

7- B8 - L14

OUTSIDE-UNRRA CORRESPONDENCE DP/C-3

Correspondence with I.R.O.

PARIS

DRAFT OUT GOING MESSAGE

UNRRA ITALIAN MISSION

CABLE ROOM
USE ONLY

Ser. No. _____

17 May, 1947

Date _____

To UNRRA GENEVA

Repeated UNRRA LONDON UNRRA PARIS

FOR GALE FROM KEENY. REUR LAUSANNE ROME 2 REPEATED LONDON 18.

1. REFER MY TELECON WITH LEWIS SIXTEEN MAY REQUESTING CONFERENCE BEFORE FINAL IMPLEMENTATION YOUR DIRECTIVE. ALSO REFER MY MEMO THIRD MAY TO LEWIS AND SIXTEEN MAY TO YOU DESCRIBING FACTORS AFFECTING DEEPER OPERATIONS ITALY.

2. FOR LONDON. YOUR ROME 835 PARA 7 STATES QUOTE THIS WILL CALL FOR INCREASED UTILIZATION OF DEEPERS IN CAMP MANAGEMENT WITHOUT REMUNERATION UNQUOTE. LAUSANNE ROME 2 REPEATED LONDON 18 PARA 7 STATES QUOTE YOU SHOULD ENLIST DEEPERS AS WORKERS ON SELF HELP BASIS UNQUOTE. PLEASE REFER QUERY PARA 5 OUR SNIFE 7 TO LONDON. DO YOU PROPOSE THAT NO PAYMENT BE MADE FOR ANY WORK DONE BY DEEPERS ?

KEENY

Office of Origin D.P. Operations
Originator's Signature A.A. Soriano
Approved S.M. Keeny

Distribution

COM
F & A
HUTCHINGS
WYATT

CABLE CONTROL NO. 09548

REC'D UN/ROME 16/5/47 15:00

ACTION	CHIEF OF MISSION	4
INFO	DCM F & A	4
	DCM R & D	4
	DCM D.P. Ops	4
CABLE CONTROL		

Recd from Sumner
by hand 1530 16/5.
19W

FROM LAUSANNE
TO UNRRA ROME

16/5/47 20:57

ADDRESSED ROME LAUSANNE 2 OF 15TH MAY REPEATED LONDON
18 REFERENCE MISC 484 REPEATED PARIS 8. KEENY PERSONAL
FROM GALE REFERENCE YOUR LAST SUBMISSION TO ERO ON
CLASS II EMPLOYEES.

1. NOTE YOUR CLASS I ESTABLISHMENT OF 80 IS WITHIN
CEILING. THIS IS TO BE REACHED ON JUNE 1ST.
2. GAP BETWEEN YOUR CLASS II SUBMISSION OF 707 AND
ERO DIRECTED TARGET OF 250 MUST BE BRIDGED BY DRASTIC
REDUCTIONS AND REORGANISATION.
3. HAVE DISCUSSED SITUATION WITH ALTMAYER AND HE HAS
REQUESTED UNRRA TO BRING ITS DP ESTABLISHMENT IN ITALY
WITHIN BUDGETARY COVERAGE OF IRO. THE MAXIMUM LOCAL
EMPLOYEES POSSIBLE IS 350 AND THIS FIGURE THEREFORE
IS YOUR REVISED TARGET.
4. WHERE NECESSARY FUNCTIONS CANNOT BE COVERED BY THIS
CLASS II CEILING YOU SHOULD ENLIST DPS AS WORKERS ON
SELF HELP BASIS.
5. YOUR PROPOSED CLASS II ESTABLISHMENTS SEEM EXCESSIVE
IN ALL UNITS WITH EXCEPTION OF TWO FOR LEGAL ADVISER

-2-

SEVEN FOR MEDICAL AT HEADQUARTERS TEN FOR WELFARE IN
CAMPS AND TEN FOR F & A IN COMMISSARIES

7. THIS IS A DIRECTIVE WHICH MUST REPEAT MUST BE
COMPLIED WITH.

8. ACKNOWLEDGE TO ERO REPEATED GENEVA FOR ME.

BM/

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UNITED NATIONS RELIEF AND REHABILITATION ADMINISTRATION

HEADQUARTERS, DISPLACED PERSONS OPERATIONS

HOTEL MAJESTIC - AVENUE KLEBER - PARIS - 16*

TELEPHONE : KLE 36-00

8 May, 1947

Chief of Mission,
UNRRA Mission to Italy,
INA Building,
Via S. Nicole da Tolentine 78,
Rome.

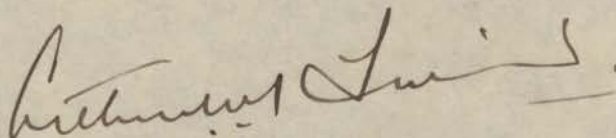
Dear Mr. Keeny,

I enclose 50 copies of HQ DP Operations Technical Instruction No.2, Subject - Records Disposition, dated 24 April. This is simply the promulgation of E.R.T.I. 14.1, which you will doubtless have received direct from ERO, as you report direct to them on all matters other than questions of displaced persons operations.

I feel that I should explain to you why we are promulgating E.R.T.I. 14.1 at this date. The E.R.T.I. 14 series has not been applicable to displaced persons operations, and after consultation with the Chief Historian and Archivist, we issued our own instructions on records disposition in HQ DP Operations Technical Instruction No.1, dated 21 April, of which copies were sent to you, and which include your Mission to the applicability clause. As the Zones of Germany have not received E.R.T.I. 14, which gives instructions for documentation, packing and despatch, we naturally had to issue these instructions ourselves, and these are the subject of the enclosed Instruction.

I hope this will suffice to explain why you appear to receive identical instructions in E.R.T.I. 14.1 from ERO (which is applicable to you) and the enclosed Instruction (which is chiefly meant for the Zones of Germany.)

Sincerely Yours,



A.G.B. Sutherland
Chief
Division of Organization & Management
for Myer Cohen
Acting Chief
Displaced Persons Operations

By hand of Zimmerman
Sorieri.

If Petara is not
kept can we

(a) put in a substitute on
Monday
or

(b) incorporate the operation
in our shop?

Smiley

26/6/47

If we can't, can Fothergill?

Smiley

D-7

C-3

File

DISPLACED PERSONS OPERATIONS (ITALY)

26th June, 1947

TO: DR. KULLMANN,
INTERNATIONAL REFUGEE ORGANISATION.

FROM: DR. H. ZIMMERMANN

SUBJECT: ATTACHED REPORT ON BOOKING & MOVEMENT OFFICE
AT I.G.C.R., ROME

1. I have pleasure in submitting the attached Report on booking and movement activities at I.G.C.R. for your attention, as requested.
2. Limited time did not allow me to pursue the problem in all its aspects. It seems that, in particular, the question of the re-adjustment of the present I.G.C.R. organisation for the handling of group (mass) movements would require a very careful analysis, which probably could not be effected without a simultaneous survey of the movement facilities as presently offered by the existing sister Agencies.
3. Copies of this Report have been given to Mr. Keeny and Colonel Tomlin.

A.
DR. H. ZIMMERMANN

Encl.

REPORT

on

Special Survey of the Booking and Movement Office at IGCR - Rome

I. GENERAL

The purpose of this Report is :-

- to inform Dr. Kullman (I.R.O.) on the current procedures;
- to assist the Resident Representative IGCR, Col. Tomlin, in working out suggestions for improvements if deemed necessary;
- to suggest organisational changes according to findings.

The Rome Representative IGCR, Col. Tomlin, assisted the writer by producing the Master List of Movements, and personally checking on all outstanding and completed cases with regard to priorities granted. He further introduced the writer to all members of his staff connected with movements and booking procedures and kindly gave authorisation to investigate on the spot, where the general survey made such questioning necessary.

II. OUTLINE OF CURRENT PROCEDURES

a) General Registration

Before being dealt with by the Booking and Movement Office, applicants are screened as to their eligibility for IGCR assistance and have to be fully documented for the chosen country of destination.

The basic form for this procedure (regardless of what kind of assistance the individual seeks) is the "Questionnaire of IGCR" filled in and signed by the interviewer, and registered and filed under letter "Q" followed by numbers in sequence.

In case of applicants asking for assistance for emigration, the case will be decided upon by the Office of the Resident Representative. This Office also determines upon money grants and priorities. The survey revealed that real priority for individuals was given only in very exceptional cases, such as politically endangered persons, expiring visas, or in order to avoid unnecessary hardships through separation of families.

b) Registration at Booking and Movement Office

Approved cases are transferred to the B & M Office in the

following manner: -

The "Questionnaire" bearing approval and remarks is entered in the "Master List of Movements" and given a Serial Number in sequence and without any preference or discrimination. On the basis of this "Master List", the B & M Office compiles the data of the individual as required for various shipping purposes on a "Movement Form Questionnaire" (MFQ), which Form constitutes for all further dealings the basic document for the B & M Officer. This Form bears the Serial Number of the "Master List" and the reference to the original "Questionnaire" (Q Number). The latter goes back to the Central File of "Questionnaires".

The "MFQs" are entered into the list of the B & M Office according to their Serial Numbers. Those Serial Numbers which are not determined by the B & M Office, but by the Registrar of the "Master List", thus may be considered as "Waiting-list Numbers" which should constitute the natural sequence in which, according to shipping possibilities, the cases have to be dealt with. (It is to be noted that Serial Numbers are neither allotted according to countries of destination nor according to nationalities).

c) Duties of the B & M Officer

The B & M Officer, Dr. G. Patara, basing on the above mentioned "Waiting List" of applicants ranged by Serial Numbers, now has to arrange for and to allot the available shipping space.

His duties are :-

- To notify applicants of their admittance.
- To find and secure, in conjunction with the Administration, the necessary shipping space. (Contacts with Shipping Agencies, Railway Authorities, Italian Ministry for Transportation, Movements Officers of sister Agencies, port of embarkation and customs officials, etc.)
- To equitably distribute berths and compile final Serial Rolls for movement secured.
- To notify applicants of day of embarkation, assembly points, technical details of the move, etc.
- To arrange for emergency changes in documentation (i.e. Transit Visa, contacts with Governmental and Consular Representatives).
- To establish reserve lists for emergency cases (surplus berths.) In case of surplus berths, he should arrange with sister Agencies for the disposal of free space (MIAS, AJBO).
- To work in close contact with A.C. in case of combined

moves.

-To survey the physical completion of the planned move (contacts: shipping authorities at the port, etc.).

-To check incoming bills in connection with moves.

III. OBSERVATION AND SUGGESTIONS

In carrying through the survey of the above described procedure, the writer was impressed with the small scale of the whole operation. The Master List of applicants beginning with January, 1947, shows the following completed moves :-

(The exceedingly low figures in April and May are due to liquidation in funds and difficulties in currency.)	Jan. Febr. March	113
	April	15
	May	55
	June approx.	120

and the following uncompleted cases :-

400

i.e. a total of approximately 723 cases handled by the B & M Office within 6 months. In other terms, only about 120 cases per month average.

It is, in the opinion of the observer, mainly due to this fact, that the system developed by small but excellent team under the leadership of Col. Tomlin, produces highly satisfactory results. The work at present is achieved with the bare minimum of personnel, by means of highly simplified registration and record methods, and depends far more on the capacity, efficiency and initiative of the individual team members than on clear-cut and clearly defined procedures. It is consequently too vulnerable by losses or changes occurring in the present personnel. A sudden increase of applicants is bound to endanger efficiency and results of the present set-up.

A certain number of suggestions have been discussed with Col. Tomlin and Dr. Latture and are recommended for consideration :-

Filing of individual cases

A separate individual file must be prepared as soon as the applicant is notified of his acceptance. This file has to be maintained for each applicant until his case is closed. Related to the Central File of "Mentionnaires" by its "A" Number, the file also has to be marked with the Serial Number. It will contain, besides all correspondence with the individual, copy of all notices given to the applicant by printed forms.)

Notification to the applicant

In cases where no other correspondence occurs, the B & M

Officer sends two basic notifications to the applicant :-

- "A" : Notification of his acceptance;
"B" : Notification of the date of embarkation.

Under the present system, printed forms are used for both purposes, the despatch of which is noted by hand on the "MFQ" Form. In cases where the applicant lives in town, notice is given by telephone. Since omissions in these hand-written notices are unavoidable, and no Central Despatch Registry allows to check if and when the communication was sent, this system is unsatisfactory for large-scale operations.

In order to give the B & M Officer the certainty that the a/m communication was sent, the following system is recommended :-

- i) The two basic notifications are to be given by printed forms regardless of prior telephone or verbal messages.
- ii) No printed form is sent without copy showing the date and appropriate remarks.
- iii) Copies are to be kept in the individual file of the applicant.
- iv) The Notification "A" should state :- "The Applicant has been entered on the Waiting List for emigration to". "He has been given the Number....", and is requested to refer to this Number in all dealings with the Office". "He will be notified as soon as shipping opportunity is found". "He is asked to report all changes of address immediately to the B & M Office." "All questions are to be addressed to I.C.C.R. - Information Office - Room No. ...". It is useless to enquire personally at the B & M Office.

This printed form should go out by ordinary mail.

Notification "B" should be prepared as printed form with return slip attached. It is to be sent by registered mail as soon as shipping possibilities allow the B & M Officer to compile the final list of allocation. It contains date, port of embarkation, assembly points and detailed instructions to the traveller. The return slip should bear the following :-

- a) I acknowledge receipt of your Notification No.....
- b) I am ready to join the transport as indicated in your letter.
- c) I am not ready and I ask you to postpone my embarkation until.....
- d) I have changed my mind. Please cancel my application.
- e) I understand that this Notification has to be returned immediately. If it does not reach your Office until..... I automatically will forfeit my passage.

Amendments such as those to the present system seem essential as soon as the number of applicants exceeds the present average.

(It is to be noted that during the last weeks a considerable number of new applicants has occurred).

Priority System

As mentioned above, the number of real priorities authorised by the Resident Representative or his assistants is negligible. In practice, however, quite a number of priorities are given by the B & M Office, not on the ground of deserving cases but for technical necessities. A few examples may explain this situation :-

-Serial Number..... has not answered the call. The berth has to be filled but the time does not allow for calling in persons who cannot be reached by telephone. Consequently the priority has to be given to a person residing in Rome - maybe to quite a new applicant far down in the list.

or

-The shipping Agency notifies a last minute change of the port of embarkation or disembarkation. In order not to lose the given opportunity, preference has to be given to persons for whom last minute Transit Visas can be obtained.

or

-It happens that the number of berths available limits the choice of sex from the Waiting List. Since it is not advisable to separate members of the same family, priority has to be given to persons of the sex required irrespective of the Serial Number.

Priorities - unavoidable as they may be - will always lead to antagonistic criticism. A very careful check on the priorities granted so far revealed that in all instances the reasons were perfectly sound and justified. At the same time, however, it showed that the present system depends too much on the good memory of the B & M Officer and his staff, and that not enough attention is given to fix decisions and reasons in writing. In the case of considerable increase of applicants, the present system of these technical priorities might lead to misinterpretation and confusion.

The following rules should be accepted in order to provide the necessary protection to the B & M Officer:-

- 1) Decision on priorities for movements lies exclusively with the Resident Representative or his delegate.
- 2) No "real priority" can be granted by the B & M Officer.
- 3) In cases where technical circumstances do not allow

avoidance of preferential treatment of individual cases, the B & M Officer has to state the reasons in the "Remarks" column of the Waiting List and to obtain the approval of his superiors by counter-signature.

Information Desk

In order to release the B & M Office from the constant flow and pressure of personal applicants, who by their presence hope to obtain "special" information or preferential treatment, the establishment of an INFORMATION OFFICE becomes an urgent necessity.

The B & M Office should work entirely on well-defined, technical lines, and remain, as far as possible, undisturbed by the public.

The Information Office should automatically receive all details on individual cases. It should have access to the individual files, and should be given a copy of all final shipping lists, and notification of all changes. Its functions should be distinct from the Office of the Receptionist.

The position of Information Officer should be filled by a person familiar with all current office procedures, who has had sufficient experience in handling displaced persons and refugees. He should be sympathetic but firm, and have the required knowledge of languages.

Only in very exceptional cases should the Information Officer endeavour to obtain for the applicant a personal interview with the B & M Officer.

(This Information Office might, of course, serve the Documentation Departments in the same way. Its immediate establishment will result in an increase of expediency and efficiency in all Departments, which at the present moment are disturbed by the presence of too many personal visitors).

IV. CONCLUSIONS

Individual Resettlement

The B & M Office of IGCR, Rome, satisfactorily fulfils all the requirements of a medium scale programme for individual resettlement. The efficiency of this office at the present time is limited less by organisational reasons than by limited funds and currency difficulties for procurement of shipping space. The equitable distribution of available space is ensured as far as is technically possible, and is working with a minimum of friction.

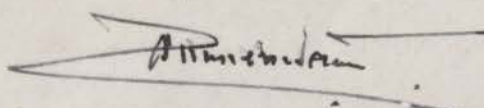
An anticipated, normal increase of applicants for individual emigration (say, double the present number) can efficiently be taken care of by this office if some minor, internal organisational changes are effected.

Group resettlement

However, the present system is not equipped for the handling of large-scale group moves for resettlement, which will become necessary under the new resettlement schemes now being developed by the Governments of various countries.

(Note - The term "Group Moves" is used above to describe the handling of large emigration groups as such, and is to be distinguished from the groups as presently compiled in the B & M Office, which groups are entirely composed of individually prepared cases).

The above-mentioned schemes, under which the selection of certain categories of emigrants lies with the Governments concerned, will require the preparation of mass movements which, logically, should be centralised under the B & M Office. At the present moment, these group moves are being prepared at IGCR by the various officials working on the documentation side of such schemes. Since no experience has so far been gained with regard to this type of group movement, it may be too early for final judgement on the practicability of this kind of division of functions. It can, however, be predicted that as soon as mass movements of this kind become routine, it will become essential to co-ordinate these technical functions under the control of a Central B & M Office.



Dr. H. ZIMMERMANN
UNHRA Repatriation Officer

26th June 1947

cc: Mr. S.M. KERRY
Col. TOMLIN

C-3

Mr. Soren

7 IRO

MINUTES OF MEETING WITH PRIME MINISTER
DE GASPERI ON THE INTERNATIONAL REFUGEE
ORGANISATION, HELD ON 17TH JUNE, 1947

PRESENT FOR THE ITALIAN GOVERNMENT:

Hon. De Gasperi	Prime Minister
Avv. L. Montini	President of the Italian Delegation
Dr. C. Chiocelli	Italian Government Delegation

PRESENT FOR UNRRA:

Mr. Altmeyer	Executive Secretary, PCIRO
Mr. Davidson	PCIRO
Mr. Kullmann	Principal Adviser, PCIRO
Mr. Keeny	Chief of UNRRA Italian Mission
Mr. Contini	Spec. Ass't to C o M

-
1. MR. KEENY introduced Mr. Altmeyer to the Prime Minister.
 2. MR. ALTMAYER, after expressing his pleasure at having the opportunity to meet the Prime Minister, said that IRO was a successor organisation to UNRRA as regards displaced persons. Although IRO is not yet formally in existence its Preparatory Commission has been given operating responsibilities from 1 July.
 3. MR. ALTMAYER said that there was need of an agreement between IRO and the Italian Government for the development of a joint program of care and repatriation of displaced persons. Under the IRO constitution Italy cannot become a member until IRO is formally established. However, it was confidently expected that Italy would become a full member of IRO, and therefore the collaboration between IRO and the Italian Government should be based on that assumption.
 4. MR. ALTMAYER said that IRO had taken several steps in order to expedite the repatriation or resettlement of displaced persons. It had approached the French Government with a request that a quota of refugees in Italian territory be included among the workers to be admitted to France. In addition, the Governments of United Kingdom and of several South American countries had been approached. Furthermore, IRO was negotiating for additional shipping space for the transport of these DPs.
 5. MR. ALTMAYER said that one of the main problems facing IRO was that of a limited budget which covered only about one half of the IRO requirements. The question, therefore, was : what responsibilities and obligations would Italy be willing to assume?
 6. MR. ALTMAYER said that IRO would be able to put into the Italian operations about six million dollars for the care and maintenance of refugees, plus about two and a half million dollars for transport out of Italy. According to the estimates made the total cost of care and maintenance for displaced persons amounted to about 90 cents per person per day. The IRO contribution would be 45 cents, and therefore Italy would have to contribute on a fifty-fifty partnership.

7. MR. ALTMAYER stated that the Italian contribution would not be in hard currency but could be made by furnishings facilities and services (such as installations, transport, etc.) and a certain amount of Lire. IRO would pay for any imported and indigenous foodstuffs which will be required.

8. MR. ALTMAYER said that Mr. Keeny had indicated to Avv. Montini that he would agree to an adjustment in the rate of expenditure of the Lire Fund whereby the contribution of Italy to IRO would be included in the rate of expenditure and not be in addition to it, as previously proposed. Furthermore, any expenses borne by Italy on behalf of IRO would be considered as part of the Italian future contribution to IRO when she becomes a member.

9. THE PRIME MINISTER said that in general he agreed with the proposals made by Mr. Altmeyer. He could not enter into the technical details but he thought that a solution could be found if the required contribution would not be a great burden for Italy, and if there is no problem regarding the food question.

