutions and Reports of the UNRRA Conference at Atlantic City. The group now notes with satisfaction that this UNRRA document envisages the collaboration of private and inter-governmental agencies, and proposes the principles here stated as both pertinent to the situation and desirable as directives for such collaboration. The group holds that in the interests of all those benefitting from post-war relief action, private organizations should participate in all the planning and collaborate fully in the actual collaboration of relief and rehabilitation.

* * * *

1. The unprecedented devastation, the material and spiritual ruin of the old Continent, of hitherto unknown proportions, the uprooting and migration of whole populations have placed before these Nations conscious of the heavy responsibilities born of their huge war effort and of their power, the international task of reconstructing European life and society.

Motives of human solidarity and of public policy, economic causes, the desire for social peace, essential to pacifying all countries, have equally inspired the creation of the U.N.R.R.A. and the reorganization of the Intergovernmental Committee for Refugees in London.

The scheme of this organization, has been drafted, as regards its structure, according to the rules of an Association of Nations, and with respect to its modes of action, along the lines of a supernational Red Cross; it appears therefore as a real revolution in the realm of relief capable of strongly promoting social progress throughout the whole world.

The traditional activity of the great relief organizations is consequently bound to be deeply altered; the principle itself of private relief will have to be reaffirmed.

2. Taken as a whole, the international private organizations, with their own orientation, field of action and sizable "clientèle", represent a living part of the threatened civilization which we must save.

Their practical experience, their tested methods and their efficient leaders, trained in the course of all the great catastrophes, which have struck Europe in past years and particularly during this war, amidst the struggle and unheard of difficulties and dangers, especially qualify these organizations to take part in the universal task of relief; the active cooperation of these international relief organizations with the Intergovernmental Organizations *) is in the public interest.

*) When the text speaks of Intergovernmental Organizations it means particularly the Intergovernmental Committee for Refugees and the UNRRA.

3. What type of contribution will the private organizations, with their limited resources, be able to furnish along the powerful side governmental means?

Most of these international organizations have exercised their activities in Europe; they have grown to be the true interpreters of European suffering; they know intimately the misery of European men, women and children, for having shared their wretched life, taken part in their fight against hunger, cold, illness, persecution, family dispersion and deportation. In the thick of the present war, these organizations are very often the last link with the external world and the sole evidence of human solidarity still possible. After the war, these strong links will continue to unite a community of all the peoples having aid and relief from these organizations and of those having cooperated with them; whether in their own country or in their adopted country, back at home, with renewed activity all these people will go on cooperating freely with the reconstruction work of their city, their region, their country.

A real federation of individuals and communities has gathered around these organizations during the days of misfortune. The spiritual and moral factors underlying this cohesiveness, together with the indispensable direct knowledge of European affairs, will constitute the original contribution of the international organizations at the outset of their cooperation with the Intergovernmental Organizations.

4. Furthermore, the active cooperation of private relief with governmental action has in itself a far reaching meaning, as by its presence it emphasizes to a certain extent the democratic principles which the United Nations have announced as the basis of their aims.

The vast extent of the relief and rehabilitation job implies difficult problems of organization and leadership. Although we are engaged in a fight to death against totalitarian philosophies, their methods of concentrating authority undoubtedly attract the leaders of all kinds of undertakings; accordingly, such a powerful agency, assuming responsibility for the relief of millions of victims, which will not only work under difficulties, but have to conciliate conflicting opinions and interests, will run a serious risk of yielding to such a temptation.

Should humanitarian post-war relief work be organized along totalitarian lines, this would only add to the confusion, and aggravate existing mass conflicts. On the other hand, the presence of unhampered activity of private initiative, the cooperation of numerous and infinitely ramified groups motivated by the same outlook and aspirations would contribute to the balance of the conflicting forces.

Furthermore, private relief work is likely to reinforce a comprehensive outlook on the part of the official authorities and the people themselves with respect to the claims of private interests and the specifically tragic situation of certain minorities, which unofficial organizations are more specially qualified to defend and protect.

