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Problem of Refugees and Over-Population

Report
Committee on Migration, Refugees and Population
Rapporteur: Mr Etienne de la VALLEE POUSSIN, Belgium

1. Explanatory Memorandum

1. The Special Committee on Refugees which met in Strasbourg on 9th and 10th November, 1951, considered the Report of the Committee of Experts on the problem of refugees and overpopulation communication of which to the Assembly had been authorised by the Member Governments of the Council of Europe. The Committee invited the members of the Sub- Committee on Migrant Workers of the Committee on Social Questions to attend this meeting, since it considered that the problem of refugees and the problem of migrant workers formed part of the more general problem of over-population and that they should therefore be examined together.

2. Your Committee wishes first of all to congratulate the Committee of Ministers for having convened a Committee of Government Experts consisting of persons from all Member States who had had great experience of working on the problem of refugees and over-population, and for having made it possible for them to hear the views of the expert representatives of all those International Organisations which are concerned with this problem in one or other of its aspects. The following International. Organisations collaborated in the work of the Committee of Experts : International Labour Organisation, International Refugee Organisation, Office of the United Nations High Commissioner for Refugees, Organisation for European Economic Co-operation : in addition a representative of the International Bank for Reconstruction and Development attended the meeting of 15th September, 1951 as an observer. As a result, the Assembly now has before it an extremely important Report, which contains a general survey of the problem and indicates the contribution made to its solution by the many Organisations which are concerned.

3. Secondly, your Committee wishes to express its deep gratitude to the Committee of Experts, whose. Report it has studied with the greatest interest and attention. Nevertheless, it notes with regret that the Report in question contains no reference to Recommendation 2, relating to the establishment of a European Refugees Office, which was adopted by the Assembly on 14th May, 1951.

4. Your Committee notes with particular satisfaction that the views of the Special Committee on Refugees and of the Committee of Government Experts on the problem of refugees and of over-population are identical. In the light of the Report of the Committee of Experts, these two problems should accordingly be examined in future in conjunction. Your Committee has therefore approved the suggestion of the Committee of Experts recommending that the Assembly should establish a General " Committee on Population and Refugees " to deal with these problems as a whole,

5. The Committee of Experts considers that the field of activity defined in the constitutions of the various existing international organisations is on the whole wide enough to cover the Whole range of international action, provided that some necessary adjustments can be made. Nevertheless, it came to the conclusion that, in certain of its aspects at least, the problem of refugees is a specifically European problem which should be dealt with on the basis of general policy directives elaborated by the Council of Europe. To this end the Committee of Experts has recommended that a body be established to maintain liaison between the Consultative Assembly, on the one hand, and the Committee of Ministers and the competent international

organisations, on the other. The terms of reference of this body would include the definition of the objectives of a common European policy, and the co-ordination of the action to be taken by Member States of the Council of Europe, in the field of refugees and over-population. Your Committee has approved this suggestion and proposes that the Assembly should recommend to the Committee of Ministers the establishment of a " Special Liaison Committee " with the terms of reference set out in the Draft Recommendation.

6. The Committee of Ministers itself, in its " Second Supplementary Report to the Consultative Assembly suggested that, if the recommendation of the Committee of Government Experts to establish a Committee on Population and Refugees within the Consultative Assembly were accepted by the Assembly, the method of maintaining liaison between that Committee, the Committee of Ministers and the international organisations concerned, should be discussed in the Joint Committee of the Council of Europe (Doc. 60, page 11, No. 2).

7. In order to meet the wishes of the Committee of Ministers and of the Committee of Experts as also in order to reach specific practical solutions, the Special Committee on Refugees proposes that the Assembly should recommend to the Committee of Ministers the establishment of a " Special Liaison Committee. " This " Special Liaison Committee " would consist of three members from the Committee on Population and Refugees and three members from the Committee of Ministers. It is intended that the establishment of this " Special Liaison Committee " shall lead to a better co-ordination of the work of the many international organisations dealing with refugees and over-population, and of the action to be taken b y Member States of the Council of Europe. The Report of the Committee of Experts fully endorses this view.

8. Your Committee has also studied with great interest the proposal of the Italian Experts, submitted in the form of a memorandum in which it is suggested that the Council of Europe might appoint a " Spécial Representative " to maintain contact with the various international agencies and to be responsible for stimulating the activities of the Member Governments of the Council of Europe in this field. The Committee has approved this suggestion and proposes that the Assembly should recommend to the Committee of Ministers the appointment of a " Special Representative " who should be an outstanding European personality. He would act as the permanent delegate of the Committee of Ministers under the general supervision of the " Special Liaison Committee once the latter had been formed. The appointment of this Special Representative would make it possible to pursue a consistent policy with regard to the problem of refugees and over-population—a consistent policy which is in fact essential if concrete results are to be achieved.

