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Fourth report on the activities of the Office of the United Nations High Commissioner for Refugees

Report

Contents **TABLE** **OF** **CONTENTS**

Paragraphs

INTRODUCTION 1-3

Chapter I. — General activities 4-20

A. RELATIONS WITH THE COUNCIL OF EUROPE 4-8

B. RELATIONS WITH OTHER ORGANIZATIONS. 9-15

International Labour Organisation (I.L.O.) . 9

United Nations Educational, Scientific and Cultural Organization (UNESCO) 10

World Health Organization (W.H.O.) 11

Intergovernmental Committee for European Migration (I.C.E.M.) . 12-13

Organization for European Economic Co-operation (O.E.E.C.) 14

Ford Foundation Terminal Grant . 15

C. CAMP ADOPTION SCHEME 16-19

D. ESTABLISHMENT OF NANSEN MEDAL AWARD COMMITTEE 20

Chapter II, — Legal aspects of International Protection 21-69

A. INTERNATIONAL AGREEMENTS . . . 21-31

Convention relating to the Status of Refugees 21-24

Conventions on Declaration of Death of Missing Persons 25

Convention relating to the Status of Stateless Persons 26-29

Elimination of Statelessness ... 30

International Tracing Service. . . 31

B. ADMISSION AND EXPULSION 32-45

Determination of Refugee Status . 32-39

Problem of Illegal Entrants.... 40

Legal Obstacles to admission in Countries of Resettlement ... 41

Expulsion 42-45

C. RIGHTS OF REFUGEES IN THEIR COUNTRIES OF RESIDENCE. . . . 46-59

Right to Work 47-52

Housing 53-54

Education . 55

Public Assistance 56

Social Security 57-58

Naturalization 59

D. TRAVEL DOCUMENTS 60-63

E. SPECIAL PROBLEMS OF LEGAL PROTECTION 64-69

Indemnification of Victims of Nazi Persecution 64-65

Transfer of Assets 66

Refugee Seamen 67-69

Chapter III. — Emergency aid, including difficult cases 70-117

Introduction 70

Refugees of European origin in China. 71-79

Emergency Aid in various countries (other than China) 80-83

New combined Fund . 84

Estimates for 1955 for Emergency Aid. 85-86

Difficult cases 87-117

Present situation 87-92

China 93-99

Austria 100-103

Italy 104-108

Greece 109-111

Turkey 112-113

Near and Middle East 114

Iran 115

Jordan, Lebanon, Syria 116

Egypt 117

Chapter IV.—Permanent solutions. . . 118-165

A. REPATRIATION AND RESETTLEMENT 118-135

Repatriation 118

Resettlement — General 119-122

Intra-European resettlement . . . 123-129

Resettlement in the United States. 130-134

Resettlement in other overseas countries 135

B. ECONOMIC INTEGRATION 136-150

Introduction 136

Austria 137-140

Germany 141-146

Greece 147-148

Italy 149

Other Countries 150

C. PROGRAMME FOR PERMANENT SOLUTIONS FOR THE PROBLEMS OF REFUGEES — IMPLEMENTATION OF RESOLUTION 832 (IX) 151-165

Action by the General Assembly of the United Nations 151-152

Action by the High Commissioner's Advisory Committee 153

Action by the Negotiating Committee on Extra-Budgetary Funds. 154

Non-Governmental Contributions. 155-158

Establishment of the UNREF Executive Committee 159

Action by the UNREF Executive Committee 160-165

CONCLUSION 166-167

1. Introduction

1. In this memorandum transmitted for information to the Consultative Assembly of the Council of Europe special emphasis has been placed on the action taken by the General Assembly of the United Nations on the High Commissioner's proposals for a programme designed to promote permanent solutions for the problems of refugees.

2. On the basis of proposals submitted by the High Commissioner to the 18th Session of the Economic and Social Council and the 9th Session of the General Assembly, the General Assembly, in Resolution 832 (IX), authorized that a programme designed to achieve permanent solutions should be undertaken by this Office and that a new fund be established, incorporating the United Nations Refugee Emergency Fund. Pursuant to the terms of this Resolution, the High Commissioner's Advisory Committee, at its Fifth Session, fixed an overall target of 816,000,000 for voluntary Government contributions to the Fund during the period from 1955/1958, with a target of 84,200,000 for 1955. The implementation of this programme will make it possible for considerable numbers of refugees, in particular those still in camps, who cannot be resettled or repatriated, to be established in their countries of residence in Europe.

3. Due tribute should be paid to the Council of Europe for the wholehearted support it has given the proposals of the High Commissioner during the period under review. Particular reference may be made in this connection to the expression of support by the Consultative Assembly for efforts made by this Office to raise new funds, to the recommendation of the Ministers' Deputies to Governments Members of the Council of Europe, which are also members of the United Nations, to give their support to the new programme, and to the report of the Special Representative of the Council of Europe for National Refugees and Over-population, in which he underlines the need for the programme of the Office of the U. N. H. C. R. to be put into effect.

2. CHAPTER I - General activities

2.1. A. Relations with the Council of Europe

4. A memorandum on the activities of the Office of the U. N. H. C. R., presented to the Council of Europe in May, 1954, was discussed by the Committee on Population and Refugees in September, 1954. Upon a recommendation unanimously adopted by the Committee, the Consultative Assembly, in its Resolution 55, adopted at its Sixth Session, welcomed the decision taken by the General Assembly of the United Nations to

renew the mandate of the Office of the United Nations High Commissioner for Refugees for a further period of five years and expressed the hope that this period would suffice to find a permanent solution to the problems of refugees whose assimilation had not yet been achieved. The Consultative Assembly further expressed support for every effort made to raise new funds, and warmly welcomed the recommendation of the Government of the Netherlands to the Committee of Ministers to the effect that the programme for permanent solutions and emergency assistance which had been submitted to the Economic and Social Council should be supported by Member States of the Council of Europe. The Consultative Assembly also welcomed the entering into force on 22 April, 1954 of the 1951 Convention relating to the Status of Refugees and drew the attention of member Governments of the Council of Europe to Resolution (52) 76, whereby the Committee of Ministers invited Member States to ratify the Convention as soon as possible.

5. The recommendation of the Government of the Netherlands, referred to above, also found a favourable response in the Committee of Ministers. It was discussed at the 22nd and 23rd meetings of the Ministers' Deputies. At the 23rd meeting the High Commissioner had the opportunity of making a statement on the action he envisaged taking on the proposals of the Netherlands Government; and at that meeting the Ministers' Deputies decided to recommend that member Governments of the Council of Europe which are also members of the United Nations give their support at the General Assembly of the United Nations to the proposals for permanent solutions which the High Commissioner had submitted to the Economic and Social Council at its 18th Session.

6. Exchanges of views on problems of mutual interest between Mr. Pierre Schneiter, Special Representative of the Council of Europe for. National Refugees and Over-population, and this Office have been continued. The Special Representative, in his statement to the first part of the Sixth Consultative Assembly of the Council of Europe, expressed his great interest in the problem with which the Office of the High Commissioner is concerned and his support for the Netherlands proposals. Furthermore, agreement was reached between the Special Representative and this Office on the necessity to make a co-ordinated effort for the re-establishment of refugees in various European countries. Special reference to this question was made in the Report presented by the Special Representative to the Committee of Ministers at its 15th Session in December, 1954.

7. In the last memorandum of U.N.H.C.R. to the Council of Europe, reference was made to the Protocols to various social security agreements drawn up by the Council of Europe under the terms of which refugees had been assimilated in status to nationals. The Protocol to the Convention on Social and Medical Assistance entered into force on 1 July, 1954, and the Protocols to the two Interim Agreements on Social Security on 1 October, 1954. The two Agreements, the Convention and their Protocols have now been ratified by the Governments of Ireland, Norway, the Saar and the United Kingdom. The Netherlands has ratified the two Agreements and their Protocols.

8. Finally, the Office of the High Commissioner has followed with interest the meetings of the Committee of Experts which is engaged in the preparation of a multilateral European Convention on the Reciprocal Treatment of Nationals. In view of the importance, from the point of view of the development of international law, of such a multilateral establishment convention, which aims at the assimilation of nationals of the Contracting States to nationals of the State of their residence, this Office requested that the possibility of including refugees in the provisions of this Convention be examined. The Committee of Experts dealing with the draft Convention considered that at the present stage of its work a satisfactory solution to this problem could not be found, but expressed the view that the suggestion deserved careful consideration by Governments and that it should be reconsidered after the entry into force of the Convention.

2.2. B. Relations with other organisations

International Labour Organisation (I.L.O.)

9. The Office of the U. N. H. C. R. has continued to participate in the work of the Technical Working Group on Migration, sponsored jointly by the United Nations and the International Labour Organisation, in connection with the co-ordination of migration programmes and such special problems as assistance to migrants in the professional categories. It has also been represented at meetings convened by the I. L. 0. on questions of land settlement in Latin America.

United Nations Educational, Scientific and Cultural Organisation (UNESCO)

10. An agreement was reached between the Office of the U. N. H. C. R. and UNESCO in January, 1955 designed to assist refugees in the professional categories to establish their academic qualifications and to obtain suitable employment. À procedure for the submission and evaluation of certificates and diplomas held by refugees has been worked out, so that the academic validity and legal authenticity of such certificates and diplomas can be established. Furthermore, applications by refugees for vacant university and other teaching posts recorded by UNESCO will be dealt with by UNESCO's Exchange of Persons Service.

World Health Organisation (W. H. 0.)