10. MR. ALTMAYER said that he had asked UNRRA to ensure a supply line for at least three months. As regards the question of food, MR. ALTMAYER said that he would try to obtain an extra allocation of food for the requirements of displaced persons in Italy, so that the Italian allocation would not be decreased. However, he thought that it would be more practical if the quantities of imported foodstuffs needed by DPs were physically included in the Italian procurements.

11. MR. KEENY said that he was glad to inform the Prime Minister that three million dollars were now available for payment of the Trieste operations and that he hoped that two million dollars more would be paid by UNRRA to Italy. In addition, he was confident that the International Emergency Children's Fund would operate in Italy, and this would be another form of international assistance.

12. It was agreed that the details of the relationships between IRO and the Italian Government will be worked between representatives of the two parties.

P. Contini
SPECIAL ASSISTANT TO
CHIEF OF MISSION

DISTRIBUTION:

Those present
Mr. Sorieri
Mr. Hodgatts

GRV

Lesley —

This to you Keen's, continue
copy to Hutchings,

and our files. act
7/7

I. G. C. R.

7
C-3

PERSONNEL OF THE SECRETARIAT OF THE JOINT COMMITTEE

1. Mr. Ugo THEODOLI, Secretary General, salary (to be determined)
will be shared equally by the Italian Government
and I.G.C.R.
2. Dr. Ulisse LEONARDI, assistant to the Secretary General, lire
12000 monthly (additional pay), basic salary
paid by the Italian Government.
3. Maria MASINI clerk-secretary, monthly salary Lire, 25,000
4. Sergio PAOLETTI office boy and messenger monthly Lire 15,000

CONFIDENTIAL

File
8 July, 1947

TO: MR. KEENEY, CHIEF OF OPERATIONS
FROM: MR. CONTINI, LEGAL ADVISER
SUBJECT: TELEPHONE CONVERSATION WITH MR. DAVIDSON IN GENEVE

1. I explained to Davidson the present Government's attitude on negotiations with PCIRO and he made the following points:

- a) We must refuse to negotiate on the basis of the IGCR Agreement, however no objection to the Joint Committee system.
- b) We should explore the possibility of decreasing the total cost to less than 90 cents per day.
- c) PCIRO should ask the Government to provide the supplies necessary for the maintenance of a 1900 calories level, which is the F.A.O. standard.
- d) PCIRO will contribute about 6 million dollars. This amount will constitute considerably more than 50% of the total cost, if economies and careful planning are made.
- e) We are authorized to abandon the 50/50 formula. If the total cost can be reduced to less than 90 (e.g. by provision of services by the Government etc.), the Government contribution will be proportionately decreased.

2. Davidson agreed that we should request the Government's reply to the Kullmann letter transmitting the draft Agreement and the Aide Memoire.

P/Conti
P. Contini
LEGAL ADVISER, PCIRO

PCONTINI:cr

cc: Mr. Sorieri ✓
Maj. Hodgetts

Dept of Care & Maint *180*

STATE TELEGRAM

PRECEDENZA ASSOLUTA

5 JULY 1947

ADDRESSED ALL CAMP DIRECTORS MILAN ADRIATICA TURIN
RIVOLI CREMONA CINECITTA DARI PAVESI BASTOLI BARLETTA
TRANI FERMO SENIGALLIA JESI BOLOGNA REGGIO EMILIA NO 13
REGGIO EMILIA NO 14 FIELD OFFICERS MILAN BOLOGNA ROME
NAPLES DARI DP FIELD REPRESENTATIVE MILAN FIELD F & A
BRANCH DARI CIRCULAR NO 3 PARA ONE EFFECTIVE 1 JULY
PREPARATORY COMMISSION HAS ASSUMED RESPONSIBILITY FOR
ALL FORMER IGOR AND UNHRA DISPLACED PERSONS OPERATIONS
IN ITALY PD SM KEENEY FORMER CHIEF UNHRA ITALIAN MISSION
HAS BEEN NAMED CHIEF OF OPERATIONS PDIGR IN ITALY PARA
TWO KEENEY HAS MADE FOLLOWING APPOINTMENTS ALL ACTING
RECENT ACTING PAREN A UNPAREN AA SCIENTI DEPUTY CHIEF
OF OPERATIONS AND CHIEF DEPARTMENT CARE AND MAINTENANCE
PAREN B UNPAREN COL C FINDLAY CHIEF DEPARTMENT
REPATRIATION AND RESETTLEMENT PAREN C UNPAREN COL E PURDY
CHIEF DEPARTMENT OF ADMINISTRATION PAREN D UNPAREN MAJOR
GE HODGETTS DEPUTY CHIEF OF OPERATIONS AND CHIEF
DEPARTMENT OF CONTROLLER PD HODGETTS ALSO RESPONSIBLE
CLOSURE UNHRA MISSION PAREN E UNPAREN IMMEDIATE ACTING
STAFF OF CHIEF OF OPERATIONS ARE J WESTERN PUBLIC

1/

- 3 -

ELIGIBILITY ADVISER P CONTINUE LEGAL ADVISER G MATCHING
PERSONNEL DIRECTOR PARA THREE NECESSARY STEPS BEING
TAKEN INTEGRATE HEADQUARTERS AND FIELD OPERATIONS OF
FORMER IGOR AND UNHRA UNITS PD YOU WILL RECEIVED
INFORMATION AND INSTRUCTIONS AS DEVELOPMENTS PERMIT
PARA FOUR MENNY UNFORTUNATELY ILL AT MOMENT BUT
EXPECTED RETURN FEW DAYS PD EXTENDS BEST WISHES AND
ASKS YOU CARRY ON AS BEFORE UNTIL FURTHER NOTICE

SORIERI ACTING

PSIRO - ROME 76 VIA S. NICOLO' DA TOLENTINO

Return to

Mr. Smeere

1811

M A R Z O

M A R Z O

10

L U N E D I

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s. Provino vescovo

DRAFT OUT GOING MESSAGE

UNRRA ITALIAN MISSION
PREPARATORY COMMISSION
INTERNATIONAL REFUGEE ORGANISATION

CABLE ROOM
USE ONLY

Ser. No.

Date 5th July, 1947.

To PCIRO CAMPO PROFUGHI STANIERI MILAN: ADRIATICO: TURIN: RIVOLI:

Repeated CREMONA: GINECITTA: BARI: PALESE: BAGNOLI: BARLETTA: TRANI:

FERMO: SENIGALLIA: JESI: BOLOGNA: REGGIO EMILIA NO. 13: REGGIO

EMILIA NO. 14: FDP OFFICES MILAN: BOLOGNA: ROME: NAPLES: BARI:

DP FIELD REPRESENTATIVE MILAN: FIELD F & A BRANCH BARI C/O CASELLA
POSTALE.

ADDRESSED ALL CAMP DIRECTORS FIELD OFFICERS FIELD REPRESENTATIVE FIELD
F & A BRANCHES.

1. EFFECTIVE 1 JULY PREPARATORY COMMISSION IRO ASSUMED RESPONSIBILITY FOR
FOR ALL FORMER IGCR AND UNRRA DISPLACED PERSONS OPERATIONS IN ITALY. S.M.
KEENY, FORMER CHIEF UNRRA ITALIAN MISSION HAS BEEN NAMED ~~CHIEF~~ CHIEF OF
OPERATIONS PCIRO IN ITALY.
2. KEENY HAS MADE FOLLOWING APPOINTMENTS ALL ACTING REPIET ACTING (A) A.A.
SORIERI DEPUTY CHIEF OF OPERATIONS AND CHIEF DEPARTMENT CARE AND MAINTENANCE
(B) COL. C. FINDLAY CHIEF DEPARTMENT REPATRIATION AND RESETTLEMENT (C)
COL. E. PURDY CHIEF DEPARTMENT OF ADMINISTRATION (D) MAJOR C.E. HODGETTS
DEPUTY CHIEF OF OPERATIONS AND CHIEF DEPARTMENT OF CONTROLLER. HODGETTS
ALSO RESPONSIBLE CLOSURE UNRRA MISSION (E) IMMEDIATE ACTING STAFF OF
CHIEF OF OPERATIONS ARE J. WESTERN PUBLIC INFORMATION, G. BRUNO OPERATIONAL
SECURITY, M. ROYSE ELIGIBILITY ADVISER, P. CONTINI LEGAL ADVISER, G. HUTCHINGS
PERSONNEL DIRECTOR.
3. NECESSARY STEPS BEING TAKEN INTEGRATE HEADQUARTERS AND FIELD OPERATIONS OF
FORMER IGCR AND UNRRA UNITS. YOU WILL RECEIVE INFORMATION AND INSTRUCTIONS

Office of Origin

Originator's Signature

Approved

Distribution

DRAFT OUT GOING MESSAGE

UNRRA ITALIAN MISSION

INTERNATIONAL REFUGEE ORGANISATION

CABLE ROOM

USE ONLY

Ser. No.

Date

To

Repeated

AS DEVELOPMENTS PERMIT.

4. KEENY UNFORTUNATELY ILL AT MOMENT BUT EXPECTED RETURN FEW DAYS. EXTENDS
BEST WISHES AND ^{ASKS} ~~WISHES~~ YOU CARRY ON AS BEFORE UNTIL FURTHER NOTICE.

SORIERI ACTING

Office of Origin

Originator's Signature A.A. Sorieri

Approved

Distribution

Department Chiefs
Prof. Royse
Col. Tomlin

PREPARATORY COMMISSION FOR I.R.O.

78 Via San Nicolo da Tolentino,

PERSONAL & CONFIDENTIAL

R O M E.

Lawen
File
July 1947.

Mr. Alfred Davidson,
Preparatory Commission for
the International Refugee Organisation,
Palais des Nations,
GENEVA.

Dear Alfred,

1. - I am writing you again on behalf of Sam Keeny, who is recovering from pneumonia as you no doubt know.
2. In my letter of 27 June I said that I could not foresee too much difficulty, at least in solving the immediate practical problems of the interim arrangement, after the appointment of Avvocato Montini as the Government representative for the stipulation of a modus vivendi. That proved to be on the optimistic side, because immediately after this appointment there was an internal political crisis in the relationships between the Delegation and other Government agencies, and for several days Avv. Montini was on the verge of resigning.
3. - This did not help matters and for some days it was not possible to make any real progress either on the interim period or on the final agreement. However, we did succeed in obtaining a loan of Lit. 300.000.000 from the Lire Fund on the basis of repayment in case agreement is not reached on the Government's financial contribution to P.C.I.R.O. (Attachment No. 1).
4. Other practical problems keep cropping up and we are forced to handle them on a piece-meal basis because of the reluctance of the Government to make any kind of commitment at this stage of the game. Thus, we are now trying to obtain an allocation of PCL by committing P.C.I.R.O. to pay in hard currency if no agreement to the contrary is reached between the Government and P.C.I.R.O. This is another example of the position in which we are placed because of the I.G.C.R. agreement and the commitments made during the I.G.C.R. period for payment in foreign exchange for all such services.
5. On 3 July a letter was received from Foreign Minister Sforza, (Attachment No. 2) which was contradictory to the letter from the Presidency of the Council of Ministers of 27 June (Attachment No. 6 to my letter of 27 June), in as much as it ignored the appointment of Avv. Montini as delegate for the Government in the interim period. It became clear, however, that Count Sforza's letter had been written without knowledge of the Prime Minister's previous action, and we therefore replied in a rather non-committal way, stressing however the necessity for the appointment of official Government negotiators for the final agreement as well as the need for an interim arrangement (Attachment No. 3).

.../

6. The first attempt to clarify the overall Government position as regards P.C.I.R.O. was made at a meeting held last Saturday, 5 July, which was attended by Count Zoppi of the Foreign Office, representatives of other ministries concerned and Avvocato Montini; no representative of P.C.I.R.O. was invited because the purpose of the meeting was to agree on the Government's line. I understand that the meeting was rather confused, and the information I give below should be taken as subject to further clarification and modification.

7. The line taken by the Government is as follows:-

- (a) Negotiations should be carried out on the basis of the I.G.C.R. agreement and not on the basis of your draft agreement.
- (b) The Government's present position is that it should not contribute to the expenses of I.R.O. If there is to be a contribution from the Lire Fund, this should be limited to the administrative and not the operating expenses.

8. The reasons for this attitude are approximately as follows:-

- (a) There are large numbers of Italian refugees, who are the primary concern of the Government.
- (b) Italy is a country which needs assistance and is not in a position to contribute.
- (c) The Peace Treaty has imposed great burdens on Italy and these cannot be increased by further demands.
- (d) Italy cannot agree to enter a United Nations organisation in a condition of inferiority; it is felt that by demanding from Italy a contribution higher than that made by other countries, Italy is still put on the plane of an "ex-enemy".

9. Obviously this is a black-and-white description of the Government's present position, and it certainly could not be expressed in writing. However, this apparently was the spirit prevailing at the meeting, and I thought it important that you should be made aware of it.

10. As I understand it, this policy of "toughness" is mainly the Foreign Office line, which seems to be supported by the indications furnished by the Foreign Office Representative in Geneva, Confalonieri. There seems to be the impression that if the Government takes a tough attitude, I.R.O. will give in and will pay ~~in~~ foreign exchange for whatever is required.

11. Avvocato Montini, who is still considered the interim negotiator for the Government, asked officially for our reaction to the proposal to start negotiations on the basis of the I.G.C.R. agreement, and tomorrow there will be another meeting of the Government group at which Montini is supposed to report on P.C.I.R.O.'s reaction to the proposal.

.../

12. I have already put through a call to Geneva to get Headquarter's instructions, but our provisional line, subject to your confirmation, is:-

- (a) If the Government's request to negotiate on the basis of the I.G.C.R. agreement means that they insist on the Joint Committee procedure, there is no objection on our part.
- (b) We cannot, however, negotiate on the basis of the financial provisions of the I.G.C.R. agreement without previous authority from Geneva Headquarters.
- (c) We request a reply in writing stating the Government's position, or a meeting with authorised Government representatives where the official Government reply to Dr. Kullman's letter transmitting the draft agreement can be given.

13. This is the story up to now. Some of the things I have said in this letter will probably be superseded by the time you read it, but I felt that you should be informed of the attitude at the present moment. My own personal feeling is that the Government is bluffing somewhat, and that they would be willing to retreat a bit from this extreme position. Possibly they would be favourable to becoming a full member of I.R.O. on the basis of a contribution proportionate to that of other countries with similar resources.

Sincerely yours,

P. Contini
Legal Adviser.

PCONTINI/jms.

cc: Mr. Keeny
Mr. Sorieri
Maj. Hodgetts
Mr. Contini

IGCR

Rome, 1st July 1947

FROM: The Minister of Foreign Affairs,
R O M E

Dear Mr. Keeny,

According to an information received from Geneva, I understand that you have been entrusted with the direction of the P.C.I.R.O. for Italy and that this organisation is going to start its operation in Italy as from to-day, taking over the functions performed by I.G.C.R. and UNHRA in Italy, concerning refugees.

Whilst expressing my satisfaction for your appointment, I am sure that you will give every possible cooperation as you have already done in your position as Chief of Mission of UNHRA which to-day puts an end to its beneficent and appreciated Mission.

It has come to my knowledge that some proposals for the organisation and functioning of I.R.O. in Italy have already been submitted to the Italian Government to be examined, and I wish to assure you that said proposals will receive our careful attention.

In the meantime, the relations between the Italian Government and the Preparatory Commission, which comes under your supervision, could be regulated - on general lines - on the basis of the agreement stipulated on 15th May 1947 between the Italian Government and the I.G.C.R. Concerning this agreement a good deal of work has already been accomplished as regards the assistance to refugees, food and P.O.L. supplies, insurance, transports, financial arrangements, repatriation, use of premises, etc.

Please accept, dear Mr. Keeny, my best regards

/s/ Sforza

4 July, 1947.

His Excellency Count Carlo Sforza,
Minister of Foreign Affairs,
Rome.

My Dear Count Sforza,

I have received your letter of 1st July 1947, and would like to thank you for your kind expressions. On my part, I am happy to have been appointed as Interim Chief of Operations of the Preparatory Commission for the International Refugee Organization in Italy, and I look forward with confidence to the continued collaboration of the Italian Government in this work of assistance to people who have suffered from the war. Mr. G.G. Kullmann, Principal Adviser to the Executive Secretary of the Preparatory Commission for I.R.O. has transmitted on 26 June 1947 to the President of the Council a draft of Agreement between the Italian Government and the Preparatory Commission, and an Aide Memoire containing some background information on the organization. At the same time Mr. Kullmann stated that I had been empowered to negotiate and sign the Agreement on behalf of the Preparatory Commission, and that we would be glad to be informed of the name of the representative or representatives of the Italian Government with whom negotiations should be carried out. We are now awaiting a reply to Mr. Kullmann's letter, and I am ready to begin the necessary negotiations with representatives who will be appointed by the Government.

Pending the conclusion of an Agreement with the Italian Government, we have repeatedly stressed the necessity for an interim arrangement which would enable the Preparatory Commission to operate in Italy as from 1st July 1947, thus avoiding a regrettable interruption in the operations of the Refugee Camps. In this connection we have been informed that the President of the Council has empowered the Hon. Ludovico Montini to stipulate a provisional modus vivendi with the Preparatory Commission for I.R.O. in order to ensure the continuity in the administration of the Refugee Camps which, until 30 June, had been operated by the UNRRA Italian Mission and the Inter-Governmental Committee for Refugees.

I am confident that, with the cooperation of the Ministries concerned, it will be possible to conclude such interim modus vivendi at the earliest possible moment.

Assuring you of my highest esteem, I am

Sincerely yours,

/s/ S.M. Keeny
Chief of Operations
Preparatory Commission for I.R.O.
Italy

PCONTINI:cr

cc: Keeny
Sorieri
Hacking
Montini
Contini

DP 80/26/6
~~add~~
IKO
File

PREPARATORY COMMISSION
FOR THE
INTERNATIONAL REFUGEE ORGANISATION

C-3

25 June 1947

TO: Col. A.L. Hamblin,
A.C.O.S. G-5.

FROM: Director-Designate of Italian Mission, I.R.O.

SUBJECT: Extension of Detached Service for Officers, Enlisted Men
and W.D. Civilians

1. Following our conversation of this morning, I am submitting below a list of the personnel now on D.S. with I.G.C.R. that we should like to have continued on Detached Service for a period up to three months from 1 July 1947. This extension is vital for the orderly consolidation of the various operations relating to Displaced Persons. The extension requested will give us the opportunity to determine the jobs that must be covered and to select and process the persons who can possibly be released.

U.S. ARMY PERSONNEL NOW ON DS WITH IGR

HEADQUARTERS & CAMPS

Officers

Hygaard, John R. Lt. Col.
Purdy, Edward, Lt. Col.
Brown, Roy G., Major
Humphrey, Fred H., Major
Kharitonoff, Alexander G., Major
Duncan, Thomas S., Capt.
McCarthy, Willis B., Capt.
Miller, John C., Capt.
Morris, Donald G., Capt.
Rand, Walter I., Capt.
Lent, Robert F., 1st Lt.
Sampson, Bert., 1st Lt.
Taylor, Coleman P., 1st Lt.
Malay, John V., 2nd Lt.

SCREENING

Officers

Marcisak, Stephen, 1st Lt.
Schoenack, John F. 1st Lt.
Sedwak, Michael F. Jr., 1st Lt.
Gesner, Ralph L., Capt.

HEAD QUARTERS & CAMPS

Enlisted Men

Myatt, Cecil A., Jr., Cpl.
Snyder, Gerald E., Pfc.

SCREENING

Enlisted Men

Ilkanich, Frank B., S/Sgt.
Pushkar, George A., S/Sgt.
Sisko, Peter, S/Sgt.
Wolanski, Henry J., S/Sgt.

WAR DEPARTMENT CIVILIANS

Mr. Campbell
Mr. Carleton
Mr. McCready

Miss Mildred Vest
Mr. Szanto
Mr. Tederovic
Miss Pevaner

S.M. KEENY

S.M. Keeny
DIRECTOR-DESIGNATE
OF ITALIAN MISSION, I.R.O.