Lastly, the presence of these organizations' representatives, deeply in sympathy with the old continent's interests, would mean that Europe although severely injured, is not on the verge of death, but rather has kept her deep, astounding and fruitful vitality.

5. Qualified as they are, by many years' preparation and achievement, the private organizations are ready to take over very definite functions within the framework of the general plan of relief and rehabilitation.

They do not aim to duplicate the official activity, for they will know that unified action is the first condition of success.

They will render greater service through the efforts of their squads of well-trained social workers exerted along the lines of their organizations' aims and by creating agencies of general interest within the scope of their own activities. By means of such initiative they will mobilize the resources of a region, of a country. Consulting rooms, infirmaries, hospitals; churches, chapels, oratories, synagogues; municipal and parochial centers; soup kitchens; shelters for the poor; asylums, first aid stations, children's homes, nurseries, preventoria and convalescence homes; hostels for students and apprentices; orphanages and vacation camps; institutions of every description ministering to the needs of homeless children and young people; children's villages; school of every description; consulting rooms for social welfare, for vocational guidance, for the regrouping of families, emigration bureaux; committees created by neutral countries for the relief of the victims of war; committees set up by Nations wishing to help some particular community; social, political, lay and religious committees for young people.

6. The majority of world-wide organizations have offices in neutral countries, in Switzerland, Sweden, Portugal. The geographical position of these countries and their particular location amidst countries at war, confers upon them, as well as upon the representatives of organizations working in them, an historical mission. Standing at the crossroad of European suffering, they alone are able to relay the call for help across closed frontiers and beyond the seas. At the same time they can also maintain important connections with trustworthy persons and reliable organizations in the European country at war. They enjoy the privilege of organizing the first aid and of preparing beforehand the ultimate relief and rehabilitation of the survivors.
7. It is impossible to propose or prepare definite solutions for the many post-war problems. The war continues to rage; its evolution may still involve unforeseen developments and all conjecture regarding the spiritual tendencies of the future, the eventual structure of society, the political and economical organization of the European peoples are in the realm of pure hypothese. Without knowing at least the outlines of the essential problems it is impossible to work toward their solutions.

For a long time still, mankind must let armed force break the trail for organization and rehabilitation schemes. But the establishment of a future equilibrium will depend upon the spirit, upon the humanitarian atmosphere in which the rehabilitation plan is drafted and the work undertaken; the latent energy, the willpower of young forces buried under the ruins of the European countries and of an undescrivable confusion of values will have to be trusted, in order to take an active part in the arduous task of reconstructing a spiritual, cultural, political and economical life according to the new character of the U.N.R.R.A.

The private organizations having forged their relief tools, will be in a position to greatly promote the development of regional help and self-administration, to create relationships based on confidence between neighbouring groups and communities, and to spread a spirit of mutual understanding and tolerance, of peace and unity without which any constructive policy is in vain.

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8. Based on these considerations, a general scheme of relief with a view to preparing post-war activity may be drafted, capable of immediately interesting private organizations of every description:

1. These organizations ought to base their activity upon a social policy whose scheme, as regards the main lines, should be drafted in common.

Permanent collaboration with both the policy making bodies and the executive authorities of the Intergovernmental Committee for Refugees and the UNRRA should be assured. This collaboration would be considerably facilitated and would become even more effective for the persons needing relief if regular opportunities would be given to the private organizations each by itself or acting together to discuss their suggestions, proposals and their criticisms with the various International Bodies concerned. This regular contact should be assured with the Councils of the Intergovernmental Organizations in the various levels of their efforts, central, regional and local. The collaboration should be so effected as to leave to the private organizations the freedom they need for fruitful action.

2. The plan of action of these private organizations presupposes an exact awareness of the conditions existing in distressed areas studied from various angles and from the special point of view of each of these organizations.

The occupying forces have turned the conquered countries into prisons; invisible but imperious frontiers have subdivided national territories into numerous closed compartments. Information leaks with great difficulty from one town to another. The silence which has been imposed on individuals acquainted with the technicalities of conditions has but added to the general lack of organized information.