11. Cordial relations have been maintained with the World Health Organisation on matters of common interest. At the High Commissioner's request the W. H. 0. arranged for a research team to make a survey of the mental health of refugee children in camps in Austria. At the time of writing, the report of the survey team was nearing completion. Advance information of the findings of the team indicated that camp life was having detrimental effects on the mental health of young people and that in the opinion of the team efforts should be made to dissolve the camps as soon as possible.

Intergovernmental Committee for European Migration (I. C. E. M.)

12. Apart from the Joint Operation for European Refugees in China, the Office of the U. N. H. C. R. and the î. C. E. M. are in constant touch both at Headquarters and in the various Branch Offices on all questions relating to the resettlement of refugees within the mandate of U. N. H. C. R.

13. With the help of voluntary agencies, the Committee and the Office of the U.N.H.C.R. jointly operated the resumed " Two Thousand Scheme ", under which a further 700 refugees from Austria, Germany, Italy and Trieste will be admitted to the United Kingdom, and the recently approved project for the admission to the Netherlands of 250 refugee families from camps in Austria, Greece, Italy and Trieste. The I. C. E. M. will also finance the transfer of a small group of refugees in Ethiopia to the Central African Federation of Rhodesia and Nyasaland. Following joint negotiations with the Australian Government, refugees will be included in bilateral migration agreements between Australia and a number of European countries.

Organization for European Economic Co-operation (O. E. E. C.)

14. Co-operation between the Organization for European Economic Co-operation and the Office has been continued, particularly in connection with the liberalization of the movement of manpower between Member States of the 0. E. E. C. A provision extending this action to refugees under certain conditions was embodied in the decision taken by the Council of the 0. E. E. C. on this matter.

Ford Foundation Terminal Grant

15. In March, 1954, the Ford Foundation, expressing its satisfaction and pleasure at the success of the pilot projects started under its 1952 grant to the Office of the U. N. Ii. C. R., made a second and final grant of $200,000. According to the specific conditions governing this terminal grant, the major part of the funds was devoted to the continuation of the expanding refugee resettlement projects in Latin America, Canada and Australia, while part was used for the continuation of the already successful projects for assistance to students in Austria and for youth leadership training in Austria, France and Germany.

2.3. C. Camp adoption scheme

16. Since the last memorandum, there has been a steady progress in the development of the camp adoption scheme promoted by the Office of the U. N. H. C. R. The improved morale and living conditions in a number of camps in Austria, Germany and Greece today bear witness to what can be achieved by generous and resourceful action undertaken by local communities in other countries. A total of forty-two camps has been adopted to date, forty of these by groups and communities in the United Kindgom as a result of the praise-worthy efforts of the Standing Conference of British Organizations for Aid to Refugees.

17. Once the most urgent needs for supplementary food and clothing have been met, those adopting communities which have the necessary support are encouraged to concentrate on constructive measures not only to improve conditions in the camps but also to help the refugees in their eventual rehabilitation. Equipment has been provided in some cases for camp workshops, where toys, furniture and small articles can be made for sale on the local market; sets of tools required for crafts have enabled skilled men to abandon casual labouring for regular employment. Looms, sewing machines, and handicraft materials, instrumental in restoring to some refugees a measure of their former economic independence, have been provided by the

adopting communities as well as by a newly established organization in the United Kingdom whose objective is to encourage manufacturing firms in Europe to assist refugees in camps by gifts of work-shop equipment and material. Most welcome have been the donations of sports equipment, articles needed for the sotting up of a community centre, musical instruments, kindergarten equipment, games and books in appropriate languages. Several adopting communities have sent representatives to visit the camps personally, and in some cases have even financed a social worker to work among the refugees for a certain period.

18. Particular mention should be made of the constructive help provided by an organization which has adopted a camp in Greece. It arranged for 38 refugee children in a tubercular and pre-tubercular condition to be brought to Switzerland and cared for during 4 months free of charge by the Swiss Red Cross, while in the meantime the members of the adopting organizations explored all possibilities for establishing the children's parents out of the camp. Arrangements have also been made, through the efforts of the same organization, for an additional forty ailing children to be placed in a Greek sanatorium free of charge.

19. These results have been sufficiently encouraging to justify the extension of the camp adoption scheme to other countries in Europe. It would appear from the active interest shown in the refugee problem by a number of communities in Denmark that there would be good prospects of success if the adoption scheme were to be next launched in that country. Preparations for this are under way, and it is hoped that with the co-operation of the Danish Red Cross several camps in Greece will be adopted by the end of this year.

2.4. D. Establishment of the Nansen Medal award Committee

20. During the Ninth Session of the General Assembly, the High Commissioner announced the institution of a Nansen Medal to be awarded once a year for outstanding work for refugees. The Committee, established to make the award and composed of Mr. 0. Nansen, representing the Norwegian Government, Mr. M. Pilet-Golaz, representing the Swiss Government, Mr. Léon Marchai, Secretary-General of the Council of Europe, Mr. Charles H. Jordan, President of the Standing Conference of Voluntary Agencies working on behalf of refugees, and the High Commissioner, held its first session in March of this year. The Committee awarded the medal for 1.954 to Mrs. Franklin D. Roosevelt, both in recognition of her own great services to the cause of refugees and in commemoration of the outstanding initiatives taken by the late President Roosevelt. It awarded the medal for 1955 to Her Majesty Queen Juliana of the Netherlands, for her great personal interest in the cause of the refugees and the outstanding example offered under her leadership by the Dutch people in raising nearly a million dollars for the cause. Both candidates have been pleased to indicate their acceptance of the medal.

3. CHAPTER II - Legal aspects of international protection

3.1. A. International agreements

Convention relating to the Status of Refugees

21. Since the entry into force on 22 April, 1954 of the Convention relating to the Status of Refugees of 28 July, 1951, the following States Members of the Council of Europe have ratified the Convention : France, on 23 June, 1954; Sweden, on 26 October, 1954; and ftaly on 15 November, 1954. At the present time fourteen States are parties to the Convention : Australia, Austria, Belgium, Denmark, France, Federal Republic of Germany, fsrael, ftaly, Luxembourg, Monaco, Norway, Sweden, Switzerland and the United Kingdom. By a law of 6 July, 1954, the Government of the Saar was authorized to take the necessary steps for the accession of the Saar to the Convention. Ratification may be expected soon in the Netherlands.

22. It is encouraging that so many States have found it possible to ratify or accede to the Convention. There are, however, still a number of States which, although they have signed the Convention or have otherwise shown their interest in the refugee problem, have not yet ratified it. The Office of the U. N. H. C. R. is continuing its efforts to secure further ratifications or accessions.

23. Most of the Governments which have so far ratified or acceded to the Convention have made reservations, some of which, such as those of Italy and Sweden, arc substantial.

24. As stated in the last memorandum, some of the reservations made by Austria at the time of signature were amended by Parliament and consequently were not made at the time of ratification. It is hoped that other Governments will likewise see their way to withdraw or amend some of the reservations made.

Convention on Declaration of Death of Missing Persons

25. This Convention has been ratified so far by Belgium, China, Guatemala and Israel, and the procedure for accession to the Convention in the German Federal Republic and Italy is in an advanced stage. The Office of the U. N. H. C. R. continues to support the efforts of the International Bureau for the Declaration of Death of Missing Persons to secure accessions to this Convention, which is of particular importance for refugees, since it facilitates the efforts of refugees, whose relatives are missing, to regularize their personal status and their succession to the estates of the missing persons.

Convention relating to the Status of Stateless Persons

26. In accordance with a Resolution adopted by the. Economic and Social Council at its 17th Session, a Conference of Plenipotentiaries on the Status of Stateless Persons met in New York in September, 1954 to consider the draft Protocol relating to the Status of Stateless Persons which had been elaborated by the Ad Hoc Committee on Refugees and Stateless Persons in 1950.

27. The Conference decided to prepare an independent Convention dealing with the status of stateless persons rather than a protocol to the 1951 Convention relating to the Status of Refugees. The Convention was adopted by the Conference on 23 September and the Final Act signed on 28 September, 1954. The Convention is similar to that relating to the Status of Refugees, but some of the rights to be accorded to stateless persons are more limited than those accorded to refugees by the Convention relating to the Status of Refugees.

28. The Conference recommended that Contracting States should, when recognizing . a s valid the reasons for which a person has renounced the protection of the State of which he is a national, consider sympathetically the possibility of according to that person the treatment which the Convention accords to stateless persons, and that in cases where the State in whose territory a person resides has decided to accord such treatment other Contracting States should also accord him the treatment provided for by the Convention.

29. The Convention has so far been signed by twenty States. It will enter into force on the 90th day following the day of deposit of the sixth instrument of ratification or accession.

Elimination of Statelessness

30. The International Law Commission revised, at its 6th Session, the draft Conventions on the Elimination or Reduction of Statelessness in the light of the comments received from governments. A member of the Office of the U. N. H. C. R. assisted the Special Rapporteurs of the International Law Commission on this problem at their request. The General Assembly decided that a Conference of Plenipotentiaries should be convened for the consideration of the draft Conventions, as soon as at least twenty States had declared their willingness to take part in such a Conference.

International Tracing Service

31. An agreement has been reached for the transfer of the responsibility for the direction of the International Tracing Service in Arolsen to the International Committee of the Red Cross. An International Commission is to be set up to ensure co-ordination between the Governments of Belgium, France, German Federal Republic, Israel, Italy, Luxembourg, Netherlands, United Kingdom and United States on questions concerning the I. T. S., and the Office of the U. N. H. C. R. is to be i nvited to nominate a permanent observer in the Commission.

3.2. B. Admission and expulsion

Determination of Refugee Status

32. The procedure for determinating who is a refugee has become of particular importance with the entry into force of the Convention relating to the Status of Refugees, in view of the fact that it is necessary first lo decide that a particular refugee comes within the scope of the Convention before its benefits can be accorded to him.