Concurred by /s/

G.G. Kullman

PRINCIPAL ADVISER TO THE EXECUTIVE SECRETARY,
PREPARATORY COMMISSION FOR THE INTERNATIONAL
REFUGEE ORGANIZATION

SAKEENY/bac

cc: Dr. G.G. Kullman
Col. G.B. Findlay
Prof. Royce
Lt. Col. Fothergill
Mr. A.A. Sorieri
Mr. G.D. Hutchings
File (2)

1120
file

NOTES ON MEETING OF IRO, HELD IN

MR. KEENY'S OFFICE ON 17TH JUNE

1947

C-3

PRESENT FOR THE ITALIAN GOVERNMENT:

Avv. L. Montini
Dr. C. Chiodelli

President of the Italian Delegation
Italian Government Delegation

PRESENT FOR UNRRA:

Mr. Altmeyer
Mr. Davidson
Mr. Keeny
Mr. Sorieri
Mr. Hodgetts
Mr. Contini

Executive Secretary, PCIRO
PCIRO
Chief of UNRRA Italian Mission
D.C.M. & Chief D.P. Operations
D.C.M. & Chief, Br. F & A
Spc. Ass't to C o M

-
1. MR. ALTMAYER said that the IRO budget was about one half of what was estimated to be needed to handle the problem of displaced persons. He was negotiating for additional ships for the movement of refugees to South American countries and had requested these countries to include refugees presently in Italy in their immigration program. The UK and France have already indicated that they would include them in their recruitment and resettlement programs. Although Italy cannot join IRO at the present moment the feeling was favourable to inviting Italy to join the organisation and therefore he intended to work on the assumption that Italy would be a full member.
 2. IRO would put about six million dollars in the Italian operations, plus about two and a half million for resettlement and repatriation expenses. The six million dollars will amply cover the cost of both imported and indigenous food. On the other hand, Italy will be asked to provide services such as camps, equipment, transportation, etc.
 3. MR. KEENY said that it had been estimated that the cost of running camps for 32,000 displaced persons for one year would be about 90 cents per person per day. IRO would contribute about 45 cents, equivalent to six million dollars. Italy therefore should contribute about six million dollars in the form of services, supplies and local currency.
 4. AVV. MONTINI said that Italy had always tried to assist in any possible way with regard to refugees but stressed the present financial difficulties of the country. He said that he personally believed that the problem could be solved by careful planning, but warned that if the short supply of food in Italy had to be affected by the DP program, the High Commissariat for Food would raise strong opposition. A diversion of food to the foreign displaced persons would be difficult to explain to the population. As regards the financial requirements, Avv. Montini said that these should be included among the Lire Fund projects and therefore a reduction of other programs might be necessary.
 5. MR. KEENY said that the 45 cents put in by IRO would more than cover the cost of imported and indigenous food for DPs. As regards the Lire Fund, he said he would be willing to modify the position he had taken in the letter to Minister Campilli in which it had been stated that any contribution from the Lire Fund to IRO should be additional to the rate of expenditure. Instead, now he said that he would be willing to include such contribution in the rate of expenditure in order to facilitate reaching an agreement on this point.

6. MR. ALTMAYER said that he believed that any expenses to be incurred by Italy on behalf of refugees should be considered as part of the future Italian contribution to IRO.

7. MR. KEENY said he could give two pieces of good news - (1) that three million dollars were now available for payment for the Trieste operations and (2) that the indications were that the International Emergency Children's Fund would assist Italy.

8. AVV. MONTINI said that in principle he was favourable to the program of IRO in Italy, because he had always thought that the UNRRA activities should not stop but that they should be taken over by a number of international agencies, of which IRO was one. He said, therefore, that he would present favourably to the Prime Minister the proposals made by Mr. Altmeyer.

9. MR. KEENY said that he hoped that an advance could be obtained from the Lire Fund until the agreement between Italy and IRO is signed.

P. Contini
SPECIAL ASSISTANT TO
THE CHIEF OF MISSION

NOTES ON DISCUSSION HELD IN MR. KEENY'S OFFICE
AT 2.30 p.m. on 17 JUNE 1947

7
C-5

PRESENT: Mr. Altmeyer
Mr. Keeny
Mr. Davidson
Maj. Hodgetts
Mr. Sorieri
Dr. Kullman
Mr. Sutherland

1. Mr. ALTMEYER agreed that Dr. KULLMAN should stay on to July, 1st if necessary.
2. He further agreed that the Unit cost of 45 cents per D.P. or refugee should not be stipulated in the agreement, but that a general phrase be used indicating the established principle of payment on a fifty-fifty basis, with "costs to be agreed". He authorised Mr. KEENY to negotiate on these lines mentioning the figure of 45 cents, but if agreement could not be reached with the Government, then either he or his representative would be available to come to Rome to further review the situation.
3. On the question of Italy's contribution, it was agreed that Mr. KEENY should try to get a statement in terms of specific services to be rendered rather than an overall figure. The Italian Government's right to have a say in IRO should be limited to general policy decisions. If necessary, Mr. KEENY could say that the lire spent within the 45-cents limit would be repaid in supplies or dollars.
4. Mr. ALTMEYER confirmed that he agreed points 1 to 8 on the suggested revisions for the agreement (copy attached).
5. On Item 9, Section V(c) Mr. ALTMEYER stated that the F.A.O. had an emergency standard of 1900 calories, plus an extra ration not to exceed 300 calories in exceptional cases. Mr. SORIERI agreed that this was acceptable. It was agreed that no action was required by this Mission pending instructions from Headquarters.
6. Mr. ALTMEYER agreed that from a practical point of view it would be better if an average ration could be established.
7. It was agreed that there should be some statement in the Italian Government agreement as to the disposal of war criminals. As a protection measure IRO should be informed by the Italian Government of the people demanded for extradition, and the people whom IRO screened out of camps should be notified to the Italian Government.
8. Mr. ALTMEYER confirmed that the interim agreement was in order which provided for sufficient money on July 1 to ensure continuation of use of premises etc.
9. Regarding letters of appointment to IRO, where the titles listed seemed to cover the whole program, Mr. ALTMEYER approved the suggested addendum, and stated that the individual was not guaranteed that the position he was at present occupying would remain firm after the initial period.
10. Mr. KEENY asked Mr. ALTMEYER for authority to take on temporarily office space up to 100 rooms so that IGCR people could be moved over and the remaining office space released as soon as possible to the owner. Mr. ALTMEYER asked Major HODGETTS to have a memo typed covering this, (which was later signed). (The space is to be reduced later to fit the staff kept).

11. Mr. KEENY stated that he would move towards the capture of all vehicles necessary to equip the IGCR camps and also to hold approximately 60 American vehicles on loan. If these are not withdrawn, as is threatened, IRO will have replacements. Mr. ALTMAYER agreed.

12. On the question of the appointment of Mr. HUTCHINGS, Mr. KEENY pointed out that technically all Grade 12 employees should be cleared through UNRRA HQ, but that Mr. HOWELL, Controller, had suggested that he be terminated in the field and employed locally. He would come within the budget of 80. This Mr. ALTMAYER agreed.

13. Mr. ALTMAYER agreed that Dr KULLMAN notify all concerned that Mr. KEENY would be in charge of the IRO operation in Italy.

14. On the matter of Headquarters ceiling, Mr. ALTMAYER agreed that the figure of 102 which had been mentioned would be left open until the matter had been reviewed and a recommendation made.

17 June 1947.

Preliminary comments on first draft of Agreement between I.R.O. and Italian Government:

1. PREAMBLE: Suggest insertion of statement "in anticipation of the participation of the Italian Government in I.R.O.". Accordingly paragraph (b) and (c) of Section II should be eliminated.
2. SECTION IIIc. Suggest that statement be clarified to indicate that Voluntary Society Personnel will be granted same status as UNRRA imported staff.
3. SECTION IVa. Suggest adding "within the limits of its available resources".
4. SECTION IVc. Suggest including last sentence in separate article on definitions, which will include the definition of Refugee, Preparatory Commission as representing I.R.O., etc.
5. SECTION IVd. Suggest elimination of paragraph (b) because it is already included in paragraph (a).
6. SECTION IV F.g.h. Suggest incorporation of three paragraphs in one new paragraph.
7. SECTION IV (i). Suggest change to "the provision in cooperation with the Government to an agreed employment program where that is possible in order to provide work for employable refugees in accordance with I.R.O. Constitution".
8. SECTION IV (j). Suggest adding "Subject to Italian legislation and the international obligations of Italy".
9. SECTION V (c). Suggest adding following words after Food and Agricultural Organisation "and under such scales as may be agreed upon between the Government and I.R.O. for particular groups of Refugees". (This suggestion was made by Mr. Davidson).
10. SECTION V (e). Suggest rephrasing to "The Camps and Installations operated by I.R.O. will be under the jurisdiction of the Italian Government as regards police regulations and civil and criminal legislation".
11. SECTION V (g). Suggest elimination of paragraph (g) as this regards the relationship between the Italian Government and the Allied Governments in the Peace Treaty more than the relationship between I.R.O. and the Italian Government.
12. SECTION VI (a). Suggest adding "Subject to Section IX below" after "Government will provide".
13. SECTION VI (c). Suggest rephrasing to include insurance against Third Party Risks and inclusion of all social security benefits provided for in the Italian legislation.
14. SECTION VIII. Suggest omitting specific reference to Joint Committee in draft of Agreement until the relationship between I.R.O. and the Government is more clearly established.
15. SECTION IX. Suggest that if possible, amount of Government contribution be specified and addition of statement saying that funds made available by the Government will be administered by I.R.O. and that periodic reports of expenditures will be made to the Government. This is suggested in order to avoid that I.R.O. should call on the Government each time it needs services or funds, in order to give I.R.O. more freedom in the administration of its resources.

ADDENDUM TO LETTER OF APPOINTMENT.

The title of your appointment has been left blank in the attached letter. As you will appreciate, it cannot be determined until the organizational integration of the ex-UNRRA and other personnel concerned into the Preparatory Commission of the International Refugee Organization is further advanced than at present. The title of your appointment will be notified to you as soon as possible.

The terms and conditions of your appointment as specified in the attached letter of appointment will remain unaffected by this addendum.

QM 11152

SUMMARY OF DISCUSSIONS HELD IN GENEVA ATTENDED BY MR HALL, MR FINN, MISS PEARLSON AND MR HOWELL; AND IN ROME ATTENDED BY MR ALTMAYER, MR KULMANN, MR KEENY, MR DAVIDSON, MR FINN, MR HODGETTS AND MR HOWELL ON SUNDAY, 15TH JUNE, 1947.

200 C-3

The purpose of these meetings was to review the status of UNRRA/IRO arrangements and to obtain confirmation of completed and proposed arrangements.

1. As to plan of joint operation, for a limited period, of certain financial and accounting operations.

Such a plan was necessitated in order to accomplish the orderly close-down of UNRRA operations, while at the same time enabling IRO to commence its operations satisfactorily. No other plan appeared feasible. The status of the arrangements is as follows:-

a. In the field.

The present finance and accounting staffs in the following locations will be available as is for the joint operation. The dates when it is expected that UNRRA work will be completed and IRO must be ready to operate on its own are listed. The organisation upon whose payroll people will be carried is listed, the determining factor being whether or not the bulk of the people are eventually to be taken over by IRO. The executive responsibility, i.e. the chain of command through which both UNRRA and IRO instructions and authorities will flow, is also indicated, the determining factor being whether or not IRO has, at this time, indicated that it would retain the existing organisation or only small parts thereof.

Paris Headquarters. Personnel turned over en bloc. Carried on IRO payrolls. Direction channelled through Mr Robson for UNRRA work, which will be completed not later than August 15th.

British & French Zones, Germany. As above except the completion of UNRRA work expected not later than 31st July.

U.S. Zone, Germany. As staff not accepting IRO employment, they will continue on UNRRA payroll and direction, completing their work not later than 31st July. IRO must immediately arrange appropriate staffing. In the meantime, UNRRA employees have agreed to keep IRO work going for which they will receive instructions through Paris H.Q.

Vienna. UNRRA staff available to July 31st when work will be completed. While IRO has not indicated that they will accept the existing personnel, Mr Robson has agreed that, to avoid a break and immediate staffing by IRO, he will instruct IRO, Vienna to take on the UNRRA personnel until other arrangements might be made.

British, French & U.S. Zones, Austria. The personnel involved, as well as those in Vienna, will be on IRO payrolls with the direction of UNRRA work through Mr Robson. UNRRA's own work will be completed by 15th July.

Italy. Personnel will be retained en bloc on UNRRA payrolls and under UNRRA direction for varying periods, culminating August 15th. IRO work will be carried on by this group with instructions from IRO channeled through UNRRA lines of authority. UNRRA retains jurisdiction as present IRO plans do not contemplate a staff adequate to discharge UNRRA responsibilities. A careful survey of I.R.O.'s work in Italy and the consequent financial and accounting requirements is recommended in order that appropriate selections may be made from the UNRRA staff before it is dispersed. It will be noted that this group is part of the UNRRA Mission closure organization and not one affected by any restriction on UNRRA's D.P. Operations after 30th June.

Middle East Office. While no investigation has yet been made, the group has been retained en bloc to finish UNRRA work by 31st July. Questions of transfer to IRO payroll and lines of authority will be settled in the coming week.

China. No information on this point. Mr. Altmeyer felt that a joint operation for a short period was essential and Mr. Howell could see no reason why this could not be done in view of the fact that a Mission closure organization, retaining the entire financial and accounting staff, would be in China until late Autumn. The matter will be discussed in Washington.

- b. Operations conducted in Washington and London on behalf of IRO. Due to the impossibility of IRO's setting up its own home accounting plan, or some substitute therefor, by 1st July, it has been necessary for UNRRA to undertake this work for IRO. It is contemplated that, within a maximum of 90 days, IRO will have completed arrangements to do this work on its own account. Mr. Altmeyer requested that the plan include not only ex-UNRRA employees transferred to IRO, but those few non-UNRRA employees who might be hired by IRO.

It is hoped that UNRRA work will have reduced sufficiently by the end of July to permit the segregation of the personnel and the equipment involved and the establishment of separate IRO units but this must await UNRRA's judgment of the circumstances.

- c. Operations conducted in Paris on behalf of UNRRA. For those UNRRA employees whose home accounting office is Paris, IRO will perform the work during the period of joint operation in exactly the same manner as outlined in "b" above. The number should rapidly decrease and those remaining by August 31st will be transferred to other existing UNRRA home accounting stations as appropriate.

2. Implications of the above plan.

a. As to responsibility.

Nothing in the above plan alters, modifies or in any way relieves UNRRA officials for the full responsibility for the financial and accounting operations of UNRRA which may be carried on by the joint organisation. The introduction of an IRO executive (Mr Robson) into the chain of command is solely to provide appropriate channels of communication in accordance with good organisational procedure. The existing system of ERO channels of communication remains unchanged. Full availability of all books, records, documents and facilities for the questioning of and discussion with personnel will continue without any change whatsoever for both internal audit and external audit purposes.

Similarly, IRO officials retain full responsibility for IRO work, and UNRRA assumes no responsibility in this regard except to see that the employees under its control give the same care and attention to IRO work as they do to that of UNRRA. Mr Robson has requested that the system and channels of communication now in use by ERO be made available to him and this has been agreed.

It was likewise agreed that there will be no change in the location of the work from the points where it is now regularly performed by UNRRA during the period of the joint operation.

The requirements of the Council's Auditors of UNRRA was fully discussed, the plan having been gone over in detail with Mr Turner in London, and it was agreed that IRO would inform personnel carried on its payroll and under its direction doing UNRRA work that they must in all respects continue to give every possible facility, as heretofore, to the work of the external auditors.

It was pointed out that the joint operation automatically ceased when UNRRA's work was finished, which meant, in some cases, early July, and in any event not later than the 30th September.

b. Funding

Funds now being available to IRO, the opening of bank accounts should proceed with utmost speed as it will not be possible to use UNRRA accounts for any IRO activities including those joint operations carried on by IRO. For home accounting purposes, IRO bank accounts are required in Washington, London and at Paris, Vienna, all Zones and other offices for their own operations, both in hard money and local and military currencies.

Mr Altmeyer states that all IRO employees would be fully bonded in such a way as to cover the work done by UNRRA, and UNRRA agreed that it would likewise examine its policies, believed to cover this situation, at Washington so that both organisations would be fully protected.

5. General understanding

It was pointed out that in order to expedite the segregation and final separation of IRO work, and particularly to agree upon the funding and accounting matters involved, that a financial and accounting representative of IRO should visit Washington at the earliest opportunity.

The urgency of completing IRO organisation was emphasised in view of the early dates by which the UNRRA part of the joint operation would be completed. It was noted that the priorities of work were those to be mutually agreed between the Deputy Controller in London and Mr. Robson.

It was agreed that copies of this memo would be sent to all concerned and that, in particular, IRO would use it as the basis for writing official confirmation of all of the agreed arrangements to date, sending them to both Washington and London.

Note: All the above material was reviewed and discussed in detail at a meeting held in London on Thursday, 12th June attended by Messrs. Robson, Morrow, Finn, Burnett, Campbell and Howell.

16th June 1947

H. E. Howell
Controller
UNRRA Rome

Distribution: Mr. Altmeyer, Mr. Davidson, Mr. Robson, Mr. Morrow, Mr. Hall, Mr. Finn, Director General, P.R.D.G., Mr. Howell, Chief Executive Officer, (HQ), CFA, ERO, Deputy Controller, ERO, Mr. Lisner, Mr. Campbell, Mr. Keeny, Mr. Hodgetts.

1120

2c-3

UNITED NATIONS RELIEF AND REHABILITATION ADMINISTRATION
Headquarters, Displaced Persons Operations
Hotel Majestic, Avenue Kleber,
PARIS (XVI)

15th June, 1947.

Dear Sir or Madam,

1. I am authorised by the Executive Secretary of the Preparatory Commission of the International Refugee Organisation which is currently acting on behalf of that organisation, to offer you an appointment under the Preparatory Commission and subsequently under the International Refugee Organisation, on the following terms:

2. This appointment will be from 1st July 1947, at a basic salary no less favourable than that to which you are entitled on 30th June 1947, subject to termination at 15 days' notice on either side, such notice to be given at place of duty. Thereafter increases in pay will be subject to the regulations to be established by the Preparatory Commission or the International Refugee Organisation itself, as applicable. This basic salary will be maintained through 30th September, 1947. The orders and regulations covering conditions of service will be identical with those under which you were serving UNRRA on 30th June, 1947, except for the terminal notice of fifteen days as indicated above. These conditions of service will remain in force until such date as the Preparatory Commission or the International Refugee Organisation establishes its own conditions of service. Communication of such new conditions (which will not affect the basic salary until 30th September 1947) will constitute notice of termination of this temporary appointment and the offer of a new contract. If these conditions are acceptable to you, continuation in your post will constitute an acceptance of the new contract.

3. If you desire to accept the appointment under the terms offered herein for the period 1st July to 30th September, 1947, or such shorter period, vide para. 2 above, you are requested to sign the form of acceptance below and return two of them to the Personnel Officer. You will also complete the Personal History statement on the back of this letter.

Yours faithfully,

Personnel Officer
(for) Zone Director

Issued to:

..... (Initials & Name in Capitals)
..... (Appointment)
..... (Zone or Mission)

I accept the above terms of employment with the Preparatory Commission and/or the International Refugee Organisation for the period 1st July to 30th September, 1947.

.....
(Signature of Employee)

Date.....

PERSONAL HISTORY STATEMENT

1. Name (Capitals)..... 2. Nationality.....

3. Date of birth..... 4. Place of birth.....

5. Position, Grade, Salary and Date of Appointment to UNRRA:

.....
.....

6. Position, Grade and Salary at time of termination from UNRRA:

.....
.....

7. Education:

.....
.....
.....

8. Experience:

.....
.....
.....

Signature.....

Date.....

FA 11146 P

UNRRA - ITALIAN MISSION

17th June 1947

Preliminary comments on first draft of Agreement between I.R.O. and Italian Government:

1. PREAMBLE: Suggest insertion of statement "in anticipation of the participation of the Italian Government in I.R.O.". Accordingly paragraph (b) and (c) of Section II should be eliminated.
2. SECTION IIIc. Suggest that statement be clarified to indicate that Voluntary Society Personnel will be granted same status as UNRRA imported staff.
3. SECTION IVa. Suggest adding "within the limits of its available resources".
4. SECTION IVc. Suggest including last sentence in separate article on definitions, which will include the definition of Refugees, Preparatory Commission as representing I.R.O. etc.
5. SECTION IVd. Suggest elimination of paragraph (b) because it is already included in paragraph (a)
6. SECTION IV F.g.h. Suggest incorporation of three paragraphs in one new paragraph.
7. SECTION IV (i) Suggest change to "the provision in cooperation with the Government to an agreed employment program where that is possible in order to provide work for employable refugees in accordance with I.R.O. Constitution".
8. SECTION IV (j) Suggest adding "Subject to Italian legislation and the International obligations of Italy".
9. SECTION V (c) Suggest adding following words after Food and Agricultural Organization "should under such scales as may be agreed upon between the Government and I.R.O. for particular groups of Refugees". (This suggestion was made by Mr. Davidson).
10. SECTION V (e) Suggest rephrasing to " The Camps and Installations operated by I.R.O. will be under the jurisdiction of the Italian Government as regards police regulations and civil and criminal legislation".
11. SECTION V (g) Suggest elimination of paragraph (g) as this regards the relationship between the Italian Government and the Allied Governments in the Peace Treaty more than the relationship between I.R.O. and Italian Government.
12. SECTION VI (a) Suggest adding "Subject to Section IX below" after "Government will provide".

13. SECTION VI (c) Suggest rephrasing to include insurance against Third Party Risks and inclusion of all social security benefits provided for in the Italian legislation.
14. SECTION VIII Suggest omitting specific reference to Joint Committee in draft of Agreement until the relationship between I.R.O. and the Government is more clearly established.
15. SECTION IX Suggest that if possible, amount of Government contribution be specified and addition of statement saying that funds made available by the Government will be administered by I.R.O. and that periodic reports of expenditures will be made to the Government. This is suggested in order to avoid that I.R.O. should call on the Government each time it needs services or funds, in order to give I.R.O. more freedom in the administration of its resources.

F. Gentini
SPECIAL ASSISTANT TO THE
CHIEF OF MISSION.

FOUNTINI/sp

COPY

1st Draft
2. June 1947

DRAFT AGREEMENT BETWEEN THE EXECUTIVE SECRETARY OF THE PREPARATORY COMMISSION
FOR THE INTERNATIONAL REFUGEE ORGANISATION AND THE ITALIAN GOVERNMENT

Hotel de la Ville
Room 132

SORIERI

SECTION I

PREAMBLE

IN RECOGNITION OF :

- a. the decisions of the Preparatory Commission for the International Refugee Organisation to assume operating responsibility as from 1st July 1947 on behalf of the International Refugee Organisation;
- b. the responsibility of the International Refugee Organisation in regard to refugees in Italy as provided by its Constitution;
- c. the fact that the solution of the refugee problem in Italy is dependent upon the joint action and mutual co-operation of the Italian Government and the International Refugee Organisation;
- d. the desire of the Italian Government and the Executive Secretary of the Preparatory Commission of the International Refugee Organisation to define their mutual responsibilities with respect to refugees in Italy.

