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Refugee Questions

Report

Committee on Migration, Refugees and Population

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A. Explanatory Memorandum

The Special Committee on Refugee Questions is composed of members of the Committee on Legal and Administrative Questions and of members of the Committee on Social Questions..

In view of the fact that the Special Committee was set up only on the 21st August, 1950, it was not able to carry out a through study of the many problems raised by the presence in Europe of several million refugees..

It was recognised by the Committee that the European refugee problem should be viewed as a whole, that is to say that the lot of all refugees, whatever their nationality, religion or race, would be taken into consideration. After a general exchange of views, the Committee was of the opinion that it was proper to distinguish between the measures proposed for immediate application and the long-term plans which would call for a more thorough study within the Committee. That is why the Committee is submitting two motions to the Assembly. The first Motion calls upon the Assembly to instruct the Special Committee on Refugee Questions on the one hand, to study the legal aspects of the problem, and on the other hand, to frame a preliminary Draft Convention for the creation of a European Refugee Bureau.

The study by the jurists would aim at establishing legal status for European refugees.

As for the Bureau in question, its special task would be :

1. To ensure the legal and political protection of refugees;
2. To define the broad outlines of a policy of re-grouping and full employment;
3. To draw up definite plans of regrouping and to collect the necessary funds to finance these plans;
4. To make contact with the relevant organs of the United Nations, in particular the I.R.O. and the High Commission for Refugees, in order to devise ways and means for co-operation, as occasion arises.

It should be pointed out that a high proportion of refugees in Europe are excluded from the province of the I. R. O., especially German refugees or those of German origin, and that the activities of the U. N. O. High Commission will normally only include legal and political protection of refugees. On the other hand, the High Commission's mandate is limited to the categories of refugees at present recognised by the services of the I, R. O..

The Committee would like to point out that in its view the task assigned to the Bureau " to define the broad outlines of a policy of regrouping and full employment " includes, among others, the problem of the geographical redistribution of refugees so as to avoid dangerous pressure at certain frontiers.

The second Motion is a recommendation to the Committee of Ministers. We ask that the Assembly should draw the attention of this Committee to the urgent necessity of coming to the immediate assistance of all refugees in Europe.

To this end, the special Committee proposes that the Assembly should demand of the Committee of Ministers the immediate creation, within the framework of the Secretariat-General, of a provisional refugee service. This latter body would deal with the most urgent needs, pending the creation of a European Refugee Bureau, contemplated in the first Motion. The duty of this Provisional Service would be to see to the interests of those refugees not at present receiving aid from any other international body. Its function would also be to keep the Special Committee briefed on all questions relating to the legal status of refugees.

B. Draft Resolution

The Assembly,

Anxious to give proof of European solidarity towards refugees of all categories in Europe,

Considering that only a European Organisation can give greatest effect to the measures to be taken within the European framework for the alleviation of the sufferings of refugees,

Decides to instruct the special Committee on Refugees to study the legal issues involved in the problem and to draw up a draft Convention relative to the establishment of a European Refugees Office which will be empowered to do all that is necessary on behalf of all refugees, whatever their nationality, religion or race. The special duties of this organisation will be :

1. To make all necessary arrangements for the legal and political protection of refugees, possibly by aiding the Member Governments of the Council of Europe to draw up international agreements in this field;
2. To determine, in collaboration with other international organisations, in particular the O.E.E.C, and if necessary with the Governments concerned, the main lines of a policy of reclassification and full employment of refugees, paying due regard to all aspects of the problem;
3. To work out, in collaboration with the Governments concerned and the competent international organisations, practical plans for such re-classification in Europe and in countries overseas and to raise the funds necessary to finance these plans;
4. To establish contact with the competent organs of the United Nations, in particular the I. R. O. and the High Commission for Refugees, so as to work out the ways in which co-operation may be achieved and to avoid any duplication of work.

C. Draft Recommendation

The Assembly,

Deeply moved by the situation that has been caused in Europe by the migrations of populations and by the wretched conditions under which refugees of all categories are living,

Recognising the common obligation of all members of the Council of Europe to alleviate the sufferings of European refugees,

Convinced that the solution of this problem demands the closest collaboration, on a international scale, and more particularly between the members of the Council of Europe, in accordance with the principles of European solidarity and civic morality as defined by the Statute of the Council,

Considering, finally, that the immediate establishment of a provisional service to attend to the most pressing needs is a matter of the greatest urgency,

Calls the attention of the Committee of Ministers to the urgent necessity of affording assistance to all refugees, and requests the said Committee in the first place, to recommend the Governments of the Members of the Council of Europe to take, all such measures, on the national level, as may be calculated, in their opinion, to improve the lot of the refugees, and, secondly, to set up immediately, within the framework of the Secretariat-General of the Council of Europe, a provisional service for the study of problems involved in the legal position of Refugees and to satisfy the most pressing needs of refugees of all categories, in particular those who do not at present receive assistance from any international organisation.