33. The eligibility of refugees is determined by the UNHCR Branch Offices only in those countries where this has been requested by the Government concerned; in some other countries the Governments have requested the Office of the U. N. H. C. R. to participate in the work of bodies established for that purpose.

34. Thus, in Belgium and Luxembourg, the eligibility ol refugees is decided, at tho request of the Governments, by the Branch Office in Brussels and by the UNHCR Representative in Luxembourg respectively for the purposes of the Convention and the purposes of national law. In Belgium, the refugee

status of 2,012 persons was determined during 1954. Of these, 167 were rejected. Of the 1,845 refugees to whom the provisions of the Statute and the 1951 Convention may be applied, 342 came straight from their country of origin. Most of the others were already residing in Belgium, while some came from adjoining countries.

35. In Italy, a Joint Commission, consisting of representatives of the Italian Government and of the Office of the U. N. H. C. R. held 75 meetings during 1954, and examined 2,012 cases. 1,308 refugees were declared eligible and 129 ineligible ; 575 cases are in suspense. These figures do not include the refugees admitted to Trieste during the same year. Declaration of eligibility entails asylum in Italy.

36. In France refugee status is, according to a special Law of 25 July, 1952, determined by the French Office for the Protection of Refugees and Stateless Persons. There is a right of appeal to an Appeals Board of three members, one of whom is the UNHCR Representative in France, fn the course of 1954 10,000 refugees were determined by the Office for the Protection of Refugees and Stateless Persons to come within the mandate of the U. N. H. C. R., 700 of whom came straight from their countries of origin.

37. In Germany, the refugee status of persons who have entered Germany since 1 July, 1950 is, under the Asylum Ordinance of 6 January, 1953, determined by boards consisting of members appointed by the Minister of the Interior, at the Federal Reception Centre near Nuremberg. A resident representative of the UNHCR Branch Office in Germany attends the hearings of these boards. According to a new procedure refugees who entered Germany since 1 July, 1950 and whose residence has been authorized do not have to appear before the board, but can have their refugee status examined in writing. A procedure has also been established for refugees who enter the Federal Territory in Berlin. They are pre-screened in Berlin and, on the basis of this screening, their eligibility is determined by the boards at the Federal Reception Centre in Nuremberg without the need for personal appearance of the refugees. Members of the Recognition Boards at the Federal Reception Centre have recently been detached to Kaisers-lautern in order to examine the refugee status of persons who serve in auxiliary units of the Allied Forces in Germany and whose residence in Germany has not yet been authorized. Recognition of refugee status entails in Germany, according to the Asylum Ordinance, the granting of asylum, i.e. of an unlimited right of residence in Germany. Between 6 February, 1953 when this procedure was begun and 28 February, 1955, 5,668 applications for recognition as refugees have been received; at the end of February, 1955, 1,577 have been recognized as refugees and 1,044 have been rejected; 898 have been eliminated on other grounds, 2,255 were awaiting final decision, and 106 cases were pending before the Appeals Board.

38. No specific procedure for the determination of refugee status yet exists in Austria. Since the 1951 Convention relating to the Status of Refugees has entered into force in Austria, it is important that a procedure, by which the question of refugee status shall be decided ultimately by a central authority, be established in Austria. According to the regulations at present in force, different officials decide ad hoc on the refugee character of the person concerned, for the purpose of the application of specific provisions of the Convention to him, without relation to the Convention as a whole and without there being the possibility of an appeal to a central authority.

39. The Government of the Netherlands has requested that the function of determining refugee status be performed by the Office of the U. N. H. C. R., the costs being borne by the Netherlands Government.

Problem of Illegal Entrants

40. A distinction has to be made between persons who come directly from their countries of origin and refugees coming from a country where they had already been granted asylum. A specific problem exists as regards refugees who have entered countries of second asylum illegally or who have remained there after their residence permits have expired. This problem is particularly acute in Germany Avhere the number of such persons is comparatively high. Since, under the Asylum Ordinance of 6 January, 1953, recognition of refugee status entails the granting of permanent asylum in Germany, these persons are not recognized as refugees.

Legal Obstacles to admissioji in Countries of Resettlement

41. A difficul t problem exists for refugees who have been convicted for offences, in that they are excluded from admission by certain immigration countries, on the grounds of moral turpitude. An important amendment to the law in the United States has been enacted by Public Law No. 770 of 1 September, 1954, which will facilitate the admission of refugees to the States who hitherto could not be admitted because they had committed minor offences.

Expulsion

42. In accordance with the provisions of the Convention, a special procedure for the expulsion of refugees has been set up in some countries. Refugees affected by expulsion measures in France can, under the special law of 25 July, 1952, apply to an Appeals Board which makes recommendations to the Ministry of the Interior as to the measure imposed. The Appeals Board has decided that its competence in this matter extends, not only to expulsion orders, but also to measures imposed on refugees in place of expulsion, such as forced residence, or restriction of movement. As a result of appeals, a number of such measures taken against individual refugees have been revoked or " commuted by the administrative authorities.

43. In Luxembourg, where no special procedure in expulsion cases was in force, a decree has been issued, according to which the UNHCR Representative in Luxembourg is to be heard in expulsion proceedings against refugees and the decision must be made in each case by the Government-in-Council, after a formal hearing.

44. In Germany, instructions have been issued by the Ministers of the Interior of Bavaria and Hesse to the effect that, as a rule, no expulsion orders are to be made against refugees who have served prison sentences, after their release.

45. In Austria, refugees, like other aliens, no longer need residence permits under the provisions of the newly enacted Aliens Police Law. The Law provides, however, for the imposition of a domiciliary ban for the whole or parts of the territory in certain cases. The effect of this measure on refugees, who by the mere fact of being refugees cannot be expelled to another country, is the subject of discussions with the Austrian authorities. Since such a domiciliary ban for the whole territory of Austria is equivalent to expulsion which, according to the 1951 Convention, may be ordered only on certain conditions, it is hoped that with the entry into force of the Convention, this problem will be solved in Austria.

3.3. C. Rights of refugees in their countries of residence

46. In Germany, the replacement of the Contractual Agreements with Germany by the Agreements adopted in Paris in October, 1954 has also entailed amendments of the provisions relating to refugees which were contained in Chapter VII of the Agreement for the Settlement of Questions arising out of the War and the Occupation between the Allied Powers and the Federal German Republic. Under the Paris Agreements the provisions of Chapter VII, in so far as they have not yet been implemented by the Federal German Government, are replaced by an Exchange of Letters which will maintain the substance of these provisions.

Right to Work

47. Among the rights of refugees in their countries of residence the right to work is of particular importance. The 1951 Convention relating to the status of refugees provides that refugees shall be granted most favourable treatment as regards their right to engage in wage-earning employment, but that restrictive measures imposed on aliens or the employment of aliens for the protection of the national labour market shall not be applied to a refugee who was already exempt from them at the date of entry into force of the Convention, or who has been resident for three years in the country, or who has a spouse or one or more children possessing the nationality of the country of residence. Some countries which have acceded to the Convention have made reservations on this provision. Nevertheless, some progress has been achieved as regards refugees' right of access to the labour market.

48. In Belgium, Category B work permits, which are at present issued to refugees who do not meet the conditions of Article 17, paragraph 2 of the Convention, restrict the refugee to employment with one particular employer. At the request of the representative of the U. N. H. C. R., the competent authorities will consider the possibility of introducing a new type of work permit which, limited though it will be to a given profession, will be valid for employment with any employer within that profession.

49. In France, the Government declared, at the time of ratification of the Convention, that the relevant article in no way prevented the application of the laws and regulations establishing the proportion of alien workers that employers are authorized to employ in France, or affected the obligations of such employers in connection

with the employment of alien workers. The French Minister of Labour has issued a circular in which it is stated that, with the coming into force of the Convention in France, refugees who fulfil the conditions of Article 17, paragraph 2 of the Convention, i.e. in particular refugees who have resided in France for three years, are automatically entitled to the " Carte permanente pour toutes professions salariées " (Permanent Work Permit for Wage-Earning Employment) which entitles the holder to seek employment without restriction. This permit had been available before only to privileged residents who had completed ten years of uninterrupted residence in France. The circular states further that, where the application of the Law of 10 August, 1932, which gives the possibility of fixing quotas for the employment of aliens, would lead to the dismissal of refugees they should be given priority in being placed in other employment. The coming into force of the Convention constitutes, therefore, an important improvement in the situation of refugees as regards their right to employment in France.

50. In Switzerland, the Government, at the time of ratification, made a reservation to the effect that refugees, as regards salaried employment, should be assimilated to other aliens in general. It has, however, been stated that the competent authorities will make every possible effort to apply the provisions of Article 17 to refugees.

51. In Germany, refugees who entered Germany before 1 July, 1951 are assimilated to German nationals as regards their right to work under the Homeless Aliens Law. In respect of other non-German refugees, the provisions of the Convention relating to the Status . of Refugees apply. A decree was, however, issued on 8 October, 1954 according to which such refugees may, without investigation of the existence of the conditions laid down in Article 17, paragraph 2 of the Convention, obtain a certificate of exemption by virtue of which they are equally assimilated to German nationals and exempt from the requirement of a work permit.

52. In Austria, refugees of German ethnic origin had already been assimilated to Austrian nationals as regards salaried employment, but foreign refugees required a work permit. Although Article 17 of the Convention has been accepted by Austria only as a recommendation, the Austrian Minister for Social Administration issued, on 19 November, 1954, a decree providing for the exemption of foreign refugees who entered Austria before 1 February, 1952 from the provisions concerning foreign labour, on obtaining a certificate of exemption; they are consequently assimilated to Austrian nationals and do not need work permits for salaried employment.