THE FOLLOWING AGREEMENT IS MADE between the Italian Government (hereinafter referred to as "the Government") and the Executive Secretary of the Preparatory Commission for the International Refugee Organisation (hereinafter referred to as "IRO").

SECTION II

MUTUAL RECOGNITION

a. The Government recognises the establishment of the Preparatory Commission for the IRO and its possession of the status and powers conferred upon it by the Constitution and the Agreement on Interim Measures and by the Resolutions and decisions adopted by the Preparatory Commission.

b. The IRO recognises that by the assumption of the obligations defined by this Agreement, the Government enters into this Agreement as a ^{participant in} programme of co-operation with the IRO.

c. This Agreement recognises that until the IRO is formally constituted in accordance with article 12 of its Constitution it is not

Attachment

possible for the Italian Government to become a member of the organisation but is made in confident anticipation that on the formal establishment of the IRO the Italian Government will then participate in the solution of the refugee problem as a full member of the IRO.

SECTION III

GENERAL

a. IRO is hereby authorized by the Government to carry out its functions and activities as authorized and required by its Constitution.

b. IRO may establish such offices and bring into Italy such personnel as it may require for the purpose of carrying out a programme for the care and maintenance, repatriation, resettlement and protection of refugees in Italy.

c. It is recognised that IRO where it deems appropriate may carry out its functions through the agency of voluntary societies and their personnel and resources. Under this agreement the IRO and IRO personnel shall, where the content permits, include voluntary societies and their personnel where such societies are operating under the auspices of IRO and carrying out its functions on its behalf.

SECTION IV

IRO WILL BE RESPONSIBLE FOR:

a. The carrying out of the functions laid down in the Constitution in respect of all eligible refugees in Italy whether or not in refugee camps.

b. The operation of such camps for the care and maintenance of refugees ^{for whom} IRO deems such assistance to be necessary; and for the control and administration of such camps.

c. The determination of which refugees are eligible for its assistance and for the establishment and operation of whatever machinery and procedure it deems desirable for ascertaining whether refugees fall within the definitions contained in Annex I of the Constitution of the IRO, which definition is attached as Annex I to this Agreement. IRO will keep the Government fully informed as to the methods and machinery it establishes for this purpose. In this Agreement the term "refugee" shall be read as meaning a refugee or displaced person as defined in that definition.

d. The provision of such assistance as it deems necessary to refugees living outside of camps.

e. Encouraging and arranging for the repatriation of refugees and for this purpose maintaining contact with the representatives of the countries of origin of the refugees.

f. Arranging for repatriation movements in accordance with the procedures to be agreed upon with the appropriate officials of the Government.

g. Arranging for the resettlement or emigration of refugees who are unable or unwilling to be repatriated and for this purpose maintaining close contact with the representatives in Italy of countries of resettlement.

h. In accordance with procedures to be agreed upon with the appropriate officials of the Government, arranging for the movement of refugees who are being resettled to ports of embarkation and provision of transport for such refugees from ports of embarkation.

i. The provision in co-operation with the Government, of an agreed employment programme where that is possible in order to provide work for employable refugees in order that in accordance with the IRO Constitution IRO will not be concerned with refugees who are making no substantial effort towards earning their living where it is practicable for them to do so.

j. Protection of the legitimate interests of such refugees in Italy as may request its assistance.

SECTION V

RESPONSIBILITIES OF THE GOVERNMENT

IN RECOGNITION of the fact that the refugee problem in Italy is the joint responsibility of the Government and IRO and that it can be solved only by their mutual co-operation and joint action, the Government agrees to accept the following responsibilities subject to Section IX below:-

a. the provision of camp accommodation for refugees requiring (such) assistance from IRO, and the repair and maintenance of such camp installations;

b. the provision of appropriate rail transport within Italy for

and who refuse to leave of their own accord and whom IRO itself cannot
move;

- 4 -

refugees being repatriated or resettled;

c. the provision of food and other supplies for refugees in IRO camps and for refugees whom the IRO regards as entitled to assistance outside of camps. The Government will provide such supplies from whatever sources it deems appropriate either from the indigenous resources of Italy or from such imported resources as may be available and will ensure that the rations provided to refugees in accordance with this provision shall not fall below the minimum emergency standard established by the Food and Agricultural Organisation. Such supplies shall include in addition to food, fuel clothing, medical supplies and accommodation stores such as furniture, bedding and household equipment;

d. the provision of supplies referred to in paragraph (c) above at warehouses or other depots to be agreed upon from time to time between the Government and IRO;

e. the overall maintenance of law, order, security and public health;

f. the removal upon request by the IRO from IRO assembly centres of such persons as IRO may determine to be ineligible for its assistance and who refuse to leave of their own accord and whom IRO itself cannot remove;

g. the apprehension and appropriate disposition of "war criminals, quislings and traitors".

SECTION VI

FACILITIES TO BE PROVIDED BY THE GOVERNMENT FOR IRO

a. The Government will provide:-

i. appropriate office accommodation for IRO as well as such warehouses, garages and similar facilities as may be required for the carrying out of IRO responsibilities under this Agreement;

ii. facilities for the transport of supplies upon means of conveyance afforded by the Government;

iii. priority for all official journeys on railways, motor-buses, sea and air lines for personnel of IRO.

b. The Government will facilitate the admission into and the movement within Italy of IRO personnel and will furnish all practicable

assistance to enable IRO to select and employ qualified Italian citizens for its operations under this Agreement;

c. the Government shall provide for social insurance for IRO personnel engaged in Italy under the same conditions as those which under Italian law are applicable to Italian employees of Italian private enterprise and will assume all liability for injury to such employees to which IRO would be subject under Italian law if it were an Italian private enterprise.

SECTION VII

PROVISIONS RELATING TO TAKEOVER OF UNRRA AND IGC OPERATIONS

a. The IRO will take over and continue to operate those refugee camps and installations which are at present being operated by either UNRRA or the IGC and the Government will continue to make available to IRO the accommodation and equipment at present used by UNRRA and the IGC in the operation of these camps.

SECTION VIII

JOINT COMMITTEE

a. In order to provide a regular means for consultation between the Government and IRO and for ensuring effective co-operation and joint action, the Joint Committee shall be established, consisting of delegations from the Government and IRO.

b. The Government delegation shall consist of the representatives of the following Government agencies:-

c. the IRO delegation shall consist of the Chief of the IRO Italian Mission and such additional representatives as he may designate;

d. the Chiefs of the Government and IRO delegations on the Joint Committee shall act as Chairman in alternate months;

e. the Joint Committee shall be authorized:-

i. to formulate, consider and recommend any supplementary Agreements to be concluded between the Government and IRO;

ii. to secure reports upon and enquire into and to make recommendations to the Government and IRO with respect to all operations under this Agreement.

SECTION IX

FINANCIAL PROVISIONS

a. The following provisions shall govern the financial relationship between the Government and IRO and all the provisions of this Agreement in particular those relating to the provision of supplies and services shall be read subject to this section;

b. IRO will reimburse the Government for the expenditure undertaken by it under this Agreement an amount of 45 cents per day for each eligible refugee in IRO camps, such reimbursement shall be made in a currency and in accordance with such procedure as may be agreed upon between the Government and IRO through the Joint Committee;

c. in consideration of the payment of such sum the Government undertakes to provide the supplies and services referred to in this Agreement and in addition to meet such expenditure in Italian currency as the IRO may incur in carrying out its obligations under this Agreement and for this purpose to make such advances of Italian currency to IRO as may be necessary and agreed upon from time to time;

d. in recognition of the possibility that the amount of 45 cents per day may not meet all the expenses which the Government may be called upon to make in accordance with the terms of this Agreement, any additional

expenditure required from the Government shall be regarded as a contribution to the IRO and shall be taken into account in determining its contribution to the IRO.

SECTION I

IMMUNITIES AND PRIVILEGES

a. IRO and its non-Italian personnel in the performance of their official functions will be accorded the same immunities, facilities, privileges and exceptions as are normally granted by the Government to diplomatic representatives;

b. IRO, its assets, property, income, operations and transactions and the salaries or remunerations for personnel services paid by IRO to its personnel of non-Italian nationality and non-resident in Italy shall be immune from all taxes and duties of any kind imposed by the Government or any other public authority in Italy;

c. IRO shall communicate to the Government the names of its personnel entitled to the privileges and immunities granted by this section;

d. IRO will assure the good conduct, integrity and moral character of its personnel and will discharge or recall any of its personnel who violate these standards.

SECTION II

DURATION

a. This Agreement shall come into force on 1 July 1947 and shall remain in force for a period of six months.

b. The International Refugee Organisation may, on coming into existence prior to the expiration date, take over this Agreement from the Preparatory Commission.

c. Discussions for the purpose of reviewing the provisions of this Agreement shall be undertaken through the Joint Committee at any time at the request of either party.

1. Daily ration schedule to Kullman
2. Get from Kullman or Sunderland
the Amenity's supplies ration.

~~All of Section II~~ ^{+ partially stated}

① Section II b/c should be more clearly stated & preferably included in Section I

② Section II C 2nd sentence ambiguous. Perhaps should state they (Vol Dors) will be given same status as other personnel.

③ a. The authority to + not
b. Seems unnecessary. Disagreement in f + g.
i. Long English.
j. Very broad. Says too much & too little. ^{limitation - in} ~~I had gone to law of~~
country, + obligation such as power treaty etc.

④ (a) "accommodations" !!!

(c) Supply policy

(d) Badly stated. Meaning? Not extrajurisdictional? or what? Mean -
under jurisdiction of govt as regards police reg., civil & crim. legislation,

(f) ???

(g) ~~Probably~~ Should be included in (f) as these include anyway. Some aspects of this are not also but these treaty etc.

640

Mr. Javiers

File

UNITED NATIONS
RELIEF AND REHABILITATION ADMINISTRATION
ITALIAN MISSION

C-3

Ref. No.

12 June 1947

TO : Mr. L. Varrichione
Deputy Chief of D.P. Operations - Italy -

FROM : John Western
Office Distribution Campaigns

SUBJECT: Poster printing budget for IRO Information Program

1. Pursuant to indications from Paris H.Q. that a poster program in the camps is envisaged, it is recommended that provision be made in the third quarter budget for the printing of such materials, as discussed with you today.
2. The Deputy Chief of Mission F. & A. today requested, by telephone, a rough estimate of such expenditures, which we fixed at 500,000 lire for the quarter.
3. The sum will permit the printing of three to five different posters in three or four different languages as well as a leaflet, if necessary.
4. It will be possible to render this estimate more precise after decisions on this program have been taken with operating officials in Italy and with Public Information officials in Paris.

John Western
John Western
Chief, Office Distribution Campaigns
Bureau of Requirement and Distribution

JW/dm

cc: Director, Division of Finance & Admin. - D.P. Operations
Mr. Canali

UNRRA - ITALIAN MISSION
BUREAU OF RELIEF SERVICES

Date

7/6

From: Deputy Chief of Mission

To:

1 Assistant Chief of Bureau

2

Mr. Shook
Executive Ass't (Program Coordination)

3

Dr. Jones
Health Division

4

Mr. Bond
Welfare Division

5

Mr. Wyatt
Displaced Persons Division

Special Relief Projects Division

6

Miss Webb

Remarks:

Letter of appointment being
sent to all staff.

11 JUN 1947

32/11

United Nations Relief and Rehabilitation Administration.
European Regional Office,
11, Portland Place, LONDON. W.1.

23 May, 1947.

Dear Sir or Madam,

1. I am authorized by the Executive Secretary of the Preparatory Commission of the International Refugee Organisation which is currently acting on behalf of that organisation, to offer you an appointment under the Preparatory Commission and subsequently under the International Refugee Organisation, on the following terms.
2. This appointment will be from 1st July, 1947, at a basic salary no less favourable than that to which you are entitled on 30th June, 1947, subject to termination at one month's notice on either side; such notice to be given at place of duty. The expression "basic salary" will include UNRRA annual increments accruing to inclusive the 1st July, 1947. Thereafter increases in pay will be subject to the regulations to be established by the Preparatory Commission or the International Refugee Organisation itself, as applicable. This basic salary will be maintained through 30th September, 1947. The orders and regulations covering allowances and other conditions of service will be identical with those under which you were serving UNRRA on 30th June, 1947. These conditions of service will remain in force until such date as the Preparatory Commission or the International Refugee Organisation establishes its own conditions of service. Communication of such new conditions (which will not affect the basic salary until 30th September, 1947) will constitute notice of termination of this temporary appointment and the offer of a new contract. If those conditions are acceptable to you, continuation in your post will constitute an acceptance of the new contract.
3. Unless you are notified to the contrary by the 1st September, 1947, you may conclude that your services will be required on and after the 1st October under the terms of service of the Preparatory Commission or the International Refugee Organisation itself if by that time established.
4. If you desire to accept the appointment under the terms offered herein for the period 1st July to 30th September, 1947 or such shorter period, vide para 2 above, you are requested to sign the form of acceptance below and return, through the normal channels, one copy each of this letter to:-
 - (a) Headquarters, D.P. Operations, UNRRA, Paris.
 - (b) European Regional Office, UNRRA, London.

For this purpose two additional copies are provided.

Yours faithfully,

J. GRIMOND

Director of Personnel.

European Regional Office.

United Nations Relief and Rehabilitation Administration.

Issued to:	Issue authorised by:
.....(Initials & Name(Signature)
in Capitals)(Name in
.....(Appointment)	Capitals)
.....(Zone or Mission)(Appointment)
(Date)

I accept the above terms of employment with the Preparatory Commission and /or the International Refugee Organisation for the period 1st July to 30th September, 1947.

(Signature of Employee)

Date.....

U.N.b. 3417

DRAFT OUT GOING MESSAGE

UNRRA ITALIAN MISSION

CABLE ROOM
USE ONLY

Ser. No. _____

120

C-3

Date 21st June 1947

To PCIRO GENEVA

Repeated _____

FOR ALTMAYER FROM KEENEY. REUR ROME 38. REVIEWED YOUR CABLE WITH KULLMAN SORIERI.

1. NEW REGISTRATION PROCEDURE INCLUDING PHOTOGRAPHING FINGERPRINTING DEVELOPED FOR INTERNAL ADMINISTRATIVE CONTROL TO EFFECT IMPORTANT ECONOMIES IN ISSUANCE SUPPLIES AND MAINTAIN ACCURATE COUNT REFUGEES UNDER CARE AND FACILITATE VARIOUS ADMINISTRATIVE PROCEDURES. PROPOSED SYSTEM COMPLIES AUDITORS REQUIREMENTS REGARDING CONTROL OF FUNDS AND SUPPLIES.
2. ALL OUR INSTRUCTIONS EXPLICITLY STATE THAT CONTROL BOOK ISSUED TO REFUGEE IS NOT REPEAT NOT VALID TRAVEL DOCUMENT PASSPORT OR GOVERNMENTAL IDENTIFICATION BUT SERVES ONLY FOR INTERNAL PURPOSES.
3. COLONEL FINDLAY HAS AGREED APPLY SAME PROCEDURE IGCR CAMPS FOR UNIFORMITY OF CONTROL.
4. ABOUT 3000 REFUGEES ALREADY PHOTOGRAPHED AND BIDS BEING TAKEN FOR PRINTING NECESSARY CARDS AND BOOKLETS. EXPENSE BEING BORNE BY UNRRA SINCE WORK UNDERTAKEN IN SECOND QUARTER. ANY SUBSTITUTE PROCEDURE WOULD HAVE TO BE DEVELOPED THIRD QUARTER HENCE EXPENSE TO PCIRO.
5. REQUEST YOUR APPROVAL COMPLETION IMPLEMENTATION THIS PROCEDURE.

KEENEY

D.P. OPERATIONS (ITALY)

Office of Origin

A.A. SORIERI

Originator's Signature

S.M. KEENEY

Approved

Distribution

KEENEY
HODGETTS
KULLMAN

CABLE

GENEVA TO ROME No. 38.

From Altmeyer to Keeny.

Did not realize until I read Sorieri's memorandum to Kullmann dated 11 June that your registration photographing and finger printing program was something recent and apparently to be undertaken on behalf of IRO. Tried to reach you or Sorieri or Kullmann to point out that any undertaking of this kind on behalf of IRO must be given much prior consideration as regards policy and techniques since it would necessarily have to be uniform in all countries and zones.

ALTMAYER.

Prepare Cable

*Economy
Sterilization
Auditors
Plus factors*

cc. C.O.M.
Sorieri
Kullmann

*No. already photoed.
negative series would
mean
an argument would be a cost
to IRO.*

*phone S.H.K.
immediately*

DP 327

740

UNRRA - ITALIAN MISSION
DISPLACED PERSONS OPERATIONS
(ITALY)

Rome, June 20th, 1947

TO : DIRECTOR, F. & A. DIVISION
FROM : DEPUTY CHIEF D.P. OPERATIONS
SUBJECT : D.P. WAGE SCALES:

Major O'Shaughnessy advises that his sanitary workers want to be paid Lire 6,000 per month or else they will not work.

He followed up this information with advice that the 23 men employed on this work be paid Lire 5,000 a month.

I think that Lire 5,000 per month is fair pay for sanitary workers. Therefore, subject to the budget, which I understand will provide for this move, Major O'Shaughnessy should be advised that he may pay his 23 men 5,000 Lire per month. We should recommend that the foreman of this group be paid Lire 6,000 per month.

In talking with Dr. Jones he strongly recommends that sanitary workers be paid a uniform rate in all camps of Lire 5,000 per month and the foreman be paid Lire 6,000.

He further requests that one camp be made an exception to this ruling, namely Palese Camp, where the kind of sanitation work being done demands so much more from the sanitary workers that they should be paid Lire 6,000 per month; and under the circumstances, the foreman will have to receive the same pay.

Reference Adriatica Camp, the above should only be effective for the month of June since it is understood that pay scales for duties performed will have to be reviewed for the program in connection with the program starting July 1st.

Will you please inform Mr. Costella and Major O'Shaughnessy reference the above.

L. Varrichione
DEPUTY CHIEF D.P. OPERATIONS
(ITALY)

APPROVED BY:

and
A.A. Sorieri, DC.M. & Chief D.P.OPS.

Copies to L.V.
Wyatt, Paul, Clark

C-5

22 120

SUMMARY OF AGREEMENT BETWEEN KULLMAN, SORIERI AND KERRY

ON USE OF UNGRA IDENTITY BOOK.

1. Kullman agreed that it should be marked as an I.R.O. booklet. Sorieri to clear with Findlay and bring back to Kullman for final O.K.
2. Kullman has no objection to establishment of finger-printing system - this again to be cleared with Findlay.
3. The system is to be applied to all I.R.O. camps.
4. The cover is to read "Displaced Person - Refugee" instead of "Displaced Person" only.
5. The booklet to contain a statement that this is not a passport document, nor necessarily a proof of eligibility for I.R.O. care.
6. The booklet is to be used only as an internal control document for I.R.O., and not to contain the number of the Italian residence permit or any other elements that would make it an official Government document.
7. It was noted that the Government had requested two copies of each photograph, and it was agreed that these could be supplied from the negatives later.
8. Sorieri to inform the Government of our view that the whole question of Government documents should be reviewed with I.R.O. when it has been established.

Smic

SARKENY/jms.

9 June 1947.

Copies to
Kullman
Sorieri
Sutherland

CABLE CONTROL No 10700

.....
Rec'd UN/Rome 14.6.1947 Time 14:00

ACTION - ECM F & A 4
INFO - Chief of Mission 4
ECM D P Gps 4
Cable Control
.....

FROM : LONDON

13.6.1947 Time 22:56

TO : UNRRA ROME 1233

1233 FOR HOWELL. TRANSPORTATION FOR PCIRO YOUR 1234 HAVE DISCUSSED WITH HOWELL

2. YOUR PROPOSAL APPARENTLY IGNORES ROME 856 OF 10 APRIL WHICH WAS RESULT OF DETAILED DISCUSSION FOLLOWING ROME CONFERENCE
3. YOU SHOULD GO AHEAD ON BASIS ROME 856 ALLOCATING 186 VEHICLES TO IRO THROUGH ITALIAN GOVERNMENT
4. NO REPEAT NO VEHICLES TO BE TRANSFERRED BY MISSION TO ICCR
5. HOWELL WILL DISCUSS FURTHER WITH KERRY ON RETURN
6. IF ANY QUERY ARISES FROM THIS FURTHER DISCUSSION AMENDING PROCEDURE OF ROME 856 HOWELL OR KERRY SHOULD PHONE HOWELL TO FINALIZE

UNRRA

/s/c.

c-3

Sorieri/Varrichione
X

DISPLACED PERSONS OPERATIONS (ITALY)
ROME

D/MB/13.

13th. June, 1947.

TO: DR. SUTHERLAND, UNRRA HEADQUARTERS, D.P. OPERATIONS, PARIS.
FROM: D.P. OPERATIONS (ITALY).
SUBJECT: CHILDREN'S TEETH.