It is nevertheless possible, through a careful and methodical examination of all technical and scientific publications and by means of direct inquiry and communication, to produce a kind of cross section of the general conditions prevalent in these countries.

A record of the results of these inquiries ought to be made and kept up-to-date to serve as a basis of temporary documentation and exchange of information between all interested parties.

3. Well-trained staffs imbued with social spirit and working in teams as has been observed on more than one occasion in the course of this war are the backbone of every relief action. The free availability of such teams represents the greatest strength of an organization and can assure the success of a relief job.

It is probably the first time that social work has been compelled to become illegal and that social workers have been tracked down as if they were partisans; that is why many of them have fallen like soldiers on the battlefield.

It is therefore most important to be concerned about training capable and available social workers. Efforts should be exerted along three lines:

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- by endeavouring to rescue those teams endangered in occupied countries;
- by maintaining contact with former social workers and medical staffs in neutral countries, so as to keep up their morale and stimulate the professional qualifications required for their task;
- by recruiting and training new social workers.

The position of many doctors, who are forbidden to practice deserves special attention. In the different countries where they are domiciled or to which they have come as refugees, they have as a rule been entirely neglected and even specially persecuted. Notwithstanding the hardships they have undergone, they have struggled hard to keep going; in concentration camps, in refugee centres, they have rendered invaluable aid, and through their devotion and professional skill have saved many human lives. It is to be feared that very soon events will show shortsighted the policy of the responsible authorities has been in regards to the problem of medical assistance. Physicians are qualified technicians, whose training is long and expensive; to maintain their ability, they must preserve permanent connections with medical practice and science. It will be impossible to improvise doctors, when the sanitary conditions of any country demand number of them. Certain countries have had recourse to expedients of this type. It is therefore necessary and in the public interest to look after these neglected physicians, to keep up their professional training by organizing courses, lectures, by supplying them with the necessary medical books and periodicals and by keeping them in close and fruitful touch with medical circles and the exercise of their art. Accordingly, when the survivors of this dreadful catastrophe call for help, it will be possible to send mobile medical units who will be capable of taking the required initiative and getting up the necessary programmes.

4. As huge stocks of supplies are being gathered by the United Nations for the relief of the victims of war, it might appear superfluous for any private organization, whose means are limited, to also assemble relief supplies. But if we look more closely at the mainlines of the official relief plan, as they appear in the first official documents now published, we should draw the opposite conclusion, namely that private organizations ought to build up reserve funds as well as stocks of food, medical supplies and other essentials.

These reserves will allow private organizations to maintain the mobility and independence which now always constituted their privilege and superiority, and will enable them to provide emergency relief until more cumbersome administrative machinery can go into operation.

Such available reserves are also needed in order to delegate and maintain in war-torn countries medico-social teams whose job it will be to reinforce local committees, to reorganize the required liaison and to adapt the general plan of action to local conditions.

5. The regrouping of families and assistance to abandoned children could be prepared beginning now by creating card indexes, as well as establishing liaison with families living in overseas countries. At the same time both contacts with organizations dealing with professional training and cooperation with the authorities and the great international organizations specialised in emigration problems should be fostered in advance.

6. The private organizations will realize that they are unable by themselves to carry out a plan capable of dealing even with the most urgent

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emergency situation; yet having been in continuous and very close contact with suffering populations, they are qualified to act as promoters and initiators in the field of relief and rescue. They must tighten the bonds between themselves and coordinate their efforts; but it is by intensifying their present action, by snatching the greatest number of victims from war and persecution, that they contribute most efficiently to the solution of post-war problems. By virtue of the disinterested activity which they constantly exercise, by the war which they themselves wage without flinching, by the aim of service practiced down to the most modest assistant often at the peril of his or her life, by the common front which they hold with martyred Europe, the private relief organizations enjoy undeniable authority and respect.

They must, without letting down for a moment, concentrate all their means, energy and thought to the relief of the war victims, in close and friendly cooperation with the Intergovernmental Organizations, with the victims themselves and with all men of good will.

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