Housing

53. A Housing Promotion Law was enacted in Austria on 7 July, 1954, under the provisions of which a quarter of the funds appropriated are to be used for the construction of permanent housing for persons living in barracks. In view of the high proportion living in these conditions, the application of this law should be of particular benefit to refugees.

54. By a decision of the German Ministry of the Interior, taken in March, 1955, eligibility for housing loans by the Expellee Bank, for which so far only homeless foreigners within the meaning of the Homeless Foreigners Law of 25 April, 1951 had been eligible, was extended 'to all recognized refugees.

Education

55. A law concerning the equivalence of diplomas of political refugees is under consideration in Belgium. According to existing law foreign students cannot obtain diplomas having legal validity at the end of their studies; they can obtain an academic diploma only, which does not authorize them to practise their professions. The law under consideration provides that refugee students of medicine, pharmacy and dentistry shall obtain diplomas with legal validity after undergoing a test by the Central Jury for the Conferment of Academic Degrees.

Public Assistance

56. The Austrian Ministry of the Interior has decreed that in future the public assistance allowances made to refugees in federal camps will be equal to the public assistance allowances granted to persons living outside camps in the province in which the camp is situated. This measure will in certain cases result in an increase of allowances for refugees.

Social Security

57. An agreement concerning social security between Germany and Austria provides that refugees of German ethnic origin who had acquired social security rights in their countries of origin will be entitled to social security benefits according to Austrian law. Refugees of German ethnic origin who had been in the process of acquiring such rights in their countries of origin may acquire corresponding rights under Austrian social security legislation by continuing to pay contributions.

58. Under an earlier Agreement between the Federal Republic of Germany and Austria the question of civil service pensions of refugees of German ethnic origin was regulated; a second Agreement regulates the question of the social security rights of private employees.

Naturalization

59. An Austrian law providing for the acquisition of Austrian nationality by refugees of German ethnic origin by option, enacted on 2 June, 1954, provides that refugees of German ethnic origin who established their residence in Austria between 1 January, 1944 and 31 December, 1949 and have maintained their residence since 1 January, 1950 may acquire Austrian nationality by declaration. Up to 1 February, 1955 a total of 4,302 refugees of German ethnic origin had acquired Austrian nationality under that law.

3.4. D. Travel documents

60. The travel documents provided for by the Convention on the Status of Refugees, are at present issued in Belgium, France, the German Federal Republic, Italy, Luxembourg, Norway, Sweden and the United Kingdom. In Belgium, France, Luxembourg, the German Federal Republic and Sweden, the document is in conformity with the specimen prepared by the Office of the U. N. H. C. R., the colour of which is that of the United Nations emblem. In order to ensure recognition by countries which are not parties to the Convention of the new travel document issued according to the Convention, specimen copies of the travel documents issued by individual countries are sent to the Governments of countries which have signed the Convention, those which are parties to the London Agreement of 15 October, 1946 or which have undertaken to recognize the document issued under that Agreement. No difficulties have been encountered as regards the recognition of the new travel document and the Governments of Ceylon, China, Colombia, Dominican Republic, Haiti, Honduras, Lichtenstein, Portugal and Venezuela have officially declared that they will recognize travel documents issued in accordance with the Convention by the parties thereto.

61. In the Netherlands, the government . has decided to extend to three years the validity of the travel document issued to refugees.

62. In Germany, difficulties arose from the fact that the affidavit in lieu of passport issued in the United States was not recognized as a passport- type document within the meaning of the Passport Law, for the purpose of affixing visas. The difficulty was overcome by instructions according to which the return visa given to refugee immigrants in the United States who travel on affidavits in lieu of passports is to be accepted as a substitute for a passport for visa purposes.

63. While, at present, refugees are as a rule in a position to obtain travel documents, their freedom of movement is nevertheless restricted by the fact that they frequently encounter difficulties in obtaining visas. For nationals the visa requirement has been abolished between most European countries on a reciprocal basis, but refugees still need visas. Frequently visa applications of refugees have to be referred by consuls to the central authorities, which causes delay, and the fees levied on the issuance of visas are sometimes considerable. The decision of the Governments of the countries belonging to the Benelux Union to waive the visa requirements for refugees who hold travel documents issued under the London Agreement or the 1951 Convention by one of the Member Governments of the Union, for the purpose of travel to other countries of the Union for a temporary stay, is greatly welcomed. A letter has been addressed to the Secretary-General of the Council of Europe suggesting that the competent organs of the Council should consider further measures for the facilitation of travel of refugees between Member States.

3.5. E. Special problems of legal protection

Indemnification of Victims of Nazi Persecution

64. The German Federal Supplementary Law for Idemnification of Nazi Victims of 18 September, 1953 is now being implemented by the competent German authorities. Some of its provisions are still considered as unsatisfactory and consultations concerning an amendment have taken place between Allied and German experts. A special committee has been set up by the German Parliament in order to consider the question of an amendment of the Law.

65. Under a special provision of the Federal Indemnification Law political refugees and stateless persons may claim indemnification for loss of liberty and damage to health, even if they do not fulfil the residence conditions generally required for compensation. Agreement has been reached between the Office of the U. N. H. C. R. and the competent German authorities as to the methods of proof of refugee status and the assistance which the Office will give to the competent authorities in ascertaining the refugee status of claimants.

Transfer of Assets

66. The gradual relaxation of currency restrictions is of particular benefit to refugees who, owing to their frequent displacement, are especially affected by such restrictions. In Germany the transfer of indemnification payments has now been authorized without special licence. Instructions have been issued as to the conditions on which social security payments may be transferred to refugees resident abroad. Further efforts are being made in order to obtain the release of assets of refugees which are blocked as enemy assets on the grounds of their nationality.

Refugee Seamen

67. The enquiry carried out by the Netherlands authorities at the request of the UNHCR Branch Office into the documentation of refugee seamen serving on ships docking in Netherlands ports showed that, out of 550 refugees, only 220 possessed documents enabling them to return to the country to which the ship on which they were serving belonged; 124 were entitled to return to some other country; 59 of the remaining 206 refugee seamen held travel documents which had either expired or were not valid for return to the issuing country; the remaining 147 did not possess any valid travel documents.

68. This survey shows the precarious position in which many refugee seamen find themselves. In the absence of a general solution to this problem the Office of the U. N. II. C. R. and its Branch Offices are frequently approached by individual refugee seamen, and many cases have been solved thanks to the co-operation of the authorities concerned. The suggestion has been made in various quarters that individual countries should accept a share of refugee seamen for residence in their countries. While such a measure would be very helpful in solving the problem of refugee seamen, whose situation is at present precarious, there is also a need for a general regularization of the conditions of issuance of travel documents to refugee seamen and their right to land, in accordance with the recommendations contained in Article 11 of the Convention.

69. The Office continues its efforts, in consultation with the International Labour Organisation, for the promotion of international measures to solve this problem.

4. CHAPTER III - Emergency aid, including difficult cases

Introduction

70. A statement given in paragraph 83 shows the contributions received as at 31 December, 1954 from Governments and other sources in response to the appeal made under Resolution 538 B (Vf) authorizing the High Commissioner to issue an appeal for funds for the purpose of enabling emergency aid to be given to the most needy groups among the refugees within the mandate of his Office. Details are also given in this statement of the amounts expended, leaving a balance of $238,530,99 carried forward to the combined United Nations Refugee Fund as at 1 January, 1955. During the period in which the United Nations Refugee Emergency Fund was operated (1 March, 1952-31 December, 1954), a total of approximately $927,600 was used for refugees of European origin in China and 8290,000 for emergency aid (including placement of difficult cases) in other countries.

Refugees of European origin in China

71. During the last twelve months the major part of the contributions received for emergency aid was spent on help to destitute refugees of European origin in China and on the placement in European countries of the difficult cases from China and elsewhere.

72. The Intergovernmental Committee for European Migration (I. C. E. M.) and the Office of the U. N. H. C. R. have continued the joint operation on behalf of refugees of European origin in China, which was begun on 1 February, 1952 following the termination of operations of the International Refugee Organization. As explained in previous reports, the Office is responsible for administration of the United Nations Refugee Office in Shanghai, while the I. C. E. M. administers an office in Hong Kong headed by the Joint Special Representative of the Committee and of the Office of the U. N. H. C. R.

73. At the beginning of the joint operation, the Office in Shanghai continued to give monthly cash grants amounting to about $ 10 per capita to approximately 2,000 refugees registered by I. R. 0. Since that date, the number of refugees receiving monthly cash grants has decreased steadily owing to departures for resettlement, as can be seen from the following table :

1 February, 1952 - 1,955

31 December, 1952 - 1,387

31 December, 1953 - 894

31 December, 1954 - 575

31 March, 1955 - 529

74. The total caseload of refugees registered with Voluntary Agencies is approximately 14,000, some 1,300 of whom are receiving financial assistance from two voluntary agencies. Owing to lack of funds, however, these agencies are unable to maintain this assistance in full, in particular for 700 aged and destitute refugees living in the Harbin area. For this reason, in the estimates submitted to the UNREF Executive Committee for the continuation of the operation, an item of 850,400 has been included to cover the cost of the maintenance of these refugees, at 86 per capita per month, during 1955.

75. The Office in Shanghai also maintains an Emergency Staging Centre which houses at present 50 persons. They are the last of a group of refugees moved to Shanghai in 1949 by the International Refugee Organization, for evacuation to the Philippines, and who were stranded when the vessel scheduled to evacuate them was refused permission to enter Shanghai. Approximately 30 of the residents of this Centre need to be placed in an institution and are being given priority by the Office of the U. N. H. C. R. in all negotiations with Governments for the admission of difficult cases. It is hoped that this Centre can shortly be closed down. There are, in addition, approximately 40 tubercular, mental and chronically sick refugees at present hospitalized in Shanghai at the expense of U. N. R. E. F.