1. A routine examination of teeth of children 2-16 years, has been carried out for children in camps.

The results are summarised as follows :-

Camp.	Examined.	No. of teeth requiring extraction.	No. of teeth requiring filling.
Palese, Bari	68	37	64
Bari No. 1	24	8	32
Rivoli, Turin	16	3	10
Grugliasco, Turin.	104	30	49
Milan No. 77	33	14	6
Adriatica, Milan.	39	12	18
Cremona	63	41	168
Cine Citta	<u>40</u>	<u>25</u>	<u>41</u>
Total:	<u>387</u>	<u>170</u>	<u>388</u>

2. This is very limited information. However, if you require fuller information, will you let us know, and we will in-corporate the necessary questions in a circular.

3. Attached is a report from one of our better dentists. This may be of interest to you.

I. Varrichione,
DEPUTY CHIEF, D.P. OPERATIONS (ITALY).

CTJONES/rm.

attach: Report as above.

DISPLACED PERSONS OPERATIONS (ITALY)
CAMP I.T. 77.

TO: C.T. JONES, DIRECTOR, DIVISION OF HEALTH SERVICES

FROM: DR. M. RADINGER, DENTIST, CAMP I.T. 77. MILAN

SUBJECT: DENTAL VISIT OF CHILDREN OF THE CAMP UP- TO 16 YEARS.

Answering to your circular from 20th of March 1947. point 6.:
I report you following:

- 1.) I visited 33 children from this Camp up to 16 years. I made that visit in the meantime when they had their first diphteria shot.

- 2.) Result of the examination:

- a) from the 33 children have 17 a perfectly healthy teeth (that's nice high number).

By the other 16 children I found that

I. in need of fillings = of 1 tooth: 2 children
of 2 " : 3 "
of 3 " : 1 child

these teeth are equally divided between first molar and central incisors.

II. for extractions:

1 tooth	at	6 children
2 teeth	"	5 "
3 "	"	3 "

from these are 21 first molars, 3 first praemolars, and 4 milk-teeth.

- 3.) I told each child and also to their parents or Kibutz-leader how very important is to take care of their teeth and treat it; but after all that arrived only 5 of the children in my Ambulatorium.

SIGNED:

DR. M. RADINGER
DENTIST.

c-3

UNHRA ITALIAN MISSION
DISPLACED PERSONS OPERATIONS
(ITALY)

1RO
File

CONFIDENTIAL

6th June, 1947.

TO: CHIEF OF MISSION
FROM: D.C.M. & CHIEF, D.P. OPERATIONS
SUBJECT: COMMENTS ON IRO DISCUSSIONS WITH MR. KULLMAN

As I mentioned to you the other day, there are several major points which you might wish to bear in mind in connection with the discussions now being held under the chairmanship of Mr. Kullman. These various points are interdependent and there is consequently no particular priority since they are all important.

1. It is not clear to me whether Mr. Kullman is taking it for granted that all the D.P.s now under IGCR care are to be automatically considered eligible for IRO care. It would seem to me that final consolidation should not take place until it is determined which of these D.P.s are eligible for IRO care. Obviously this point affects all aspects of budgetting as well as of organisation. It seems to be assumed also, that the IGCR commitment for the Polish h Corps members and their families is to be taken over by IRO. It should be ascertained whether there are additional commitments of this nature and whether they are, in fact, responsibilities to be taken over by IRO.

2. No mention has been made of the total personnel ceiling for the combined operations. This is particularly important because it considerably affects the assumptions underlying the various IRO actions during the past few months in their instructions to us for the reduction of staff and the establishment of an organisation with a ceiling of eighty.

All of this relates not only to the numbers of the personnel, but also to the functions to which this personnel has been assigned. This problem affects Class II as well as Class I ceilings of course.

3. Under the instructions imposed on us by IRO as well as on our own initiative, we have modified, reduced and streamlined our D.P. operations in order to obtain maximum economies with the smallest number of installations, staff, etc. Similar action, so far as we know, has not been undertaken on the IGCR side, and here again, it seems to me that these necessary steps should be taken before final consolidation.

I point out, for example, the number of IGCR camps and their locations as related to the actual load of D.P.s.

4. Underlying all these points is, of course, the problem of selection of personnel. It is not clear yet whether the basis

6th June, 1947.

of negotiations is the consolidation of existing agencies or whether it is that the UNRRA D.P. Operations in effect have been instructed to establish themselves as IRO in Italy with a responsibility of absorbing or adding to itself the additional D.P.s eligible for IRO care and any additional staff which may be required for the final total job. It should be pointed out here that because of the pressure on the Military authorities to transfer their D.P. responsibilities and because of the uncertainty and delay in the establishment of IRO, the Military caseload of D.P.s which would normally have been transferred to IRO, has only recently been transferred to an ad hoc IGCR organisation.

In any event, it is important to know what the approach to this problem will be and it must be borne in mind that the consistent implications of the instructions we have received for several months have been that the UNRRA D.P. Operations would assume the IRO responsibility subject to the modifications or additions caused by taking over additional responsibilities.

5. Note This is a confidential memorandum to you, merely to list the points of major preoccupation in the course of policy discussions with the IRO representatives.

A.A. Serieri,
D.C.M. & CHIEF,
D.P. OPERATIONS (ITALY).

AAS/ljw

C-3

M. Sauer

File 120

10 June, 1947.

TO: CHIEF OF MISSION
FROM: SPECIAL ASSISTANT TO CHIEF OF MISSION
SUBJECT: INTERNATIONAL SUCCESSOR AGENCIES

1. I have been thinking about the problems facing IRO and the other "successor agencies" for the period immediately after the termination of the UNRRA Italian Mission, and would like to get your reaction to my provisional conclusions before taking any steps with the Government.

2. The main problems concerning all the international agencies on 1 July are

- (a) To obtain from the Government a legal status which will enable them at least to engage in legal transactions at the moment when the general assistance rendered by UNRRA comes to an end.
- (b) To obtain the amount of lire required to meet the local currency expenditures.

In the case of IRO there is also the additional problem of ensuring the continued use of premises for displaced persons after 1 July.

3. In order to solve the immediate problems facing the International Agencies on 1 July, it seems to me that the following action is required:

- (a) To obtain from the Government a limited recognition as legal entities pending the conclusion of agreements between the agencies concerned and the Government.
- (b) To obtain allocations of money from the Lire Fund as Lire Fund projects, without prejudice to the future financial terms of the individual agreements with the Government.

4. The main advantages of the proposal made in the

above paragraph would be the following:

- (a) It would avoid raising all the legal and political issues connected with the negotiation of a formal agreement, such as the provisional status of the Preparatory Commission of IRO and the Interim Commission, World Health Organisation. Obviously it would be impossible to sign agreements with the Italian Government before the end of June, and therefore a limited recognition would be adequate to enable the organisations to begin to operate.
- (b) The necessary funds would be obtained by using the procedure of joint agreement Keeny/Montini and the requirements of each International Agency would be included among the individual projects which will be attached to the Lire Fund Agreement.
- (c) By including the expenditures of International Agencies among Lire Fund projects, it would be possible to take advantage of the facilities and authority given to the Delegation under the terms of various Government decrees. For example, the Delegation could probably continue after 30 June the contracts or requisitions for premises for DFs, only if the IRO operations are included among the Lire Fund projects.

5. It is understood that the arrangement proposed in paragraph (3) above is only intended to meet the present emergency and to work out a temporary solution which could be applied to all the International Agencies falling under the general scope of relief and rehabilitation, such as IRO, WHO, International Emergency Children's Fund and FAO. The more permanent relationships between the Italian Government and these Agencies would be defined in each individual agreement.

6. If you agree with my general proposals, I will be glad to discuss informally with the Legal Office of the Presidency of the Council and the Delegation the possibility of a practical and speedy implementation.

P. Contini,
SPECIAL ASSISTANT TO
THE CHIEF OF MISSION

PCONTINI/abh

cc: Mr. Kulman
Mr. Sorieri
Mr. Hodgetts.
Spec. Asst. (2)

X
100

NOTES ON DISCUSSION HELD IN MR. KEENY'S OFFICE
AT 2.30 p.m. on 17 JUNE 1947

C-3

PRESENT: Mr. Altmeyer
Mr. Keeny
Mr. Davidson
Maj. Hodgetts
Mr. Sorieri —
Dr. Kullman
Mr. Sutherland

1. Mr. ALTMEYER agreed that Dr. KULLMAN should stay on to July, 1st if necessary.
2. He further agreed that the Unit cost of 45 cents per D.P. or refugee should not be stipulated in the agreement, but that a general phrase be used indicating the established principle of payment on a fifty-fifty basis, with "costs to be agreed". He authorised Mr. KEENY to negotiate on these lines mentioning the figure of 45 cents, but if agreement could not be reached with the Government, then either he or his representative would be available to come to Rome to further review the situation.
3. On the question of Italy's contribution, it was agreed that Mr. KEENY should try to get a statement in terms of specific services to be rendered rather than an overall figure. The Italian Government's right to have a say in IRO should be limited to general policy decisions. If necessary, Mr. KEENY could say that the lire spent within the 45-cents limit would be repaid in supplies or dollars.
4. Mr. ALTMEYER confirmed that he agreed points 1 to 8 on the suggested revisions for the agreement (copy attached).
5. On Item 9, Section V(c) Mr. ALTMEYER stated that the F.A.O. had an emergency standard of 1900 calories, plus an extra ration not to exceed 300 calories in exceptional cases. Mr. SORIERI agreed that this was acceptable. It was agreed that no action was required by this Mission pending instructions from Headquarters.
6. Mr. ALTMEYER agreed that from a practical point of view it would be better if an average ration could be established.
7. It was agreed that there should be some statement in the Italian Government agreement as to the disposal of war criminals. As a protection measure IRO should be informed by the Italian Government of the people demanded for extradition, and the people whom IRO screened out of camps should be notified to the Italian Government.
- 8½. Mr. ALTMEYER confirmed that the interim agreement was in order which provided for sufficient money on July 1 to ensure continuation of use of premises etc.
9. Regarding letters of appointment to IRO, where the titles listed seemed to cover the whole program, Mr. ALTMEYER approved the suggested addendum, and stated that the individual was not guaranteed that the position he was at present occupying would remain firm after the initial period.
10. Mr. KEENY asked Mr. ALTMEYER for authority to take on temporarily office space up to 100 rooms so that IGCR people could be moved over and the remaining office space released as soon as possible to the owner. Mr. ALTMEYER asked Major HODGETTS to have a memo typed covering this, (which was later signed). (The space is to be reduced later to fit the staff kept).

11. Mr. KEENY stated that he would move towards the capture of all vehicles necessary to equip the IGCR camps and also to hold approximately 60 American vehicles on loan. If these are not withdrawn, as is threatened, IRO will have replacements. Mr. ALTMAYER agreed.

12. On the question of the appointment of Mr. HUTCHINGS, Mr. KEENY pointed out that technically all Grade 12 employees should be cleared through UNRRA HQ, but that Mr. HOWELL, Controller, had suggested that he be terminated in the field and employed locally. He would come within the budget of 80. This Mr. ALTMAYER agreed.

13. Mr. ALTMAYER agreed that Dr KULLMAN notify all concerned that Mr. KEENY would be in charge of the IRO operation in Italy.

14. On the matter of Headquarters ceiling, Mr. ALTMAYER agreed that the figure of 102 which had been mentioned would be left open until the matter had been reviewed and a recommendation made.

17 June 1947.

Preliminary comments on first draft of Agreement between I.R.O. and Italian Government:

1. PREAMBLE: Suggest insertion of statement "in anticipation of the participation of the Italian Government in I.R.O.". Accordingly paragraph (b) and (c) of Section II should be eliminated.
2. SECTION IIIc. Suggest that statement be clarified to indicate that Voluntary Society Personnel will be granted same status as UNRRA imported staff.
3. SECTION IVa. Suggest adding "within the limits of its available resources".
4. SECTION IVc. Suggest including last sentence in separate article on definitions, which will include the definition of Refugee, Preparatory Commission as representing I.R.O., etc.
5. SECTION IVd. Suggest elimination of paragraph (b) because it is already included in paragraph (a).
6. SECTION IV F.g.h. Suggest incorporation of three paragraphs in one new paragraph.
7. SECTION IV (i). Suggest change to "the provision in cooperation with the Government to an agreed employment program where that is possible in order to provide work for employable refugees in accordance with I.R.O. Constitution".
8. SECTION IV (j). Suggest adding "Subject to Italian legislation and the international obligations of Italy".
9. SECTION V (c). Suggest adding following words after Food and Agricultural Organisation "and under such scales as may be agreed upon between the Government and I.R.O. for particular groups of Refugees". (This suggestion was made by Mr. Davidson).
10. SECTION V (e). Suggest rephrasing to "The Camps and Installations operated by I.R.O. will be under the jurisdiction of the Italian Government as regards police regulations and civil and criminal legislation".
11. SECTION V (g). Suggest elimination of paragraph (g) as this regards the relationship between the Italian Government and the Allied Governments in the Peace Treaty more than the relationship between I.R.O. and the Italian Government.
12. SECTION VI (a). Suggest adding "Subject to Section IX below" after "Government will provide".
13. SECTION VI (c). Suggest rephrasing to include insurance against Third Party Risks and inclusion of all social security benefits provided for in the Italian legislation.
14. SECTION VIII. Suggest omitting specific reference to Joint Committee in draft of Agreement until the relationship between I.R.O. and the Government is more clearly established.
15. SECTION IX. Suggest that if possible, amount of Government contribution be specified and addition of statement saying that funds made available by the Government will be administered by I.R.O. and that periodic reports of expenditures will be made to the Government. This is suggested in order to avoid that I.R.O. should call on the Government each time it needs services or funds, in order to give I.R.O. more freedom in the administration of its resources.

ADDENDUM TO LETTER OF APPOINTMENT.

The title of your appointment has been left blank in the attached letter. As you will appreciate, it cannot be determined until the organizational integration of the ex-UNRRA and other personnel concerned into the Preparatory Commission of the International Refugee Organization is further advanced than at present. The title of your appointment will be notified to you as soon as possible.

The terms and conditions of your appointment as specified in the attached letter of appointment will remain unaffected by this addendum.

QM 11152

TO: A.J. ALTMAYER, EXECUTIVE SECRETARY, IRO
FROM: S.M. KEENY, CHIEF OF MISSION C-3

There are several important matters of policy which affect both the operation of the D.P. programme in the future and the budgeting arrangements for these operations. I am attempting to set down the facts on each point, the question at issue, and in some cases proposed actions to be taken.

1. Standards of Care

(a) Food Rations

At the present time, the UNRRA camp rations are 2,450 calories per day, based on a balanced ration prepared by UNRRA Italian Mission nutritionists and in force since last August, when this Mission assumed full responsibility for the camps it is operating. The IGCR camps, I understand, have a ration of some 2,100 calories per day. The food for UNRRA camps has been withdrawn from the Italian supply programme, while the IGCR rations consist of basic food rations, purchases from British Army sources. In both cases the rations are supplemented by local purchases of fresh fruit, vegetables, meats etc.

It is essential that a uniform ration be established for all D.P.s in Italy, and it is preferable that a uniform ration be established for all D.P.s under IRO care, although I appreciate the latter represents considerable difficulty. Meanwhile, the planning and procurement for feeding during the Third Quarter is being made on the present basis, and modification can be made at any time in accordance with the policy to be established by IRO.

It should be pointed out that it will be necessary not only to establish a ration in caloric values, but actually in terms of the precise foods, or their substitutes, to be used in giving a proper balance to the ration to be established. It should also be borne in mind that a reduction in caloric value does not necessarily mean a commensurate reduction in costs, as this depends on the kinds of foods used to make up the ration decided upon.

In connection with this, there is one other policy matter, namely the supplementation of IRO rations by Voluntary Societies. This applies particularly in the case of Jewish D.P.s in Italy, since there are indications that the AJDC may supplement IRO rations if the latter are set at a relatively low point. AJDC has not expressed a decision officially on this point, but there will undoubtedly be pressure from Jewish D.P.s and other interested groups which may well result in a decision by AJDC to supplement with certain food items. It would seem to me that the ration to be established should be a satisfactory and defensible one, and that any supplementation to be done by Voluntary Societies should be limited to special items which would be beyond the foods needed for proper subsistence.

(b) Clothing Issues

In the UNRRA D.P. Operations there is every indication that clothing needs for the summer can be reasonably well met, particularly if we complete present arrangements for the withdrawal of certain items from the contributed clothing and other stocks

made available to the Italian Government through the UNRRA supply programme. These withdrawals should adequately supplement the purchases we have been making in this Quarter in order to meet the needs for the Third Quarter. The IGCR reports that most of their Third Quarter needs are covered, the exceptions being noted in the Budget for the Third Quarter, which is now being prepared.

The policy question to be decided is the basis of issue for clothing to D.P.s. It is my recommendation that clothing should be issued, generally speaking, on an "as needed" basis. This should be combined however, with the seasonal factors applied in proper fashion; in other words, at the time of acceptance of a D.P., his immediate needs should be met against a scale of clothing for the particular season, and the next issue of clothing except for properly established replacements, should be made for the ensuing season. The basic issues should be for the summer and the winter.

The value and durability of each item of clothing should be established, and no replacement should be made except at the end of the period of service of each garment.

Insofar as is possible, clothing should be bought in the form of cloth, and the manufacture of clothing should be carried on as work projects in camps.

(c) Other Items

It is essential to have a policy statement as to the amount of care which IRO will undertake beyond the basic items of food, shelter, clothing and medical care. In this group are such items as Vocational Training, education, recreation, religious training etc. Some of these programmes are carried on under the leadership of the D.P.s themselves, although they generally require the fulltime work of several D.P.s in each camp. Others of these programmes are undertaken by Voluntary Societies such as ORT in the case of Vocational Training, and this requires payments of subsistence, extension of facilities etc. All cases involved expenditures for materials, supplies, and extension of facilities to Voluntary Society personnel.

It is important to know the limits within which such programmes can be undertaken and it is equally important to note that these activities are as vital to the wellbeing and rehabilitation of D.P.s as are the basic items of maintenance.

2. Facilities for Voluntary Societies

At the present time there is a ceiling of 38 Voluntary Society workers attached to UNRRA D.P. Operations, and representing ORT, Jewish Agency for Palestine, Mennonite Central Committee, and Jewish Committee for Relief Abroad.

The ORT group is seconded to the Operations and is concentrating on Vocational Training projects. The other personnel is also seconded and each of them works as individuals assigned to camps on welfare, educational and other work. With respect to this personnel there is no problem beyond the assurance that they will be allowed to continue in this relationship after 1st July.

With respect to AJDC, there are de facto arrangements under which certain facilities have been accorded to AJDC, which has taken a large responsibility in connection with the Hachsharoth programme, under which about 7,500 Jewish D.P.s are given care in relatively small centres. (a separate letter from AJDC has been passed on to you through our Paris Office. In addition, Mr. Trobe, Director in Italy for AJDC, has had several discussions with Mr. Kullman and has presented other material to him.)

The UNRRA Italian Mission has allocated free of charge, a maximum of 60,000 litres of gasoline per month to AJDC for vehicles operating in connection with the Hachsharoth and UNRRA camps programme. In addition, until the rundown plan prevented its continuation, the Mission granted billeting, messing, PX and other facilities on repayment at a cost, or less than cost price.

It has been agreed that subject to your concurrence, the allocation of gasoline will be made during the Third Quarter, and that such other facilities as are possible will be extended to AJDC.

It is necessary to have a policy statement from IRO as to the terms of relationship between the Operations and the Voluntary Societies. It would be my recommendation that the arrangements described above, be continued during the Third Quarter, during which time the programmes of each Voluntary Society would be reviewed and final formal agreements established covering the precise arrangements, responsibilities and functions of each Voluntary Society viz a viz the IRO Operations.

It is also essential to know the basis on which the Mission should deal with requests from other Voluntary Societies which may wish to collaborate with IRO in this programme.

It should be noted that as of 30th June, IRO will have no power of requisition, and payments at commercial rates will have to be made for living quarters, office space, and other facilities which the Mission has enjoyed and has been able to offer to Voluntary Societies.

3. Intake Policy

The major policy question with respect to intake policy concerns, of course, the infiltrees into the country, particularly Jewish refugees. Under the UNRRA policy, post-hostilities infiltrees are eligible for UNRRA care if they are persecutees. The fact of being Jewish automatically establishes such eligibility, while in the case of non-Jewish refugees, the fact of persecution must be established by the individual. The Italian Government completed its registration of aliens a month and a half ago, and issued "permessi di Soggiorno" to registered aliens, although it gave no guarantees as to its future policy with respect to such persons. The Government has indicated that after the close of the registration period, aliens found without "permessi di soggiorno" and persons entering the country illegally would be considered to be in the country in violation of Italian law, and would be segregated. In point of fact however, this policy has not been implemented and since the UNRRA policy is still in force, infiltrees have been accepted into UNRRA care if found to be eligible.

During the month of April and part of the month of May, there was a considerable influx of this group, amounting to approximately 3,000. During the same period there were sizable groups which departed illegally from the country amounting to probably a figure close to that of the infiltrees. It is impossible to predict the number of infiltrees that may be expected in the next few months, but we are guessing it will run close to 2,000 a month. It is equally impossible to estimate the number of illegal departures from the country.

The many implications and problems in this connection are well known to you, and it is not necessary to go into detail in this memorandum. It is clear however, that it becomes increasingly necessary to establish a policy in connection with infiltrees and it is equally clear that the Government can be expected to take a firmer position, although its position will always be tempered by international considerations.