9. These three modest proposals which your Committee submits to the Assembly are to be considered as a first step towards a practical solution of a particularly difficult problem, which both the Committee of Ministers and the Committee of Experts consider an obstacle to the full realisation of the aims of the Council of Europe, as set out in Article 1 of the Statute.

10. In accepting the recommendations of the Experts, your Committee wishes to point out that it has not abandoned the idea that a European Office for dealing with refugees and overpopulation problems should eventually be established. It proposes that the Assembly should recommend that the Committee of Ministers refer the proposal for the establishment of such an Office to the Special Liaison Committee for consideration, with a view to submitting t o the Committee of Ministers a reasoned report on the subject.

11. With these considerations in mind the Special Committee on Refugees submits to the Assembly the following draft Order, and the following draft Recommendation, both of which were unanimously adopted by the Committee :

2. Draft Order of the Assembly

The Assembly,

in order to ensure a better co-ordination of its work, and in consonance with the proposal made by.

The Committee of Ministers and the Committee of Experts that a Committee on Population and Refugees should be established within the Consultative Assembly which should take into account all the problems connected with the question of over-population, including that of housing,

and at the request of the Special Committee on Refugees,

Instructs its Committee on Rules of Procedure and Privileges to give urgent consideration before the end of the current session to the need for establishing a General Committee, entitled " Committee on Population and Refugees which would undertake the tasks at present assigned to the Special Committee on Refugees and the Sub-Committee on Migrant Workers of the Committee on Social Questions; this committee to consist of 28 members appointed on the same basis as the members of the other General Committees.

3. Draft Recommendation

The Assembly,

Having taken due note of the Report by the Committee of Experts on the problem of refugees and over-population, and expressing its complete agreement with the spirit and conclusions of that Report,

Considering, furthermore, that it is essential to co-ordinate and strengthen European action for the solution of the problem of refugees and over-population,

1. Recommends to the Committee of Ministers the establishment of a Special Liaison Committee whose members shall be appointed by the Joint Committee of the Council of Europe and shall consist of three members from the Committee of Ministers and three from the Committee on Population and Refugees, the latter to be selected from a list of six of its members to be submitted by that Committee.

This Special Liaison Committee, having regard to the work of the Committee on Population and Refugees, shall be responsible for :

a. defining, in regard to refugees and overpopulation, the objectives of a common European policy, and for co-ordinating the work of the Council of Europe in this field;

b. laying down the general principles of a policy for the resettlement of refugees and unemployed persons;

c. promoting on an international scale, by means of joint action to be taken b y the countries of emigration and of immigration, the application of measures calculated to provide a practical solution to the problem of refugees and over-population; and

d. enlightening public opinion and collecting the information necessary to enable the Parliaments and Governments of Member States to take such specific measures as may be required.

To this end, the Special Liaison Committee :

(i) shall study practical measures, based on the general principles referred to in paragraph (b) above, for resettlement and re-establishment both in Europe and overseas countries, at the same time endeavouring to ensure a suitable geographical distribution in such a way as to relieve the population pressure which at present exists on the frontiers of certain Member States of the Council of Europe;

(ii) shall make suggestions for the financing of any such measures;

(iii) shall propose suitable means for safeguarding the cultural interests, and facilitating the vocational training of young refugees ;

(iv) shall establish permanent liaison with the qualified representatives of Member Governments of the Council of Europe, with O. E. E. C , the United Nations High Commissioner for Refugees and inter-governmental organisations dealing with the problems of refugees, overpopulation and emigration, in order to foster their activities and avoid any duplication of effort;

(v) shall establish relations with the representative refugee associations and with the religious and semlar welfare organisations,, both national and international;

(vi) shall endeavour, in connection with the legal protection of refugees, to induce Member States of the Council of Europe to grant to refugees at least the legal status for which provision is made in the Convention on the Status of Refugees signed at Geneva on 28th July, 195

and, furthermore, to facilitate as far as possible the free movement of refugees.

2. Recommends to the Committee of Ministers, with a view to ensuring continuity of action by the Council of Europe, the appointment by the Committee of Ministers, on the proposal of the Special Liaison Committee, of a " Special Representative, " who should be a well-known European personality. The duties of the " Special Representative " shall be, as the delegate of the Special Liaison Committee, to act as the representative of the Council of Europe to the various international organisations concerned with the problem of refugees and

over-population; to encourage any initiatives which may be taken with a view to opening negotiations on this problem between the Member Governments of the Council of Europe, and to stimulate the practical application of any measures which may be adopted.

3. Recommends to the Committee of Ministers, that the proposal for the establishment of a European Refugees Office, which has been reserved by the Committee of Ministers, should be referred to the Special Liaison Committee for consideration before any final decision is taken thereon.