76. From the beginning of the joint operation on 1 February 1952 up to 31 March 1955, a total of 5,915 refugees were resettled, mainly in Australia, Brazil, Canada, Greece, fsrael, Paraguay, Turkey and the United States, with funds provided by f. C. E. M., which undertakes the transporting of refugee migrants through the Joint Special Representative in Hong Kong. Despite numerous difficulties, including the suspension of the Brazilian programme during the latter part of 1954 and delays in the issue of exit permits from China, a total of 1,207 refugees were resettled during the period 1 April, 1954-31 March, 1955.

77. Among the 14,000 refugees remaining in China, over 6,000 have visas or promises of visas and are in varying stages of processing for resettlement. Many are detained pending delivery of exit permits by the Chinese authorities.

78. The sum of $235,000 allocated to the Office of the U. N. H. C. R. by the I. R. 0. was exhausted on 1 November, 1952 and since that date the costs of the UNHCR share of the joint operation, which amounted to a total of $930,765 on 31 December, 1954 have been borne by U. N. R. E. F. This financial burden has been a first charge on all contributions made to the Refugee Emergency Fund. In the Plan of Operations (Document A/AC.79/3), submitted to the UNREF. Executive Committee at its first session, it was estimated that expenditure for the China operation would amount to 8321,000 for 1955. It has now been possible to reduce this estimate by $20,000, which represents an expected reimbursement from the United States Escapee Program at the rate of $50 per capita towards the maintenance costs in 1955 of 400 refugees in transit in Hong Kong pending their resettlement.

79. The following is an analysis of the estimates for 1955 covering the UNHRC share of the joint operation for European refugees in China :

(a) Shanghai

Emergency assistance to an average of 400 refugees registered by UNHCR Shanghai Office, at $3,840 monthly - $46,000

A further 700 non-registered refugees previously assisted by voluntary agencies at an average monthly cost of $4,200 - $50,400

Medical expenses, hospitalization costs and medical processing - $32,600 Administrative costs, Shanghai Office - $72,000

(b) Hong Kong

Maintenance of an average of 200 refugees in transit in Hong Kong pending resettlement at an average monthly cost of S10,000 - $120,000

Less reimbursement by U. S. E. P. for the maintenance of 400 refugees at 850 per capita - $20,000

$100,000

$301,000

Emergency Aid in various countries - (other than China)

80. An amount of 8290,000 was spent during the period 1 March, 1952-31 December, 1954 for placement in Belgium, France, Sweden and Switzerland of difficult cases including refugees of European origin from China ($56,000), and for supplying emergency aid, principally in the following countries :

a. Austria—for relief to the refugee victims of the floods, maintenance of refugee students, extension of hospital facilities for tubercular refugees, provision of medical supplies, and small grants to welfare cases for food and fuel ($39,958) ;

b. Egypt—for food, medical supplies, clothing, fuel and lodging for destitute refugees ($288);

c. France—(with a contribution restricted to that country), for improvements to a home for Russian refugee orphans and for grants and loans to needy refugees, including a group of Spanish refugees ($37,551) ;

d. German Federal Republic—for relief for needy refugees, maintenance of refugee students, and assistance for a hospital for mentally deficient refugee children ($20,499) ;

e. Greece—for supplementary feeding and relief to destitute refugees and for hospitalization and medical care ($29,890) ;

f. Iran—for supplementary feeding, clothing, medical care, fuel and lodging, and assistance to aged refugees ($15,662);

g. Italy—for assistance and for a medical insurance plan for indigent refugees living out-of-camp, and supplementary food for tubercular refugees in Trieste camps ($42,668) ;

h. Jordan, Lebanon and Syria—for supplementary feeding, clothing, medical care and lodging ($28,082) ; and

i. Turkey—for maintenance of a group of destitute Bulgarian refugees and for medical and dental aid ($16,447).

81. In addition, small sums were disbursed for emergency aid to refugees from imprest accounts which were maintained at Headquarters Geneva and by Branch Offices in the following countries : Austria, Belgium, Egypt, German Federal Republic and Greece.

82. In all cases assistance was given through voluntary agencies working for refugees in the countries concerned.

83. Status of the United Nations Refugee Emergency Fund

1 March , 1952—31 December 1954

A. Receipts - $1,487,112.53

B. Expenditures - 1,248,581.54

Surplus (carried forward to the United Nations Refugee Fund established by General Assembly Resolution 832 (IX). - $ 238,530.99

A. Receipts

Governments - $1,066,744.27

International Refugee Organization - 246,698.49

Private sources - 159,227.50

Interest on Investments - 14,442.27

$1,487,112.53

B. Expenditures

Cost of operation for refugees of European origin in China - $719,344.48

Net payments to I.C.E.M. in respect of Shanghai refugees in transit at Hong Kong. - 208,298.18

Cash grants to voluntary agencies and others - 290,076.79

Administrative expenses of Geneva Headquart - 30,862.09

$1,248,581,54

New combined Fund

84. In Resolution 832 (IX) authorizing the High Commissioner to undertake a programme to achieve permanent solutions for the problems of the refugees within his mandate (sec Ch. IV, Section C below) the General Assembly requested the Negotiating Committee for Extra-Budgetary Funds to negotiate with the Governments of Member and non-Member States for voluntary contributions towards a combined fund to be devoted principally to the promotion of permanent solutions and also to permit emergency aid to the most needy cases, and it specified that the fund should incorporate the fund authorized in Resolution 538 B (VI). Consequently, the United Nations Refugee Emergency Fund was merged with the United Nations Refugee Fund (U. N. R. E. F.) with effect from 1 January, 1955.

Estimates for 1955 for Emergency Aid

85. The Advisory Committee, which at its fifth session determined the target for the combined Fund for 1955, fixed the provisional target for emergency aid for that year at $1,000,000 and recommended that as far as possible emergency aid should be granted in such a way as to contribute to the achievement of permanent solutions.

86. In the Plan of Operations (document A/AC.79/3), subsequently presented to the Executive Committee at its first session, projects were submitted up to the specified total, including provision for the continuation of the operation on behalf of European refugees in China ($301,000), the placement and assistance of difficult cases ($594,000), and emergency aid (mainly supplementary feeding and medical assistance) in Greece ($25,000), Italy ($21,000), Syria, Lebanon and Jordan ($18,000), Iran ($12,000), Egypt ($10,000) and Turkey ($9,000). It was pointed out, however, that those projects did not represent the total emergency needs of the refugees within the mandate, as the fixing of the target at $1,000,000 made it necessary to omit any projects for emergency needs in Central Europe and also necessitated a severe reduction in the allocations for Greece and Italy.

Difficult cases - Present Situation

87. Since its inception the Office of the U. N. H. C. R. has had to face the problem of a steadily increasing number of identifiable difficult cases among the refugees who are within its mandate and for whom no placement opportunities have been found. These refugees who, for reasons of age or health, do not qualify for normal resettlement, are in need of either placement in institutions or other special care.

88. In the last report to the Council of Europe reference was made to the number of identifiable difficult cases of persons who required institutional or special care (then totalling approximately 13,000). Since that time, a survey of difficult cases in Austria has been completed; it shows an additional number of approximately 2,000 persons. This number, together with the new cases which have come to light in China and Italy, brings the total number of identifiable difficult cases of refugees requiring institutional or special care to at least 15,500.

89. One of the salient developments in the period under review has been the receipt of a grant of 8200,000 from the Netherlands Government and of part of the proceeds of the National Campaign for Refugees in the Netherlands destined to find solutions for difficult cases located in Europe. .These contributions will enable the

Office of the U. N. H. C. R. to extend financial assistance to difficult cases, in Austria, Italy, Greece and Turkey, as well as to those in China, to which priority has been given so far in view of the special conditions prevailing in that area.

90. As action is extended to other areas a new approach to the problem has become necessary, such as local placement in institutions in countries where this is possible or provision for life insurance where placement in institutions is unsuitable.

91. Considerable headway has been made during tho period May, 1954 to May, 1955 in investigating the position of difficult cases in various areas and finding solutions to this problem. It is clear that a number of possible solutions, involving expenditure in excess of the funds at present at the disposal of the High Commissioner, may be applied when more funds become available.

92. It must be emphasized that the work so far accomplished solves only a small part of the problem and that the final solution depends largely on the availability of adequate funds.

China

93. The country in which the increase in the number of known difficult cases requiring placement had the most severe repercussions was China, where many hundred of cases, registered with the voluntary agencies, were added to the UNHCR caseload. In addition to the 196 (including 58 dependants) UNHCR registered cases for whom no placement is so far available, which include a noticeable number of new tubercular cases, there is an estimated voluntary agency caseload of 800 difficult cases. The voluntary agency cases whose eligibility has so far been checked by the Representative of the U. N. H. C. R. in Hong Kong number 670 (including 126 dependants) and further cases are under examination at present.

94. Close co-operation has been established with the voluntary agencies in search for placement possibilities and the best possible use of them.

95. As local solutions are not possible for difficult cases in China, efforts have been directed towards placement in institutions in Europe. Renewed approaches were made to some European Governments and resulted in the acceptance of a further 71 difficult cases, in particular in Belgium, France, Sweden and Switzerland. At the time of writing this report, the total number of difficult cases from China for whom placement has been found in Europe through the efforts of the Office of the U. N. H. C. R. is 376 (including 32 dependants). These refugees were accepted for placement in homes in Belgium, Denmark, France, Ireland, the Netherlands, Norway, Portugal, Spain, Sweden and Switzerland.