Another major intake factor exists in connection with persons not now under the care of IGCR or UNRRA, who may apply for, and be eligible for, care under IRO. It is impossible to determine the extent of such intake, but in practical terms, this problem may be resolved by the maintenance of the non-Jewish camp strength at its present level for one year. In other words the reduction in numbers of non-Jewish D.P.s through resettlement would be compensated by the intake of new applicants who might seek assistance during the next year.

In this connection it is assumed that there will be no programme of direct assistance outside of camps, although we should like to know the position of IRO in this matter. The similar programme undertaken by UNRRA Italian Mission for the past two years, was eliminated on 31st May and only a very small percentage of these cases applied for camp care. If persons not living in camps apply for assistance to IRO, it is necessary that a policy be established in advance as to whether the care to be offered them will be limited to maintenance in IRO camps.

S.M. KEENEY,
CHIEF OF MISSION.

AASORIERI/lw

(original draft handed to Mr. Hacking 12/6)

UNRRA ITALIAN MISSION

COPY

TO: A.J. ALTMAYER, EXECUTIVE SECRETARY, IRO
FROM: S.M. KENNY, CHIEF OF MISSION

There are several important matters of policy which affect both the operation of the D.P. programs in the future and the budgeting arrangements for these operations. I am attempting to set down the facts on each point, the question at issue, and in some cases proposed actions to be taken.

1. Standards of Care

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made available to the Italian Government through the UNRRA supply programme. These withdrawals should adequately supplement the purchases we have been making in this Quarter in order to meet the needs for the Third Quarter. The IGCR reports that most of their Third Quarter needs are covered, the exceptions being noted in the Budget for the Third Quarter, which is now being prepared.

The policy question to be decided is the basis of issue for clothing to D.P.s. It is my recommendation that clothing should be issued, generally speaking, on an "as needed" basis. This should be combined however, with the seasonal factors applied in proper fashion; in other words, at the time of acceptance of a D.P., his immediate needs should be met against a scale of clothing for the particular season, and the next issue of clothing except for properly established replacements, should be made for the ensuing season. The basic issues should be for the summer and the winter.

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Insofar as is possible, clothing should be bought in the form of cloth, and the manufacture of clothing should be carried on as work projects in camps.

(c) Other Items

It is essential to have a policy statement as to the amount of care which IRO will undertake beyond the basic items of food, shelter, clothing and medical care. In this group are such items as Vocational Training, education, recreation, religious training etc. Some of these programmes are carried on under the leadership of the D.P.s themselves, although they generally require the fulltime work of several D.P.s in each camp. Others of these programmes are undertaken by Voluntary Societies such as ORT in the case of Vocational Training, and this requires payments of subsistence, extension of facilities etc. All cases involved expenditures for materials, supplies, and extension of facilities to Voluntary Society personnel.

It is important to know the limits within which such programmes can be undertaken and it is equally important to note that these activities are as vital to the wellbeing and rehabilitation of D.P.s as are the basic items of maintenance.

2. Facilities for Voluntary Societies

At the present time there is a ceiling of 38 Voluntary Society workers attached to UNRRA D.P. Operations, and representing ORT, Jewish Agency for Palestine, Mennonite Central Committee, and Jewish Committee for Relief Abroad.

The ORT group is seconded to the Operations and is concentrating on Vocational Training projects. The other personnel is also seconded and each of them works as individuals assigned to camps on welfare, educational and other work. With respect to this personnel there is no problem beyond the assurance that they will be allowed to continue in this relationship after 1st July.

With respect to AJDC, there are de facto arrangements under which certain facilities have been accorded to AJDC, which has taken a large responsibility in connection with the Hachsharoth programme, under which about 7,500 Jewish D.P.s are given care in relatively small centres. (a separate letter from AJDC has been passed on to you through our Paris Office. In addition, Mr. Frobe, Director in Italy for AJDC, has had several discussions with Mr. Kullman and has presented other material to him.)

The UNRRA Italian Mission has allocated free of charge, a maximum of 60,000 litres of gasoline per month to AJDC for vehicles operating in connection with the Nachsharetz and UNRRA camps programme. In addition, until the rundown plan prevented its continuation, the Mission granted billeting, messing, PX and other facilities on repayment at a cost, or less than cost price.

It has been agreed that subject to your concurrence, the allocation of gasoline will be made during the Third Quarter, and that such other facilities as are possible will be extended to AJDC.

It is necessary to have a policy statement from IRO as to the terms of relationship between the Operations and the Voluntary Societies. It would be my recommendation that the arrangements described above, be continued during the Third Quarter, during which time the programmes of each Voluntary Society would be reviewed and final formal agreements established covering the precise arrangements, responsibilities and functions of each Voluntary Society viz a viz the IRO Operations.

It is also essential to know the basis on which the Mission should deal with requests from other Voluntary Societies which may wish to collaborate with IRO in this programme.

It should be noted that as of 30th June, IRO will have no power of requisition, and payments at commercial rates will have to be made for living quarters, office space, and other facilities which the Mission has enjoyed and has been able to offer to Voluntary Societies.

3. Intake Policy

The major policy question with respect to intake policy concerns, of course, the infiltrees into the country, particularly Jewish refugees. Under the UNRRA policy, post-hostilities infiltrees are eligible for UNRRA care if they are persecutees. The fact of being Jewish automatically establishes such eligibility, while in the case of non-Jewish refugees, the fact of persecution must be established by the individual. The Italian Government completed its registration of aliens a month and a half ago, and issued "permessi di soggiorno" to registered aliens, although it gave no guarantees as to its future policy with respect to such persons. The Government has indicated that after the close of the registration period, aliens found without "permessi di soggiorno" and persons entering the country illegally would be considered to be in the country in violation of Italian law, and would be segregated. In point of fact however, this policy has not been implemented and since the UNRRA policy is still in force, infiltrees have been accepted into UNRRA care if found to be eligible.

During the month of April and part of the month of May, there was a considerable influx of this group, amounting to approximately 3,000. During the same period there were sizable groups which departed illegally from the country amounting to probably a figure close to that of the infiltrees. It is impossible to predict the number of infiltrees that may be expected in the next few months, but we are guessing it will run close to 2,000 a month. It is equally impossible to estimate the number of illegal departures from the country.

The many implications and problems in this connection are well known to you, and it is not necessary to go into detail in this memorandum. It is clear however, that it becomes increasingly necessary to establish a policy in connection with infiltrees and it is equally clear that the Government can be expected to take a firmer position, although its position will always be tempered by international considerations.

Another major intake factor exists in connection with persons not now under the care of ICGR or UNRRA, who may apply for, and be eligible for, care under IRO. It is impossible to determine the extent of such intake, but in practical terms, this problem may be resolved by the maintenance of the non-Jewish camp strength at its present level for one year. In other words the reduction in numbers of non-Jewish D.P.s through resettlement would be compensated by the intake of new applicants who might seek assistance during the next year.

In this connection it is assumed that there will be no programme of direct assistance outside of camps, although we should like to know the position of IRO in this matter. The similar programme undertaken by UNRRA Italian Mission for the past two years, was eliminated on 31st May and only a very small percentage of these cases applied for camp care. If persons not living in camps apply for assistance to IRO, it is necessary that a policy be established in advance as to whether the care to be offered them will be limited to maintenance in IRO camps.

S.M. KERRY,
CHIEF OF MISSION.

AASORIERI/1w

(original draft handed to Mr. Hecking 12/6)

DRAFT

UNRRA ITALIAN MISSION

TO: A.J. ALTMAYER, EXECUTIVE SECRETARY, IRO
FROM: S.M. KEENEY, CHIEF OF MISSION

There are several important matters of policy which affect both the operation of the D.P. programme in the future and the budgeting arrangements for these operations. I am attempting to set down the facts on each point, the question at issue, and in some cases proposed actions to be taken.

1. Standards of Care

(a) Food Rations

At the present time, the UNRRA camp rations are 2,450 calories per day, based on a balanced ration prepared by UNRRA Italian Mission nutritionists and in force since last August, when this Mission assumed full responsibility for the camps it is operating. The IGCR camps, I understand, have a ration of some 2,100 calories per day. The food for UNRRA camps has been withdrawn from the Italian supply programme, while the IGCR rations consist of basic food rations, purchases from British Army sources. In both cases the rations are supplemented by local purchases of fresh fruit, vegetables, meats etc.

It is essential that a uniform ration be established for all D.P.s in Italy, and it is preferable that a uniform ration be established for all D.P.s under IRO care, although I appreciate the latter represents considerable difficulty. Meanwhile, the planning and procurement for feeding during the Third Quarter is being made on the present basis, and modification can be made at any time in accordance with the policy to be established by IRO.

It should be pointed out that it will be necessary not only to establish a ration in caloric values, but

actually in terms of the precise foods, or their substitutes, to be used in giving a proper balance to the ration to be established. It should also be borne in mind that a reduction in caloric value does not necessarily mean a commensurate reduction in costs, as this depends on the kinds of foods used to make up the ration decided upon.

In connection with this, there is one other policy matter, namely the supplementation of IRO rations by Voluntary Societies. This applies particularly in the case of Jewish D.P.s in Italy, since there are indications that the AJDC may supplement IRO rations if the latter are set at a relatively low point. AJDC has not expressed a decision officially on this point, but there will undoubtedly be pressure from Jewish D.P.s and other interested groups which may well result in a decision by AJDC to supplement with certain food items. It would seem to me that the ration to be established should be a satisfactory and defensible one, and that any supplementation to be done by Voluntary Societies should be limited to special items which would be beyond the foods needed for proper subsistence.

(b) Clothing Issues

In the UNRRA D.P. Operations there is every indication that clothing needs for the summer can be reasonably well met, particularly if we complete present arrangements for the withdrawal of certain items from the contributed clothing and other stocks made available to the Italian Government through the UNRRA supply programme. These withdrawals should adequately supplement the purchases we have been making in this Quarter in order to meet the needs for the Third Quarter. The IGCR reports that most

of their Third Quarter needs are covered, the exceptions being noted in the Budget for the Third Quarter, which is now being prepared.

The policy question to be decided is the basis of issue of clothing to D.P.s. It is my recommendation that clothing should be issued, generally speaking, on an "as needed" basis. This should be combined however, with the seasonal factors applied in proper fashion; in other words, at the time of acceptance of a D.P., his immediate needs should be met against a scale of clothing for the particular season, and the next issue of clothing except for properly established replacements, should be made for the ensuing season. The basic issues should be for the summer and the winter.

The value and durability of each item of clothing should be established, and no replacement should be made except at the end of the period of service of each garment.

Insofar as is possible, clothing should be bought in the form of cloth, and the manufacture of clothing should be carried on as work projects in camps.

(c) Other Items

It is essential to have a policy statement as to the amount of care which IRO will undertake beyond the basic items of food, shelter, clothing and medical care. In this group are such items as Vocational Training, education, recreation, religious training etc. Some of these programmes are carried on under the leadership of the D.P.s themselves, although they generally require the full time work of several D.P.s in each camp. Others of these programmes are undertaken by Voluntary Societies such as CRT in the case of Vocational Training, and this requires payments of subsistence, extension of facilities etc. All cases involved expenditures for materials,

supplies, and extension of facilities to Voluntary Society personnel.

It is important to know the limits within which such programmes can be undertaken and it is equally important to note that these activities are as vital to the wellbeing and rehabilitation of D.P.s as are the basic items of maintenance.

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S.M. Keery,
CHIEF OF MISSION

UNITED NATIONS RELIEF AND REHABILITATION ADMINISTRATION

HEADQUARTERS, DISPLACED PERSONS OPERATIONS

HOTEL MAJESTIC - AVENUE KLEBER - PARIS-16^e

TELEPHONE : KLE 36-00

JUN 17 1947

U.N.R.R. 10 June 1947.
17 JUN 10 hrs.
ACTION: CM

Mr. S.M. Keeny
Chief of Mission
UNRRA - INA Building
Via San Nicolo de Tolentino, 78
Rome.

Dear Sam,

I am enclosing for your information a printed copy of the Constitution of the International Refugee Organization and the Agreement on Interim Measures.

Sincerely yours,

Myer

Myer Cohen
Acting Chief
Displaced Persons Operations

Enclosure.

GM has a copy

Attached
returned by a/c
19/6/47

ZC
120

LIST OF QUESTIONS CONCERNING I.R.O. BUDGET AND
ADMINISTRATION FOR REVIEW IN ROME.

1. Will I.R.O. continue to carry the responsibility for tracing.
2. Total ceiling for Class I personnel.
3. Plan for gradual replacement of Class I by Italians.
4. Replacement of Class II personnel by Displaced Persons.
(Sutherland to write note for Dr. Kullman's general statement after discussion with Keeny).
5. How much work will be required of Displaced Persons in camps and under what conditions.
6. Should Jews be segregated or should camps be mixed.
7. A review of policy on discipline.
8. Equalisation of pay for Allied Commission and USRA (suggest that Kullman ask one person from Findlay's staff and one from USRA to prepare recommendation).
9. Issue of identification cards under I.R.O. auspices.
(Kullman to authorize after review with Sorieri).
10. Equalisation of living allowances USRA and other groups.
11. Policy on PX supplies and basic food for imported staff (repaid in local currency but charged against salary accounts).
12. Shifting of refugees to Haeharoth.
13. Telescoping of field units (suggested for immediate discussion between USRA and I.C.C.R.).
14. Provision of lire advance for July requested by Altmeyer.
(Keeny to act in consultation with Kullman).
15. Ordering of supplies for 3rd quarter.
(Keeny to act with Marie - on both lire and supplies, proper documents of authorization to be prepared).

Distribution:

Dr. Kullman
Major Hodgetts
Mr. Heeking
Mr. Sutherland
Mr. Sorieri
Mr. Keeny

MEMORANDA TO BE PREPARED FOR MR. ALTMAYER.

26 IRD

NOTE:

1. Memoranda should be as concise as possible, preferably not more than one page per question. They should include a clear statement of the issue, the relevant important facts and either a recommendation or suggested alternatives for action.
2. They should be completed by Monday afternoon (16 June) and delivered to Mr. Hacking for review, editing and completion under Dr. Kullman's supervision by Tuesday, 17 June.

ITEM.

ACTION

- | | |
|---|-----------------------|
| ✓ 1. Problems related to standards of care: | } Sorieri and Hacking |
| (a) For food | |
| (b) For clothing | |
| (c) For other items involving sizeable expenditures | |
| ✓ 2. Policy on facilities for Voluntary Societies: | } Sorieri |
| (a) Supplies, such as petrol | |
| (b) Living allowances | |
| (c) Other important items | |
| ✓ 3. Intake policy: | } Sorieri and Kullman |
| (a) Illegal infiltrates | |
| (b) Possible maintenance of non-Jewish camp strength for one year to care for destitute | |
| (c) Assumption no out-of-camps assistance | |
| 4. Re-settlement shipping: | } Kullman |
| (a) Total availability | |
| (b) Obligations for ex-Polish Corps 6000, including details of agreement, proposed date of departure and transport arrangements | |
| (c) Assumption no out-of-camps assistance | |
| 5. Financial problems: | } Kullman |
| (a) Estimate of total cost Italy budget for one year. | |
| (b) IRO will make definite proposal to Government to pay certain amount above cost of rations, e.g. 50% of difference between total maintenance cost, all currencies, and cost of rations | |
| (c) Estimate of Italy's probable share as member of I.R.O. | |

.../

ITEM.

ACTION

6. Recommendations on screening team:

Kullman to
include in
general statement
to Altmeyer.

Other questions listed, but not to be transmitted to Dr. Kullman, on
separate sheet.

Distribution:

Dr. Kullman
Major Hodgetts
Mr. Hacking
Mr. Sutherland
Mr. Sorieri
Mr. Keeny

SMKEENY/jms.

9 June 1947.

c-3
Hotel du Chateau,

Ouchy, Lausanne.

22nd May, 1947.

Dear Dr. Kullman,

In connection with the transfer of the responsibilities of UNRRA and IGCR for refugees and displaced persons in Italy to the Preparatory Commission of IRO and subsequently to IRO itself, may I request you to proceed to Rome as soon as possible in order to head a Working Party which would undertake preparatory work on my behalf.

Your tasks should include the following:

- (1) Making recommendations for the establishment of machinery for the determination of eligibility of persons for assistance from IRO. You should, in this connection, make recommendations on the arrangements which might be taken before 1 July 1947 by IGCR for IGCR purposes and responsibility for which should be assumed by the Preparatory Commission.
- (2) Making recommendations for the integration of the activities, functions and administration of UNRRA and IGCR and for the size and structure of a Mission of the Preparatory Commission to be responsible for the work of that Commission after 30 June 1947.
- (3) Attending as an observer on my behalf the Meetings of the Joint Committee provided by the Agreement signed between the Italian Government and IGCR.
- (4) Assisting, when appropriate, in negotiations for the extension of the protective functions of IGCR (and thus subsequently of the Preparatory Commission and IRO) to classes of refugees and displaced persons outside camps.
- (5) Making recommendations concerning the terms of the Agreement between the Italian Government and the Preparatory Commission and IRO which will be necessary in due course as a basis for the work of the Preparatory Commission and IRO in Italy.

I have discussed your mission with Sir Herbert Emerson and Sir Humphrey Gale, who are instructing the representatives in Italy of IGCR and UNRRA to discuss the above and any other connected matters with you. You should also make the necessary appropriate contacts with the Italian Government without, however, entering into discussions with regard to

Commission and the Italian Government. I should be grateful if you would keep me informed on the progress of your discussions. It may be necessary for you to report to me when your work has reached a certain stage, and, in any case, at such a date as will enable me to submit a report about Italy to the Third Part of the First Session of the Preparatory Commission.

I understand that you will take Michael Hacking with you as your Assistant on this Mission and that Sir Herbert Emerson is prepared to second him to the staff of the Preparatory Commission for that purpose. Other persons may be added to the working party should I consider it advisable after consultation with you.

Sincerely yours,

/s/ A.J. ALTMAYER
EXECUTIVE SECRETARY.

Dr. G.G. Kullman,
ICCR
Palais des Nations
GENEVA.

cc: Sir Humphrey Gale
Sir Herbert Emerson
S.M. Keeny
Colonel Tomlin
Professor Royse.

DP 7/6/545

C O P Y

AA Serrini

May, 1947.

To: Chief of Mission
From: Special Ass't to C o M
Subject: Continued use of Premises by I.R.O.

1. One of the problem which should be solved as soon as possible is the status of I.R.O. as regards the occupation of premises after July 1.

2. If, before the end of June, I.R.O. signs an agreement with the Italian Government, there should be no great difficulty in continuing the arrangements existing between UNRRA and the owners. However, if no agreement is signed by that date, I.R.O. would have no legal status under Italian law. Hence there would be the following alternatives:-

- (a) Contracts and other legal transactions could be signed by the Head of I.R.O. in Italy, who would be personally responsible.
- (b) UNRRA or I.R.O. could ask the Delegation to continue the same arrangements after July 1st. In other words, the Delegation would continue to be responsible for the obligations included in the legal transactions, but would act on behalf of I.R.O. instead of UNRRA until the status of I.R.O. had been settled.

3. I think the second alternative would be preferable. Although the Delegation has no legal obligation to act on behalf of I.R.O. after July 1, I feel that we could approach the Government at the political level, stressing that if the operations of I.R.O. are made difficult in the beginning, the problem of the D.P.s would have to be dealt with directly by the Italian Government. Therefore, it would be advantageous to the Government to authorize the Delegation to continue its functions as regards premises for D.P.s for a limited period beyond June 30.

4. If this suggestion is accepted I believe the Government should be approached as soon as possible. The details of the problem such as the distinction between State-owned and privately owned property could be examined after a policy decision is reached.

PCONTINI:jms

cc: Spec.Asst. to C o M
D.C.M. D.P.'s Oper.

P. Cobtini
SPECIAL ASSISTANT TO
THE CHIEF OF MISSION

508 Int

UNRRA - ITALIAN MISSION
BUREAU OF RELIEF SERVICES

Date

28/5

From: Deputy Chief of Mission

To:

- for Vachon*
- 1 *CV* Assistant Chief of Bureau
 - 2 *Mr Wyatt Cky.* Executive Asst (Program coordination)
 - 3 *Mr Shook* Health Division
 - 4 *Mr Band* Welfare Division
 - 5 *Dr Jones* Displaced Persons Division
 - Special Relief Projects Division

Mr

6 Miss Webb Room 862

Remarks:

~~SECRET~~

Please read and pass
on quickly.

Asst

Hotel du Chateau,

Ouchy, Lausanne.

22nd May, 1947.

Dear Dr. Kullman,

In connection with the transfer of the responsibilities of UNRRA and IGOR for refugees and displaced persons in Italy to the Preparatory Commission of IRO and subsequently to IRO itself, may I request you to proceed to Rome as soon as possible in order to head a Working Party which would undertake preparatory work on my behalf.