96. One of the main difficulties of the High Commissioner during the period under review was the lack of funds for grants for aged and sick refugees who might have been placed in European institutions. This shortage of funds has slowed down the pace of placement of difficult cases from China.

97. Another factor which retarded the solution of the problem was the shortage of placement possibilities for the chronically sick and mental cases. The majority of vacancies which were made available to refugees were in homes for the aged which did not have the required medical and nursing facilities to accept chronically sick or physically handicapped cases requiring constant attention.

98. As regards mental cases, it became evident that the mental asylums in most European countries were full and that therefore no vacancies could be offered to refugees. The only two countries which were able to accept a number of mental cases were Denmark and the Netherlands.

99. Solutions will still need to be found for the problems of refugees in the 50-65 age group who, altough not sufficiently old for placement in institutions, have, nevertheless, very restricted possibilities of emigrating under normal resettlement schemes.

Austria

100. The results of the survey on difficult cases prepared in 1954 revealed approximately 3,500 identifiable cases in Austria requiring institutional care and many thousands more requiring some special care. Priority was given by the High Commissioner to finding solutions for the first group and contacts were established with the Austrian Government and the main voluntary agencies to this effect.

101. Local placement possibilities were investigated and several schemes started with the help of funds from the Netherlands Government grant for difficult cases and the proceeds of the Netherlands National Campaign. While giving priority to local placement, possibilities for settlement outside of Austria had to be sought as well,

the large number of difficult cases in Austria precluding their total absorption by this country. Those projects will enable over 350 difficult cases to be placed. Of these, 72 aged refugees from Austria have already found asylum in homes for aged in Belgium.

102. Apart from several hundred TB cases requiring institutional care there are some 2,000 TB cases needing out-patient treatment and 3,000 closed TB cases in need of medical care or supervision. This problem is of particular concern to the Office of the U. N. H. C. R, and efforts are being made to assist, in the first instance, those cases in need of care. Thus, the Office has contributed financially to a project, sponsored by the Austrian Ministry of the Interior, for the improvement of conditions in the existing Federal sanatorium for TB cases at Thalham and the construction of a new wing which will allow 50 additional TB cases at a time to receive institutional care.

103. It is satisfactory to be able to report the interest shown by the Governments of Sweden and Denmark and by the Danish Red Cross in the problem of tubercular cases which, it is hoped, will result in solutions being found for more of them.

Italy

104. While the census of difficult cases in Italy is still proceeding, there are, according to present estimates by the Italian authorities, approximately 1,000 difficult cases in that country.

105. Investigations carried out in Italy by the Office of the U. N. H. C. R. have shown that placement in institutions, adopted in some other countries, is not suited to the local conditions. Possibilities for such placement within Italy are scarce, and as a rule refugees, being anxious to continue to live in private quarters, are unwilling to be placed in institutions in other countries. While using local placement and resettlement possibilities to a limited extent, other solutions had therefore to be sought.

106. A group insurance system was devised to provide the beneficiaries with a monthly pension until their death, against a single payment to an insurance company. A standard payment of $1,500 per person will allow both the younger and the older refugees to receive the same monthly amount of 10,000 lire. This insurance scheme will be applied to a first group of 125 refugees living outside camps, whose means are insufficient for them to subsist but who could fend for themselves if they received permanent assistance to cover their minimum needs. It will be financed jointly by the Office of the U. N. H. C. R., U. S. E. P. and the main voluntary agencies, each of these organisations participating in the insurance for candidates who are within their caseload.

107. Plans have also been made to apply the insurance scheme to a second group of refugees at present residing in camps. The projects were set up within the framework of the programme for the dissolution of camps and will have the financial participation of the " Ammi-nistrazione Aiuti Internazionale ". The refugees to benefit by this scheme will be provided with a monthly pension enabling them to reestablish themselves outside camps. Since these refugees will be fully dependent on their pension for their upkeep, they will receive a larger sum than the first group (15,000 lire per month against a lump sum payment of 82,400). Projects to benefit 45 aged refugees belonging to this group have been set up to date with the financial participation of U. S. E. P. and voluntary agencies.

108. In addition, it should be mentioned that the Intergovernmental Committee for European Migration has continued its efforts to find placement for difficult cases from Trieste with the help of the special fund of 81,000,000 made available to it for this purpose. It is expected that the majority of difficult cases in Trieste will be resettled and that only a limited number of incurable TB cases with a short-life expectancy will have to remain in Italy.

Greece

109. Information available indicates that there are in Greece 721 identifiable difficult cases, with 207 dependants.

110. As in Italy, these refugees, who have lived in Greece for many years and have frequently set up closely-knit communities, show a disinclination to be uprooted. It was therefore necessary to seek local solutions and possibilities of placement in local institutions have been investigated. Since existing facilities are scarce, plans had to be made to build new homes with the help of UNREF funds and, in exchange, to secure guarantees of permanent care and maintenance from local sources. These were provided by the Greek Orthodox and Russian Orthodox Churches and voluntary agencies.

111. In addition plans have been made to provide a few aged refugees with a group life insurance on the lines of the Italian scheme, with the participation of U. S. E. P. and a voluntary agency. If it becomes possible to carry out all the projects at present under examination, solutions will have been found for 285 difficult cases in Greece.

Turkey

112. Information available at present indicates that there are in Turkey 117 identifiable difficult cases with 36 dependants.

113. As in Italy and Greece, local solutions had to he sought and a programme has been worked out including placement in institutions and a pension scheme. With the participation of U. S. E. P. and the Red Crescent Society, a home to provide accommodation for 30 aged refugees is to be established at Bursa near Smyrna. The UNHCR share in this project will be financed out of the Netherlands Government contribution. In addition, U. S. E. P. have agreed to participate in a pension scheme to benefit another 30 refugees. This project will be carried out when the necessary funds become available.

Near and Middle East

114. A partial investigation has revealed the presence of 240 (plus 13 dependants) identifiable difficult cases in the Near and Middle East, i.e. in the Lebanon (15 difficult cases, plus 1 dependant), Jordan (27 difficult cases, plus 3 dependants), Syria (16 difficult cases, plus 4 dependants) , Iran (96 difficult cases, plus 5 dependants) , Egypt (86 difficult cases, number of dependants unknown).

Iran

115. Local solutions for difficult cases in Iran being limited, a twofold programme comprising local placement and resettlement in European homes had to be envisaged to solve the problem of the difficult cases in tbat country. A first step towards such a solution was made through the establishment by the World Council of Churches, with the financial participation of U. N. R. E. F., of a home for the aged in Teheran in which 23 aged refugees have found asylum, fn addition, six aged refugees were resettled in a home for aged refugees set up in Cannes (France).

Jordan, Lebanon, Syria

116. No possibilities for placement in local institutions appear to be available for refugees in these countries and efforts must therefore be directed towards their placement in institutions abroad. Six aged refugees from these countries have already found asylum in the home for aged refugees at Cannes (France).

Egypt

117. The establishment of a UNHCR Branch Office in Cairo has enabled first-hand information to be secured on the scope and characteristics of the difficult cases problem in Egypt. The Office of the U. N. H. C. R. is endeavouring to find solutions for most of the cases known at present. At the time of writing, negotiations are under way for the establishment of a home for 30 aged refugees, with the help of UNREF funds. The possibility of applying the pension scheme to some Near and Middle Eastern countries is also being investigated.

5. CHAPTER IV - Permanent solutions

5.1. A. Repatriation and resettlement

Repatriation

118. No response has been elicited by the numerous appeals addressed by the Office of the High Commissioner to the consular representatives of certain countries of origin of refugees. Despite these difficulties, the Office continues its efforts to facilitate the repatriation of any refugee who asks for assistance in this respect,

Resettlement—General

119. In accordance with Article 8 (d) of its Statute, the Office of the U. N. H. C. R. is responsible for promoting the admission of refugees to the territories of States and has constantly taken every opportunity through negotiations with Governments and intergovernmental organizations to ensure that refugees are given a fair share of all resettlement possibilities.

120. The Office has continued its close cooperation with the Intergovernmental Committee for European Migration on all matters connected with the overseas resettlement of refugees, and, in particular, under the joint operation on behalf of European refugees in China. During the year 1954, the I. C. E. M. assisted in the resettlement of 16,224 refugees within the High Commissioner's mandate.

121. In the operational plan of I. C. E. M. for 1955, provision is made for the movement of 142,165 migrants, of whom it is estimated that up to a maximum of 25,000 would be within the mandate of the High Commissioner. This figure is based on an anticipated increase in movements to the United States under the Refugee Relief Act.

122. The Office has also continued to work in close co-operation with the United States Escapee Programme which, since the beginning of its operations, has registered over 35,000 escapees, of whom some 15,672 had been resettled as at 28 February, 1955.

Intra-European resettlement

123. Mention should be made of various intra-European resettlement programmes in which the Office of the U. N. H. C. R. is playing a major part.

124. The United Kingdom Government announced towards the end of 1953 that it would complete the " Two Thousand " Scheme originally introduced in April, 1950 and under which there remained 700 vacancies. It was agreed that these 700 vacancies should be allotted to refugees under the mandate in Austria, Germany and Trieste (Italy was subsequently included), under sponsorships provided by the Czech Refugee Trust Fund (300), the British Council for Aid to Refugees (350) and the Board of Deputies for British Jews (50). The Branch Office in London and the British Council for Aid to Refugees were given the task of co-ordinating the work of finding sponsors, preparing lists of candidates for submission to the Home Office and arranging for reception and placement of refugee migrants. The Intergovernmental Committee for European Migration generously agreed to accept responsibility for processing and transporting to the United Kingdom. The first United Kingdom Selection Mission which visited Europe in the autumn of 1954 finally selected 178 refugees and other Selection Missions will follow until the total of 700 has been reached.

125. Owing to the liberal selection criteria, this scheme should prove of great benefit to thoses refugees falling into the intermediate category of persons who cannot qualify under strictly labour schemes and who at the same time are capable of becoming independently established in a new country. It is hoped that sufficient sponsorships can be found in the United Kingdom so that the total number of refugees can be admitted.

126. The Netherlands Government, in a gesture of appreciation for the help received when their country was struck by the disastrous floods in February, 1953, agreed early this 'year to admit 250 refugee families from camps in Austria, Greece, Italy and Trieste. The families to be selected must include one skilled or semi-skilled worker in the building trade. On arrival in the Netherlands, families will be placed in centres in which they will receive some occupational training, language instruction and general orientation after which they will be given newly built homes offered by certain Dutch communities. The selection criteria are exceptionally liberal and even families with sick members can be admitted.

127. The Intergovernmental Committee for European Migration has agreed to undertake processing, presentation to the Netherlands, selection mission and transportation to the Netherlands frontier.

128. The Government of Luxembourg, in response to an appeal made by the Office of the High Commissioner and by the Intergovernmental Committee for European Migration, agreed early in 1955 to accept a group of 50 refugee agricultural workers who had been living in camps in Trieste. These refugees, agricultural labourers and domestics, between the ages of 16 and 40, were recruited and transported to Luxembourg, where the last members of the group arrived at the end of April, 1955.

129. The Swedish Government is envisaging the possibility of admitting 200 refugee families to Sweden under a scheme following the lines of that prepared in the Netherlands which is described above.

Resettlement in the United States

130. During the period 1 February, 1952— 31 December, 1954, 27,764 refugees within the mandate have been transported to the United States by the Intergovernmental Committee for European Migration broken down by calendar years as follows :

1952 — 17,280

1953 — 5,169

1954 — 5,315

131. The Refugee Relief Act 1953 (Public Law 203) provides inter alia for the admission to the United States of the following quotas, which include refugees within the mandate of the High Commissioner :

(a) Escapees in Germany and Austria - 35,000

(b) Refugees of Greek ethnic origin. - 15,000

(c) Escapees in NATO countries - 10,000

(d) Polish veterans in Great Britain - 2,000

(e) European refugees in the Far East. - 2,000

132. It is difficult to foresee how many refugees within the mandate will obtain visas under the Refugee Relief Act. The following factors will need to be taken into account in any assessment of this operation :

a. On 1 April, 1955, a total of 24,217 visas had been issued, of which the majority were for close relatives. 1 Of the remainder, a small number were granted to refugees within the mandate.

b. The quota for escapees in Germany and Austria also covers Germans and Austrians from the Soviet Zones and it is consequently difficult to ascertain with any certainty how many visas under this quota will be granted to refugees within the mandate.

c. The Graham amendment which provides for the merging of quotas for the categories of refugees and relative in Italy, Greece and the Netherlands may tend to reduce the number of refugees within the mandate of U. N. H. C. R. admissible under the Act.

d. No visas under this Act for European refugees in the Far East have as yet been issued, owing to certain difficulties in reaching agreement with the Hong Kong Administration on the granting of re-entry certificates.

133. Now that some of the initial difficulties encountered in administering the Refugee Relief Act have been overcome, it is hoped that the higher rate at which visas may be granted will increase the prospects for refugees within the mandate of U. N. H. C. R. Apart from the latter Act, a number of refugees will be granted visas under the current immigration legislation.

134. For many thousands of refugees, resettlement in the United States continues to be the most desired solution for their problems.

Resettlement in other overseas countries

135. During the calendar year, 16,224 refugees were transported by the Intergovernmental Committee for European Migration from Europe to overseas countries for resettlement. Of these, 293 went to Argentina, 3,253 to Australia, 2,038 to Brazil, 2,929 to Canada, 390 to Chile, 446 to Israel, 5,315 to the United States of America, 204 to Venezuela, and 1,356 to other destinations. They came from the following countries of emigration : Germany, 3,208; Italy (Trieste), 3,095; Italy 624; Austria, 967; China, 1,344; Greece, 308; the Netherlands, 43 and other countries, 4,635.

5.2. B. Economic integration

Introduction

136. During the period under review the Office of the High Commissioner continued to devote considerable attention to the economic integration of refugees in their present countries of residence, by keeping in close touch with Governments and private organizations for the continuation of existing schemes and by furthering new initiatives. This progress in the economic integration of refugees has been much too slow as compared with the task which still remains to be performed, despite the general improvement in the economic situation

of the European countries—which was also noticeable in those countries where large numbers of unassimilated refugees reside. The need for measures particularly designed to further the integration of refugees into the local economy is still as great as it has been during recent years and the fact that the countries of residence are, for the time being, in a better economic and financial position, offers an excellent opportunity to stimulate, by increased contributions from international sources, the integration of refugees by those Governments who are now in a position adequately to match these contributions. The present opportunity should be fully exploited, since these Governments might, at a later stage, be in a less favourable position to contribute towards the local establishment of unassimilated refugees.

Austria

137. The general progress of the Austrian economy has increased the opportunities for refugees to obtain employment and made it possible for the Austrian Government to extend the right to work to those refugees of non-German origin who entered Austria before 1 January, 1952, a measure which was taken on 19 November, 1954. However, the employment of refugees, particularly of those of non-German origin, has continued to meet with various difficulties, such as lack of skills and of adaptation, and resistance by employers. The social downgrading of refugees who are employed on a lower level than they used to be in their countries of origin has continued to be a widespread feature of the refugee situation.

138. The Austrian Government has put into operation a second agricultural settlement scheme financed by an amount of 10 million schillings from the counterpart funds of the United States Economic Aid to Austria. 238 families have thereby been re-established in Austrian agriculture, mainly through the purchase or lease of available farms.

139. Refugee credit associations and other voluntary organizations have helped a number of refugee families to establish themselves in crafts and trades and this has prepared the field for the creation of better credit facilities in favour of refugees under the UNREF programme.

140. The housing problem of refugees has remained, generally speaking, of the same magnitude, although the number of refugees in camps has slightly diminished. A few housing projects for the supplementary financing of which funds had been earlier allocated from the Ford Foundation grant were completed in the course of 1954.

Germany

141. The General economic situation in the Federal Republic of Germany made further progress during the year 1954 and the first months of 1955. The overall figure of unemployed continued to fall and there is in various German industries a great demand for skilled labour. Although the refugees within the High Commissioner's mandate residing in the industrial areas of Germany have benefited from this economic development, unemployment amongst refugees has remained, on the whole, at a high level, the reasons being the lack of skills, the location of camps, a number of which are far away from the industrial activity, and the moral and psychological conditions affecting the refugees.

142. The procurement of employment for refugees has been facilitated by a recent decision of the German Government, according to which work permits are not now needed by those refugees who entered the Federal territory after 30 June, 1950 and whose status depends entirely on the Convention of 28 July 1951. (A majority of the refugees had been earlier assimilated to German nationals, with regard to their right to work, under the Law on the Status of Homeless Foreigners of 25 April, 1951). Special measures directed to procure employment to refugees have been undertaken in a few industrial areas with the assistance of the German authorities, of the Office of the U. N. H. C, R. and of voluntary agencies, and have given new evidence of the fact that satisfactory results are obtained if the efforts can be sufficiently concentrated.

143. The non-German Refugee Branch of the Expellee Bank has continued the distribution of loans to refugees to re-establish themselves in crafts and trades and other independent occupations. As of 31 March, 1955, a total of 960 loans had been granted, amounting to DM 5,196,792.

144. This Department of the Expellee Bank had also granted as of 31 March, 1955 117 housing loans to the amount of DM 673,450, benefiting 165 refugee families. By a decision of the Federal Ministry of the Interior, taken in March 1955, eligibility for housing loans granted by the Expellee Bank, for which so far only " homeless foreigners " had been eligible, was extended to all refugees within the mandate of U. N. H. C. R.

145. The refugees within the mandate have been included in a general camp dissolution programme undertaken by the German authorities. The first annual programme was completed on 31 March, 1955, by which time 525 non-German refugees formerly residing in camps in Lower Saxony had been procured employment and housing. A similar new programme which will also benefit a number of refugees within the mandate is being undertaken by the German Government in the current fiscal year.

146. The German Government intends to put at the disposal of the non-German Refugee Department of the Expellee Bank an additional amount of 3.5 million DM from counterpart funds of the United States Economic Aid. Of this amount, 2 million DM will be utilized to grant loans for the establishment or consolidation of small and medium-sized refugee enterprises; 1 million DM will serve to establish a guarantee fund for credits which foreign refugees might obtain from ordinary business banks; and 500,000 DM are earmarked for housing and furniture loans to be given to refugees whose applications will have been prepared and submitted to the Expellee Bank by the. United States Escapee Program.

Greece

147. In Greece, it has been gradually realized that the emigration of refugees would not permit an overall solution of the refugee problem and that, in addition to the pre-war refugees who are still in Greece, a fairly high proportion of the post-war groups would remain for a long time in the country. This has induced the Greek Government to revise their refugee policy and, while continuing to encourage the emigration of refugees, to devote also more attention to measures designed to facilitate the local integration of refugees, particularly of refugees of Greek ethnic origin.

148. A few isolated measures have been taken, such as the creation of the Greek-Rumanian Seamen's Union and its recognition by the authorities, which will enable the members of this Union to be assimilated for the exercise of their profession to Greek nationals. Through the co-operation of the Greek authorities and the Office of the U. N. H. C. R. it has been possible to put again into operation a pottery near the Lavrion refugee settlement, and this has provided vocational training and also regular employment to a small number of refugees.