Your tasks should include the following:

- (1) Making recommendations for the establishment of machinery for the determination of eligibility of persons for assistance from IRO. You should, in this connection, make recommendations on the arrangements which might be taken before 1 July 1947 by IGOR for IGOR purposes and responsibility for which should be assumed by the Preparatory Commission.
- (2) Making recommendations for the integration of the activities, functions and administration of UNRRA and IGOR and for the size and structure of a Mission of the Preparatory Commission to be responsible for the work of that Commission after 30 June 1947.
- (3) Attending as an observer on my behalf the Meetings of the Joint Committee provided by the Agreement signed between the Italian Government and IGOR.
- (4) Assisting, when appropriate, in negotiations for the extension of the protective functions of IGOR (and thus subsequently of the Preparatory Commission and IRO) to classes of refugees and displaced persons outside camps.
- (5) Making recommendations concerning the terms of the Agreement between the Italian Government and the Preparatory Commission and IRO which will be necessary in due course as a basis for the work of the Preparatory Commission and IRO in Italy.

I have discussed your mission with Sir Herbert Emerson and Sir Humphrey Gale, who are instructing the representatives in Italy of IGOR and UNRRA to discuss the above and any other connected matters with you. You should also make the necessary appropriate contacts with the Italian Government without, however, entering into discussions with regard to

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/s/ A.J. ALTMAYER
EXECUTIVE SECRETARY.

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ICCR
Palais des Nations
GENEVA.

cc: Sir Humphrey Gale
Sir Herbert Emerson
S.M. Keery
Colonel Tomlin
Professor Royse.

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W/6000
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44/60

IRO PREPARATORY COMMISSION

MEETING WITH IGC AND UNRRA ROME OFFICES ON 31st MAY 1947.

1. Introductory statement by G.G. Kullmann.
 2. Matters requiring immediate action to insure continuity of operations after June 30th:
 - a) food position;
 - b) vehicle situation;
 - c) other supplies; *clothing*
 - d) premises.

55 2 1/2 T } General
12 1 1/2 T }
 3. Establishment of Preparatory Commission mission for Italy after integration of existing IGC and UNRRA services:
 - a) charter for organization;
 - b) joint headquarters premises;
 - c) equalization of allowances for staff.
 4. Drawing up of a 3 months budget from July 1st to September 30th 1947.
 - a) personnel establishment;
 - b) administrative costs of consolidated mission;
 - c) operational budget.
- 48
2
752

DP 368/30/5

Lewis

1Ro

File

3 May 1947

Deputy Chief of Mission for F. & A.
Deputy Chief of Mission & Chief D.P. Operations (Italy) —
Director of Personnel
Executive Assistant

Attached Letter from Major-General Lewis

1. I am attaching a copy of a letter received from
Major-General Lewis regarding the transfer of D.P. Operations
from UNRRA to the Successor Organisation for your information
and necessary action.

A.J. Reynolds

A.J. Reynolds
EXECUTIVE ASSISTANT

bmc

cc: COM

Attach:

Received 4/6/47
Reed

COPY

AIRMAIL

HOTEL DU CHATEAU
LAUSANNE

DG/114/6/-/4/X

20th May, 1947

TO: Chief of Displaced Persons Operations, UNRRA, Paris

Chief of Mission Italy
Austria

Chief of Middle East Office

1. The Preparatory Commission for IRO has determined to assume operational responsibility for Displaced Persons as from 1st July 1947.

2. With a view to recognising the experience and service given by UNRRA employees, the Preparatory Commission has been working for many months with UNRRA officials with regard to the utilisation of UNRRA personnel.

3. With the object of ensuring a smooth transfer of the Displaced Persons Operations from UNRRA to the Successor Organisation, it is planned that the UNRRA organisation as it will be on the 30th June - that is to say when it has been reduced in such a way as to fit within the financial resources of the Successor Organisation - should be absorbed by the Successor Organisation. Thus, selected UNRRA personnel engaged in the D.P. Operation on 30th June would become personnel of the Successor Organisation on 1st July.

4. The selected employees will, from the 1st July, 1947, serve at a basic salary no less favourable than that to which they were entitled on the 30th June, 1947, subject as under UNRRA, to termination at one month's notice on either side. The term 'basic salary' will include UNRRA annual increments accruing to inclusive the 1st July, 1947. Thereafter increases in pay will be subject to the regulations to be established by the Preparatory Commission or by the International Refugee Organisation itself, as applicable. This guarantee as to basic salary will be maintained through 30th September, 1947. The orders and regulations covering allowances and other conditions of service will be identical with those under which selected employees were serving UNRRA on the 30th June, 1947. They will remain in force until such date as the Preparatory Commission of the IRO, or the IRO itself, publishes its own terms of service and regulations controlling them.

5. The following matters will be dealt with as shown below:-

(a) Provident Fund

The Provident Fund will be paid up to individuals on termination of their service with UNRRA.

- (b) The bonus authorised under UNRRA regulations as accumulated to the 30th June, 1947, will be paid to employees transferred to the Successor Organisation.

(c) Repatriation

The Administration will not be responsible for the repatriation of personnel transferred to the Successor Organisation but will make available to it a sum of money to meet the cost of employees' repatriation under the Administration's conditions of service with the exception that no provision will be made for the continuance of delayed repatriation under the Cooks/American Express Travel Voucher Plan notified in E.R. Order 60 and Technical Instruction 10 as revised. The Successor Organisation will then be responsible for repatriating personnel transferred from UNRRA.

- (d) Local allowances and maintenance will continue to be provided on the scales prevailing on the 30th June and under the existing regulations of the Administration until such time as revised regulations are issued by the Successor Organisation.

(e) Accrued annual leave

Due to the impracticability of transfer of leave entitlements to the Successor Organisation, personnel transferring to the Successor Organisation will receive a cash payment in respect of annual leave accrued during their UNRRA service.

(f) Travel expenses for home leave

The Administration is transferring to the Successor Organisation a sum of money to meet the cost of employees' travel for home leave as permitted under the Administration's conditions of service. The Successor Organisation will then be responsible for enabling personnel transferred to utilise such home leave, within the limits of its administrative requirements.

6. If not previously arranged, the Successor Organisation will, during the period July to September, 1947, proceed to make arrangements covering employees' compensation, sick leave, annual leave, provident

funds, and home leave, as part of the regulations which the organisation must necessarily issue for its permanent employees. Pending the publication of revised instructions on these subjects it is planned to continue the arrangements now in force in the Administration.

7. Thus, in general it is planned that the Successor Organisation should continue the services of persons transferred to it under existing arrangements made with individuals and under the Administration's personnel and other regulations, subject to the remarks set out above, and until such time as it is able to introduce its own regulations and make new arrangements based thereon with the individuals concerned.

8. In communicating the contents of this statement to the personnel of your Mission concerned with D.P. Operations, it should be made clear that it is applicable only to those who are selected to continue in the service of the Successor Organisation and that the number of these will be appreciably smaller than the number employed in May. This is unavoidable in view of the limitations on the funds available to the Successor Organisation. However, those persons who are selected for transfer to the Successor Organisation as of July, 1947, are assured of employment at least through July, and will have good prospects for continued employment thereafter.

9. The best method of communicating the contents of this letter to the staff concerned is left to you bearing in mind its possible repercussions. When the information contained in it is given to your personnel, you should also say that the Administration is both anxious and required by Council Resolutions to assist in every way possible the preparations of the Successor Organisation and to turn over to it an efficient and smoothly working operation. UNRRA's reputation and good name as well as the Successor Organisation's future are dependent on this. I am confident that the staff will in these closing weeks of the UNRRA D.P. Operations continue to show the same loyalty and devotion to duty that they have done in the past.

10. The period of preparation is for the Successor Organisation very important and the success of its operations will in a great measure depend on the assistance which UNRRA can give it. I am sure I can rely on the staff to continue their efforts and to remain at their posts so long as their services are needed.

/s/ R.G. LEWIS
for PERSONAL REPRESENTATIVE OF THE
DIRECTOR GENERAL
EUROPEAN REGIONAL OFFICE, UNRRA

DISTRIBUTION: As addressed,
D/CFA, ERO,
Executive Secretary, PCIRO.

Meeting - 4/6/47

File
20 discussions

Reports of Working Parties

1. HQ Office space - Price. See memo
Cost of services?

Budget for 100 rooms & make adjustments
afterwards. Cable to Geneva for authorization.
Price to see possible possibilities.

2. Office Equipment (Furniture, machines etc.)
AC stuff belongs WD hence will have
to be paid.
Hence - DCCR to state needs
specifically + ERO to be requested to approve transfer.
Estimates on liberal side, in view conditions of
machines etc.

3. Medical -
Hospital at Basiglio - Train. Problem
of TB patients - purchase from WD - possible
purchase from St. Govt from WD for line. Also,
X-ray equipment at Baguoli.

4. Operational Space - Authorization for someone
to negotiate with Govt to hold camps & premises & commit
IRO for costs after 1 July.

5. Clothing -

6. Transport - 141 additional for DCCR

Sorieri

OFFICE SPACE AT ROME HEAD-QUARTERS.

Report of Working Sub-Committee - Major Woodcock (AMHQ - G5)
Col. Hoops (ICGR)
Mr. Prince

1. Terms of Reference.

The consideration of office space requirements at the proposed Rome Headquarters was to be based on the agencies' existing strength. Space requirements were to be considered from the standpoint of bringing the existing agencies into one location or such other arrangement as would prove most effective and economical.

2. Present Personnel H.Q. Establishments.

	<u>Imported Staff.</u>	<u>Locally Recruited staff.</u>
UNRRA D.P. Operations ...	28	151
Other Agencies ...	52 ✓	44
	<u>80</u>	<u>195</u>
		<u>80</u>
		<u>Total 275</u> (5)

3. Present Space Requirements.

Based on statements by Mr. Sorieri, UNRRA D.P. Operations (Italy), and Major Woodcock, other agencies, the requirements are :-

For UNRRA ... One floor of the I.N.A. building consisting of 72 rooms.
For Other Agencies 50 office rooms.

4. Present Availability.

7. V Arrangements have been negotiated and tentatively completed for the occupancy of the 3rd floor of the I.N.A. building for UNRRA D.P. Operations (Italy) for the period subsequent to 1 July 1947. The Displaced Persons Division of AMHQ G5 occupies space in the former A.G. building proper under requisition. I.C.G.R., under an agreement with the Italian Government, occupy space in the former A.G. building annexe.

5. Rental Charges.

Rental at the rate of Lit. 5,000,000 per annum will be chargeable for the occupancy of the floor of the I.N.A. building tentatively committed to D.P. Operations. Based on this quotation, a monthly rate of Lit. 5,800 per room is calculated.

The space presently occupied by D.P. Division, AMHQ G5 at the former A.G. building proper is not subject to any direct charge. The space presently occupied by I.C.G.R. in the Annexe of the former A.G. building is without charge under the agreement with the Italian Government.

Proposed Alternative Plans.

With regard to office space requirements, consideration should be given to the fact that UNHRA Italian Mission at Headquarters has occupied space in the I.N.A. building at an overall average of $3\frac{1}{2}$ persons per room. The requirements, as stated, of the Agencies presently located in the A.C. building would figure at an overall average of two persons per room. The latter basis has been justified by the fact that a lesser proportion of clerical staff and a greater need for the interviewing of displaced persons - largely in connection with repatriation - exist. It seems fair to consider that an overall average of three persons per room should be accepted. The overall need on that basis would thus be for 91 rooms to accommodate a staff of 275. Another consideration to be taken into account is the desirability of having a segregated section - preferably on an easily accessible floor - to be used for those units requiring displaced persons interviewing contacts. The following alternative plans are proposed :-

1. The consolidated Organisation to be housed in the I.N.A. building, making use of the floor which has been tentatively arranged and additional space on the ground floor at the Via Umbria entrance where there is a segregated section consisting of 23 rooms. This section has been reserved for UNHRA Italian Mission until 30 June, and its acquisition for a subsequent period would require negotiation with I.N.A.

The rental cost of this plan would be -

91 rooms at approx. 5,800 Lit.
per room per month Lit. 527,800 per month.

2. In the event that the space at present occupied by I.C.G.R. in the Annex of the former A.C. building will be available subsequent to 1 July without charge under the agreement with the Italian Government, the segregated unit requiring approximately 20 rooms might be housed in such space. Such a plan would of course effect a monthly saving of -

20 rooms at approx. 5,800 Lit.
per room per month Lit. 116,000 per month.

Date *4 June* 1947.

	Total to be disposed of	Assigned to D.P. Ops.	Runners and Repairable	Non repairable
Lorries 2½ and three tons.....	361	64	316	45
Lorries 5 ton and over	25	22	24	11
Tractors and trailers 1½ & 3 tons	11	7	8	3
Tractors and trailers 6 tons	2	-	1	1
Lorries 30 cwt	40	8	36	4
Trucks 15 cwt	44	12	40	4
Trucks 8 cwt HUP	45	10	43	2
Ambulances 3 ton	21	14	17	4
Ambulances 30 cwt	2	1	2	-
Ambulances 15 cwt	16	2	13	3
Jeeps	166	14	151	15
Sedans - large	7	2	6	1
Sedans - FIAT 6 str	9	3	9	-
Sedans - FIAT 4 str	14	27	14	-
Trailers 1 ton	1	-	1	-
Trailers 10 cwt	37	4	15	22
Motorcycles	12	3	2	10
TOTAL	813	193	698	115

© All can be repaired if wheels become available.

24
28 May 1947

24
28 May 1947

415

1 April 1947

Col. Fothergill
A.C. Building - Rome

A.A.Sorieri -
DCM - Chief D.P.Operations, (Italy)

Constitution of International Refugee Organization

Attached is a copy of the above mentioned
IRO Constitution, which you requested in our
telephone conversation of this morning.

A.A.Sorieri
Deputy Chief of Mission and
Chief, D.P. Operations (Italy)

encl. 1

416
UNRRA ITALIAN MISSION
DISPLACED PERSONS OPERATIONS
(ITALY)

26 February 1947

TO : D. C.M. AND CHIEF D.P. OPERATIONS
FROM : DEPUTY CHIEF D.P. OPERATIONS

I note with interest para 3 of the attached reference the proposition that a Council Session, with all Mission Chiefs attending, should take place in Rome, and among other things, that the agenda will include a discussion on the transfer to I.R.O.

LVARRICHIONE/jdr

cc : Chron
File

ORIGINAL SIGNED BY
LOUIS VARRICHIONE
Louis Varrichione
DEPUTY CHIEF
D.P. OPERATIONS (ITALY)

415

File

RS.



28 January, 1947.

CONFIDENTIAL

TO : Air Comdre. P. Warburton
ERO - London.

FROM : Chief of Mission

SUBJECT : IRO D.P. Budget Problem for Italy

The policy problems in the Italian D.P. situation have been well set out by Mr. Sorieri in his memorandum of 25 January. The following notes are intended to set forth some considerations in making a budget for Italy:

A - Considerations Affecting Operations in All Countries, Including Italy.

Since IRO has to start on 1 July with an inadequate budget, the UNRRA moves before that date should be designed to leave as inexpensive an operation as possible. For example:

- (a) Distant D.P.s, such as those in the Middle East and Africa, should be repatriated as rapidly as possible with as few stop-overs in Italy or elsewhere as possible. This step would relieve IRO of heavy ocean shipping charges; would permit the use of remaining military facilities; and permit the close-out of offices in the Middle East and Cairo. In general, the operation should be made more compact.
- (b) To reduce negotiations with governments and cut down overhead, refugees should be kept in as few countries as possible.
- (c) They should be kept as far as possible in low-cost countries.
- (d) They should be located where labor shortages exist, both in order to supply labor, and to give them work without which their morale cannot be maintained.
- (e) As far as possible, they should be located near ports or supply lines with inexpensive hauls.

./.

- (f) They should be placed where existing accommodations are adequate to avoid heavy expenditure on structure.
- (g) The number should be reduced to the utmost by a special drive to get all possible people home early this spring.
- (h) There should be a maximum development of self-help operations, with the camp funds benefitting from the activities as well as the individual.
- (i) Other reductions in expenditure should include:
 - (i) Charge shipping costs to the receiving country.
 - (ii) Using optimum number of personnel from countries with lower salary ranges.
 - (iii) Revise personnel standards and salary scales to international civil service standards.
 - (iv) Make larger use of D.P.'s.

On some of the grounds indicated above, Italy should not be used at all. Its population is even more congested now than ordinarily, and its unemployment is high, so that there is every discouragement against finding work for D.P.'s. At present Italy is also a very high cost country. On the other hand, the climate is favorable, the population not unsympathetic, the Government reasonable--and the country is on the way to Palestine.

B - Special Considerations Affecting Italian Budget

1. Relations with Italian Government.

It is important to recognize for budgeting purposes that in Italy no help whatever can be procured from Allied military sources. The sources of materials of the present UNRRA program are:

- (a) UNRRA supplies of imported food and imported used clothing, plus cloth manufactured in Italy from UNRRA cotton and wool (with manufacturing charges paid from the Lire Fund).
- (b) Cash payments from the Lire Fund.
- (c) Use of Government property, including free transportation and communications under UNRRA agreements.

After 1 July food must be supplied by IRO except for over-drawings by UNRRA in June. The clothing supply line ends 30 June except as supplies may be diverted from UNRRA stocks before then. This is not now provided for.

Similarly, the UNRRA agreements covering property (both rentals and requisitions) end 30 June. The Government has not requisitioned property for its own purposes since September, 1946, and is most reluctant to do so even now for UNRRA. On 30 June, also, Government property now used by UNRRA will revert to the appropriate department unless IRO action is taken.

Costs for D.P. properties now used by UNRRA are not shown in the UNRRA Budget now since these charges are paid by the Italian Delegation directly on behalf of the Government--but from the Lire Fund.

Unless IRO gets a special concession from the Government, it will have to pay higher costs for such items as petrol, which is subject to heavy customs duties.

2. Important unknown factors in the budget area:

- (a) What percentage of the 11,000 D.P.'s now under the military will be taken over by IRO. Apparently there are three choices before the military:
 - (i) To transfer to IRO or another agency
 - (ii) To transfer to Italian Government or
 - (iii) To remove them to some other country which is a military area.

The Italian Government will probably resist taking them over, since most of them are Yugoslavs hostile to the Tito Government, so that the group would probably be productive of "incidents".

- (b) How many of the large population outside camps will fall within IRO categories?
These can probably be ignored for the most part unless the Italian Government serves them with deportation notices, in which event, the IRO may have to take them over if it is unwilling to let them be forced to return to their countries of origin.
- (c) The rate of departure from Italy to Palestine--legally or illegally.
- (d) Whether illegal entry into Italy can be stopped, either by control on the opposite sides of the border, or by firmer action by the Italian Government.

3. Some Speculations on a Possible Budget

- (a) The present number under UNRRA care is approximately 25,000. The discontinuance of outside assistance will reduce this number to approximately 20,000. For purposes of calculation, let it be assumed that care will need to be provided for 25,000 persons for one year from 1 July, 1947. This would allow for

an increase of 5,000 taken over from AG or from further illegal entries, or from other D.P.'s in the Italian population who might fall within IRO eligibles.

- (b) The present cost per person in lire and foreign exchange amounts to about $\text{£}1.30$ per day per person. (In this calculation, the lire are estimated at 225 to the dollar.) About $\text{£}1.00$ of the amount is paid in lire, and about thirty cents in foreign currency.
- (c) The cost of 25,000 persons at $\text{£}1.30$ a day for 365 days, equals $\text{£}11,862,500$.
- (d) The total budget of IRO ($\text{£}157,000,000$ for 900,000 people) equals about $\text{£}180.00$ per person per year. If the foreign currency available for Italy is $\text{£}180.00$ per person, the total amount would equal $\text{£}4,500,000$.
- (e) The cost for 25,000 persons at thirty cents a day for a year would equal $\text{£}2,737,500$. The remainder of the $\text{£}4,500,000$ ($\text{£}1,762,500$) could be changed into lire at the new rate of say 400 to the dollar. (375 is the proposed rate for January.) This would yield 705,000,000 lire.
- (f) The expenditures in lire for 25,000 persons for one year at 225 a day (the cost in 1946) would equal Lire 1,825,500,000. The balance of Lire 1,120,000,000 might be requested from the Italian Government. At the new rate of 400 to the dollar, this would equal a payment of $\text{£}2,780,000$.
- (g) It is known from informal conversations that at least some of the Government officials related to this problem are inclined to oppose the use of the Lire Fund for this purpose on the ground that Italy is hard pressed, and that the purpose of the Lire Fund was to assist Italy. They will also probably argue that they have no responsibility for these people, who were brought here without consulting the Italian Government.
- (h) The only line of argument that promises to help out the IRO budget is to start with the firm proposal that Italy become from the beginning a full member of IRO, which presupposes responsibility for paying its reasonable share. Unfortunately the national income of Italy is extremely low by international standards. In 1938 the national income of Italy was about 9.6% of that of the United States; in 1945 it was only 2.6%, based on 1938 purchasing power. It is doubtful whether a case can be made for Italy paying more than 3% of the U.S. share. If the U.S. share is 50% of the U.S. budget, Italy might reasonably be asked to consider 3% of 80 millions, or 2.4 millions, which is within 10% of the lire deficit indicated above.
- (i) Even on this scale, it is doubtful whether Italy would be willing to pay unless other countries, which have been non-paying recipients of UNRRA goods also pay. For example, if Poland were

to agree to pay its share (perhaps in goods) the argument for Italy to pay would be much stronger. It must be remembered, however, that Italy faces a problem not only of financing its own imports, but also of paying reparations.