Italy

149. In Italy the main efforts of the authorities and voluntary agencies have been concentrated, as in previous years, on emigration. The Italian Government has agreed, however, to co-operate with the Office of the U. N. H. C. R towards the local establishment within the frame of the permanent solutions programme of those refugees who cannot emigrate.

Other Countries

150. Assistance towards integration and consolidation of the economic and social position of refugees has been given, as in previous years, by the authorities and voluntary organizations in the other European countries where large groups of refugees under the mandate reside, such as Belgium, France, the Scandinavian countries and the United Kingdom. In some of these countries, however, additional measures are required in order to complete the local integration of refugees.

5.3. C. Programme for permanent solutions for the problems of refugees Implementation of Resolution 832 (IX)

Action by the General Assembly of the United Nations

151. In the last Report to the Council of Europe reference was made to a five year programme for permanent solutions to be submitted by ,the High Commissioner to the General Assembly of the United Nations at its 9th Session. The programme, which the High Commissioner estimated would cost $12,000,000, would make possible the absorption of a considerable number of refugees who do not wish to be repatriated and have not been completely assimilated.

152. The General Assembly considered the proposals of the High Commissioner, at its 9th Session, and authorized him, by its Resolution 832 (IX) to undertake such a programme. It requested the Negotiating Committee for Extra-Budgetary Funds to negotiate with Governments of Member and non-Member States for contributions towards a fund to be devoted principally to the promotion of permanent solutions and also to promote emergency aid, this Fund to incorporate the existing United Nations Refugee Fund. The General Assembly specified that projects for permanent solutions should include provisions for adequate supporting

contributions from sources within the countries of residence where the projects are to be implemented. The General Assembly also authorized the High Commissioner himself to make appeals for funds from other sources.

Action by the High Commissioner's Advisory Committee

153. Since the decision of the Assembly was taken at the end of 1954 the original five-year programme now has to be spread over the four-year period 1955 to 1958. The target for the amount to be obtained from Governments by the Negotiating Committee was fixed by the High Commissioner's Advisory Committee, at its 5th Session, at $16,000,000 for the four- year period, and 84,200,000 for the year 1955, including $3,200,000 for permanent solutions and $1,000,000 for emergency aid.

Action by the Negotiating Committee on Extra-Budgetary Funds

154. Pursuant to the terms of Resolution 832 (IX), the Negotiating Committee for Extra-Budgetary Funds considered the requirements of the United Nations Refugee Fund for 1955 at a meeting where the following Member Governments were represented :

Australia

Canada

France

Pakistan

United Kingdom

United States

and the following Member and non-Member States of the United Nations were consulted :

Argentina

Austria

Belgium

Canada

Denmark

Federal Republic of Germany

Greece

Indonesia

Iran

Israel

Italy

Netherlands

New Zealand

Nicaragua

Norway

Sweden

Switzerland

Syria

Turkey

The representative of the Netherlands announced in its statement that his Government would be contributing the amount of 200,000 dollars to the emergency aid programme for difficult cases, throughout the period of the programme (1955-1958).

During that meeting pledges were announced in the total amount of 8457,271 by the following countries : Australia, Denmark, Federal Republic of Germany, Israel, Netherlands, Norway, Sweden, Turkey. Subsequently, the Swiss Government pledged a contribution of Swiss francs 500,000 (8116,000).

Non- Governmental Contributions

155. In giving the High Commissioner authority to make appeals for funds the General Assembly clearly envisaged that appeals to non-governmental sources could be made for the Fund. In this connexion the Netherlands Committee for Aid to Refugees agreed that the proceeds of a public appeal, which it made in the Netherlands in the course of 1954, amounting to approximately 8950,000 should be made available to the Fund on certain conditions.

156. The appeal, which was strongly supported by the authorities and by wage-earners and employers' organizations, includes contributions from private individuals as well as many enterprises and public bodies.

157. The Committee for Aid to Refugees requested the High Commissioner to prepare and supervise the execution of projects to be financed out of this money, with priority being given to permanent solutions projects, approximately 20 % of the yield of the appeal being allotted to projects for the placement of difficult cases and 80 % for permanent solutions projects in Austria and Greece, in a ratio of 7 to 3 respectively.

158. In accordance with the conditions laid down by the Committee for Aid to Refugees, the projects to be financed out of its contribution were submitted to it for approval before presentation to the UNREF Executive Committee.

Establishment of the UNREF Executive Committee

159. In accordance with the terms of Resolution 832 (IX), the High Commissioner's Advisory Committee on Refugees was reconsti-tuted into an Executive Committee to be known as the UNREF Executive Committee, by Resolution No. 393 (B) (XIX), adopted by the Economic and Social Council at its 19th Session. The main function of this Committee is to supervise the planning and implementation of the new programme for permanent solutions and emergency aid and to carry out the advisory functions of the former Advisory Committee. Its composition includes the fifteen members of the former Advisory Committee, listed below :

Australia

Austria

Belgium

Brazil

Denmark

Federal Republic of Germany

France

Holy See

Israel

Italy

Switzerland

Turkey

United Kingdom of Great Britain

and Northern Ireland

United States of America

Venezuela

and the following Governments :

Colombia

Greece

Iran

Netherlands

Norway

Action by the UNREF Executive Committee

160. The Executive held its first Session from 9 to 14 May, 1955, and considered a Plan of Operations for 1955, submitted to it by the High Commissioner. In this Plan ofjOperations, the following country allocations for projects for permanent solutions in 1955 are made, in accordance with decisions taken by the High Commissioner's Advisory Committee at its 5th Session :

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Austria - 1,440,000

Germany - 420,000

Greece - 700,000

Italy - 280,000

Resettlement promotion - 230,000

while the emergency aid programme is lo include :

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Solution of the problem of refugees of European origin in China - 301,000

Emergency aid - 105,000

Difficult cases - 594,000

These country allocations are established on the basis of the Advisory Committee's consideration that priority should be given to projects for permanent solutions for those refugees living in camps.

161. At its first session the Executive Committee approved projects for permanent solutions and emergency assistance, to the total value of approximately 84,500,000. The approved projects were divided by the Committee into the following three categories :

A. Projects approved for implementation, funds being immediately available - 81,147,750

B. Projects approved and authorized for implementation as funds become available - S 425,023

C. Projects approved for implementation, subject to authorization by Programme Subcommittee as funds become available - S 2,931,242

Category A includes projects in the amount of 8933,700, financed and approved by the Netherlands Committee for Aid to Refugees, for permanent solutions in Austria and Greece, and for difficult cases in these two countries. It further includes projects to the amount of approximately §215,000 (of which $200,000 represents the Netherlands Government special contribution to U. N. R. E. F. for difficult cases in Europe), for the placing of difficult cases, mainly in Austria, Greece and Italy. Category B includes the Shanghai operation to the amount of §226,000, all the emergency aid projects (other than difficult cases) included in the Plan of Operations to the amount of $105,000, and permanent solution projects in the amount of §94,000 in Italy and Germany. Category C includes as a first priority permanent solution projects for Austria, Italy, Germany and Greece, amounting to $2,311,000, and, as a second priority, projects for the promotion of resettlement and the remaining difficult cases projects.

162. The Committee established, as the first general principle concerning priorities, that the programmes for permanent solutions and emergency assistance should begin simultaneously.

163. The Committee approved a tentative target for 1956, as proposed in Document A/AC.79/4, amounting to $4,400,000 (including $3,260,000 for permanent solutions and §1,000,000 for emergency assistance). The amount for permanent solutions was broken down by countries as follows :

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Austria - 1,160,000

Germany - 370,000

Greece - 600,000

Italy - 450,000

Other countries - 450,000

Promotion of resettlement - 230,000

164. The Committee established a standing Programme Sub-Committee, composed of the following twelve members : Australia, Austria, Brazil, Denmark, German Federal Republic France, Greece, Italy, Netherlands, Switzerland, the United Kingdom and the United States of America. The Sub-Committee will authorize the implementation of projects which have been approved by the Executive Committee, but for which funds are not immediately available. It also has the authority to make changes in approved projects when essential. The Sub-Committee will meet immediately before each Executive Committee session, to examine in detail the Plan of Operations, and may be convened by the Chairman, after consultation with the chairman of the Executive Committee and with the High Commissioner.

165. The next session of the Executive Committee will take place in January, 1956 to consider the UNREF Plan of Operations for that year.

Conclusion

166. As may be seen from the foregoing, the funds immediately available for the imple-mentation of projects approved by the Executive Committee amount at present to no more than approximately $1,150,000; this amount includes $933,700 from non-governmental sources (yield of the Netherlands National Campaign). While approximately $500,000 have been pledged by governments to date, there remains another $3,700,000 to be obtained from governments with the assistance of the Negotiating Committee for Extra-Budgetary Funds of the General Assembly of the United Nations if the target for 1955 is to be reached. To date the following European Governments have pledged or paid a contribution to the Fund : Denmark, German Federal Republic, Netherlands, Norway, Sweden, Switzerland and Turkey. Some of these Governments, as well as various other Western European Governments, members of the Council of Europre, have already, in one way or another, done a great deal to relieve the plight of refugees. Particular mention should be made in this connection of the initiative taken by various Governments to promote the intra-European resettlement of refugees, which is described in Chapter IV of this memorandum. It is hoped that other Governments will be able to initiate similar schemes on behalf of refugees.

167. The High Commissioner is grateful for the support which the Council of Europe has already given to the programme of his Office and hopes that all European Governments represented in the Council will give their active support to the programme of his Office designed to promote permanent solutions for the problems of refugees, a programme which has been approved by the General Assembly of the United Nations.