- (j) If illegal entries cannot be stopped, there ought to be an arrangement which provides an automatic increase of the budget for Italy to cover the additional expenses incurred.
- (k) Since Italy is a natural geographical clearing station for D.P.'s from the Middle East and Africa, provision ought to be made for the costs of holding D.P.'s in Italy and of transit charges to be paid by the recipient country.
- (l) Any expansion of the program over 25,000 would presumably have to be paid entirely in foreign currency.
- (m) Costs are calculated on the actuals for 1946. Since there is a steady tendency of prices to rise in Italy, the probability is that there would be a final deficit in the budget of not less than 25%, which would have to be made up from other sources, or by the lightening of the load in the second half of the fiscal year concerned.
- (n) It should be further noted that if the program is envisaged as running for more than one year, a similar arrangement for the Lire Fund for the second year would have to be made at the beginning, because of the unlikelihood that there will be any unassigned funds by the middle of 1948.

(o) Finally, it should be emphasized that whatever reality there is in the foregoing proposals will continue to be real only so long as the Government continues to accept the principle that UNRRA has a say in the disposal of the Lire Fund. UNRRA's influence in determining the disposition of this fund is bound to decline rapidly as UNRRA imports come to an end, as the money gets assigned to specific projects, and as more and more departments of the Government awaken to the possibilities of their claiming a share of the fund for urgently needed budgets within their jurisdiction. The instructions of this Mission from Headquarters press us to complete our work with the Pricing Committee and with the Lire Fund Committee (which together largely determine the amount of the fund and its disposition) before 31 March. The risk involved in the organization of IRO is that negotiations involving the Lire Fund will be undertaken only after it is too late to do anything about the matter. If, therefore, it is desired to follow the line of action sketched above, it is essential that preliminary action should be taken before the end of March. A preliminary committee might be made up of a representative of ERO, of IRO and of this Mission to discuss the matter with the Italian Government.

S. M. KEENY

SMKEENY/eta

cc - Relief Services (2)
P & A (2)
COM

S. M. Keeny
CHIEF OF MISSION

1 R O File
u/s

file spare
etc

28 January, 1947.

CONFIDENTIAL

TO : Air Comdre. P. Warburton
ERO - London.

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SHKERNY/eta

cc - Relief Services (2)

F & A

(3 copies to A. Andre. Warburton)

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The Displaced Persons Problem in Italy

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The approach to the displaced persons problem has suffered from the fact that responsibility has been divided among various military and civilian agencies each of which has been limited by policies, definitions of eligibility, available funds and supplies, relationships with other agencies and governmental authorities - in short, there has been an absence of a total view of the problem and of a concerted plan for attempting to solve it.

The establishment of IRO presents an unusual opportunity for a realistic review of the nature and extent of this problem, which in turn, should result in a determination of the structure, program and requirements for a valid solution of the problems of hundreds of thousands of persons who have been literally marking time and whose lack of hope for the future is becoming seriously evident. Admittedly, the funds available to IRO are inadequate but in order to plan wisely for the use of these funds, and, more important, to express clearly and emphatically to the world the real size and scope of this problem, it is essential that it be examined honestly and in all its parts. It would be a grave error to fashion the operation out of the sheer limitations of available resources without at the same time emphasizing the total responsibilities which should be faced. (literally)

Further, it should not be assumed that the hard core of the D.P. problem has been reached, but rather that an opportunity is offered a single agency to perform a careful job of repatriation, resorting to resettlement possibilities where no other solution presents itself, and then only on a carefully planned basis.

The Displaced Persons Casseload in Italy

From this general point of view, the D.P. problem in Italy consists, for practical purposes, of three groups: Those under UNRRA care, those under Allied Commission care, and those not under the care of either agency, and living in the country with or without the consent of the government.

The last group is estimated to number anywhere from 100,000 to 250,000. Little is known specifically about them since they are under no agency control. There is no indication as to whether they will ~~be~~ should be dealt with purely as aliens or whether many of them will need to be a preoccupation of IRO.

At present, the Allied Commission is giving camp care to about 11,000 DP's ineligible for UNRRA care. Most of these are Yugoslavs who were displaced or displaced themselves, after the cessation of hostilities. Depending on the interpretation of IRO definitions, they may well be an IRO problem. In any event, they constitute a concrete group for whom a solution must be found.

Under UNRRA care (see accompanying tables and exhibits) there are some 25,000 DP's, of whom 80% are Jews. There are three programs of care, namely, camps operated by UNRRA, Hashomereth (small vocational training centers housing

100-200 each) supplied and supervised by UNRRA under the sponsorship of the American Joint Distribution Committee, and a program of outside assistance, that is, direct relief program in cash and kind to families and individuals living and having some roots in Italian communities. In the first group there are some 12,000, in the second about 7,000, in the third 6000.

In short, as far as Italy is concerned, the DP problem consists of anywhere from 135,000 to 285,000 persons, with the Italian government insisting on the latter figure as the more accurate one.

It is important to bear in mind, too, that the DP's not under care have not been excluded because of any logic which could be similarly applied by a future agency but rather because of a conglomeration of reasons including intense application of UNRRA policy by this Mission, arbitrary closing of intake by the military authorities, limitations of programs by operating agencies, a rapid reduction of military occupation as opposed to the case of Germany and Austria, and a generally disorganized control of entry into the country, as well as a more hospitable and sympathetic attitude on the part of Italian government authorities. The two latter factors have been less true in the past six months and will be even less apparent in the future. In any event, one cannot fall into the error of assuming that the total DP load in Italy really consists of no more than the UNRRA and AG load, for the application of IDO definitions is bound to have a horizontal effect across the three major groups mentioned above.

General Character of the UNRRA DP operation.

The agreements between UNRRA and the Italian government clearly define the former's responsibility for eligible DP's and provides for the Mission freedom to operate its present program. Our operations started under the general aegis of the military authorities, but from the beginning were pointed towards a clear division of responsibility. These developments culminated in an agreement effective 1 August 1946, (although actually operative for many months before that) whereby the Mission is completely responsible for the care of UNRRA eligible DP's while the military authorities continue to care for the ineligible.

It cannot be too strongly emphasized that this Mission is completely and solely responsible for the administration of this program, that supplies, transport, staff, movement of DP's, accommodations, discipline, maintenance, warehousing -- in short, the entire job is done by the Mission DP operating staff. In all operating respects, we are divorced from the military, although UNRRA and the military maintain close relationships on general planning and exchange of information.

Nevertheless, since we use no facilities of, and receive no assistance from, military authorities, the staff requirements are radically different from those, for example, in Germany. More important, in terms of the future, it must be remembered that the military authorities plan to depart shortly after the treaty ratification so that they cannot be looked to for any participation whatsoever in operations after the next very few months.

This latter fact sharpens the point made with respect to the AG caseload, for some provision must be made for the 11,000 under AG care. What disposition the military authorities may be making of them is not known, but undoubtedly they, too, are looking forward to IDO assumption of responsibility.

Italian Government Attitude

While there is no official statement of government attitude toward DP's, some comments can be made based on our constant association with various authorities in connection with a broad range of problems.

Throughout the period of more than two years of our work here, the government has at all times displayed an unusual sympathy and understanding to the DP problem. More than this, it has extended a genuine hospitality to them tempered only by a preoccupation with its own difficult economy. Within its very limited means and the many pressures of existence, it has, at the very least, raised no serious objections to the various DP operations, and, at the very most, as has been more generally the case, it has cooperated to the fullest extent.

Despite the government's excellent intentions and attitude, there are several practical considerations which modify Italy's reactions.

The supply situation in the country is not good, and, following the completion of the UNRRA program, the outlook is even worse. There are at present some 3,000,000 unemployed, and general recovery of employment will depend on such a complexity of financial, economic and political factors that optimism is greatly restrained. Destruction of homes and public buildings by the war has been high, and housing is extremely tight, not only in the cities, but also in the scores of towns along the various battle lines. At the moment, some 40,000 Italian refugees are still living in government-operated camps, while thousands of others are crowded into the homes of relatives and friends. About 200,000 Italians, evacuated from former colonies, and having no roots in this country, constitute another burden, to which are being added the many Italians who are choosing to leave the zone to be ceded to Yugoslavia.

The presence of many DP's merely complicates the problem. Those under UNRRA and AG care constitute a problem of the future for which the Italian government will probably not consider itself responsible and for which, in any event, it could offer no solution except an arbitrary one. Those not under care offer an even more serious problem since they are not under control and since they include groups resentful of the governments of their own countries as well as many individuals who are a menace to public security through their activities in the black market and other illegal ventures which are the inevitable characteristics of a post-war situation in a weakened confused nation. The political aspects involved are numerous and well-known. The control of frontiers is complicated, on the one hand, by the difficulty of resumption of normal restrictions, and on the other, by the reluctance to appear lacking in humanity through the refusal of hospitality to many bewildered persons who are still leaving their countries on the way to somewhere or to nowhere.

It is this welter of factors which shapes the government yet leaves it without form. Since the country cannot look forward to providing for itself, it will undoubtedly look to others to provide for the Displaced Persons.

Out of this total complexity, out of the regaining of its sovereignty and out of the relative independence foreshadowed by the signing of the peace treaty, a general hardening of the government attitude is taking shape. This has not assumed the proportions of specific policies adverse to DP's, but rather in a careful scrutiny of proposed plans and movements with a view to the protection of

the government's interests. What characteristics these developments will acquire in the next few months a matter, in our opinion, which will depend largely on international DP plans for the future and the part that Italy will play in them.

Italian Government Participation

Under the terms of the agreement between UNRRA and the Italian government, a lire fund has been established from the net proceeds of sale of UNRRA supplies. The agreement also provides that a portion of this fund be allocated to the Mission for its DP operations. Since the foreign exchange costs of DP operations are derived from the single appropriation to Italy, it was inevitable that the Mission expended lire for DP's in preference to foreign exchange wherever possible. As a result, about 80% of the total cost of care of DP's in Italy is met through lire expenditures, and only 20% through foreign exchange. This is naturally a tremendous advantage during the life of UNRRA, but it poses a serious problem to an agency which does not have such a fund at its disposition.

The expenditures in lire cover all salary payments in local currency, administrative expenses, purchase of fresh foods, as well as many items of equipment used in camps, cash grants to DP's on outside assistance, in fact, everything except those items which must absolutely be imported or paid for abroad.

Less tangible, but at least equally important, has been the government's participation through furnishing trains for internal and repatriation moves of DP's, cooperation in providing transit visas, collaboration in working out various programs, provision of camp sites and officers.

Cooperation at matters of major policy has been effected through a joint committee of UNRRA and the government to discuss and agree on important actions.

All of this, in addition to daily contacts on repatriation and security matters, has helped to develop a better knowledge of the DP program but it has also served to give indications of the very complex problems to be solved in a future which promises to give less outside aid to Italy on a ~~program~~ *Situation* which it does not consider to be of its own making.

The important point, however, is that the tangible participation of Italy in DP operations is very great and, as will be stressed further on, any DP plans for Italy must be shaped to preserve and strengthen these resources.

Operational Factors Affecting DP organization

The program of care of DP's in Italy has been shaped by the directorate of the groups to be assisted, by the facilities available and by the limited resources at our command.

The outside assistance program was started since there were in Italy a number of eligible DP's who were not in military camps but who were in need of assistance. At the time the program was initiated, they had been living in Italian communities for sufficient time to make it undesirable for them to be placed in camps. This program, therefore, is largely one of supplementary

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assistance in cash and kind to a relatively stable group, though it is doubtful that many of them will resettle here. The program is being progressively reduced as these individuals become self-supporting or otherwise absorbed in the Italian economy.

Camp operations in Italy are directly affected by availability of suitable locations. It is difficult to find facilities having a capacity of more than 2000 or 3000 and, as a result, desirable economies of staff cannot be achieved. Even if larger camps were available, the day has long since passed when an overriding military authority could arbitrarily requisition them. On the contrary, there is constant pressure on this Mission to surrender those camps which consist of buildings formerly occupied as homes or places of business. This phase of the operation will become more difficult, as a matter of fact. Then, besides, the geographical location of available sites is not always in harmony with ease of administration or lowering of administrative costs.

The Hachshavoth program is partly financed by AJDC which rents the buildings and provides supplementary items. This operation furnishes some 7000 Jewish DP's with the opportunity of living in smaller groups, with increased self-government and with opportunity to develop employable skills.

A most serious preoccupation is the continued infiltration of Jewish DP's. During the last four months four or five thousand Jewish DP's have come illegally into Italy and indications are that the number will increase. Particularly notable is the fact that many of these have come during the winter months, which is most unusual. From an operational point of view, this is of grave concern for, with limited staff and limited small camps, it is difficult to plan against this influx. The present staffing plans for DP operations may well be rendered inadequate if the present rate of flow continues. Either the present UNRRA policy will need to be modified or we must face seriously the requirements following from a steady increase of our load.

The reductions of staff imposed on the Mission have failed also to take into account the fact that Italy has become the DP crossroads of Europe. A good deal of staff has been devoting its time and energies to the movement through Italy of Greeks and Poles from Mid-East and Near East, as well as Austrians from China, Greeks from Austria, etc. The preparations for such moves, negotiations with the government, arrangements for trains and truck transport, as well as actual conveying all the way to the country of origin, have been responsibilities of this Mission, especially of the small repatriation staff at headquarters. No staff provision has been permitted for this purpose, yet it is expected that this work will increase rather than diminish.

A most question, which is basic to the whole DP program, is the standards of care, particularly as they affect health, welfare, vocational training and other factors vital not only to proper maintenance of DP's, but also to preparing them or reorienting them for a useful existence in their eventual homes. These standards can be set at any arbitrary point desired and this will directly affect the number of staff required. It must be emphasized, however, that DP's in Italy have been in camps for a year and more, and any program which envisages a mere continuation of subsistence will be dangerous as well as inhuman.

The direction is obviously that of utilizing DP skills and competence, to develop self-sufficient communities with a positive, even though temporary, way of life, and to increase generally the self-government of camps. This objective, however, becomes modified by the psychological attitude of the DP's and the amount of encouragement necessary to bring them to such point of independence; it becomes modified by their often poor standards of health and sanitation and the absolute necessity of supervision and teaching in this field to insure against serious health situations; it becomes modified by the help required from the agency's staff to suggest and guide programs of education, vocational training and other activities which will help retain or develop skills, trades and practical techniques of living in community with other people. Success in repatriation and resettlement can come only through adequate dissemination of information and news, discussion, correspondence and access to government representatives. All of these duties, as well as many others affecting daily operations, are responsibilities of the limited medical and welfare staffs. While it is necessary to avoid excessive staff and the concomitant danger of fostering dependence on the part of DP's, it is perhaps more essential to ~~not~~ ignore the intangible but basic requirements of the care of DP's which, after all, are the very heart of dealing with people in distress.

All this becomes emphasized by the additional danger of numerical comparison between DP's in Italy and in other countries. Such a comparison would omit consideration of the military facilities, say, in Germany, as well as the point at which, administratively, it becomes impossible to reduce staff. Beyond this, however, it must be repeated that it is a question of standards of care, a factor of real importance when one considers that many DP's face several years more of the present incomplete existence before resuming a reasonably normal life.

Future of DP Program in Italy

From a financial point of view, it has already been indicated that in Italy the major part of the cost is in local currency. There must also be added the local currency cost for rental of camp facilities, offices, warehouses and garages, for use of trains for DP movements and other items now furnished by the Italian government. The DSO will have to face the necessity of substituting foreign exchange for the local currency available to UNRRA from the lira fund, or seek some other solution.

In our opinion, the DP problem here is one for Italy as well as for the other nations. Sharing in the problem itself, and contributing to the solution of it, can be achieved if Italy becomes a real participant and member of the organization responsible. If this positive approach is adopted, then Italy can be asked to contribute its full share towards the financing of the program, a share which it can provide through the lire fund. It is doubtful whether Italy will consider itself responsible for DP's in the future or whether it can be persuaded to provide money, buildings, and facilities to an organization in which it has no voice. On the other hand, as a full-fledged member of an international organization, it can be expected, and asked, to give its full share towards meeting this complex problem.

Further, the operation of a DP program in Italy must be envisaged as one in which there is no occupying military authority, but in which negotiations are carried out with a sovereign government, in the light of its national laws, regulations and requirements.

There is no need to comment here as to the future of the Jewish DP's, who are the largest group. The continued lack of a solution for this group daily increases their restlessness and their despair.

Less acute is the problem of the other groups, some of whom can be repatriated. It is possible that a fair percentage of Yugoslavs may eventually be repatriated but, if not, their chances of resettlement are in many ~~ways~~ ways greater.

The future, however, is quite black unless adequate programs of care are maintained, and unless intensive, energetic measures are taken in the field of repatriation and resettlement. Meanwhile, potential labor is idle and deteriorating and people are living abnormally without opportunity to make themselves useful and positive.

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Varrichio: D.P. Division

CHARTER

OF THE UNITED NATIONS

TOGETHER WITH THE

STATUTE OF THE INTERNATIONAL
COURT OF JUSTICE



Signed at the
UNITED NATIONS CONFERENCE ON
INTERNATIONAL ORGANIZATION

San Francisco, California

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CHARTER

OF THE UNITED NATIONS

We the peoples of the United Nations determined

to save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind, and

to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small, and

to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained, and

to promote social progress and better standards of life in larger freedom,

and for these ends

to practice tolerance and live together in peace with one another as good neighbors, and

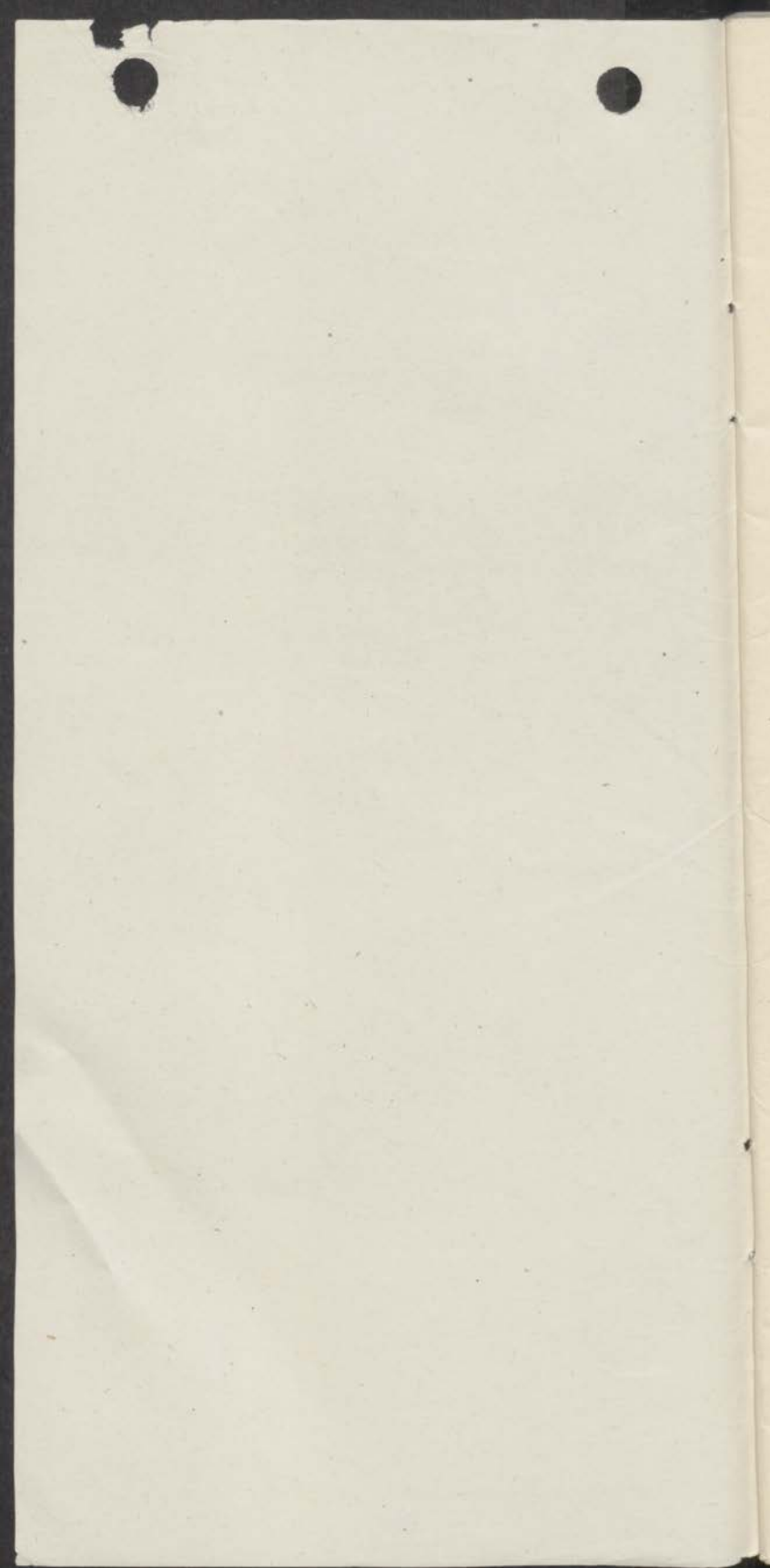
to unite our strength to maintain international peace and security, and

to ensure, by the acceptance of principles and the institution of methods, that armed force shall not be used, save in the common interest, and

to employ international machinery for the promotion of the economic and social advancement of all peoples,

have resolved to combine our efforts to accomplish these aims.

Accordingly, our respective Governments, through representatives assembled in the city of San Francisco, who have exhibited their full powers found to be in good and due form, have agreed to the present Charter of the United Nations and do hereby establish an international organization to be known as the United Nations.



CHAPTER I

Purposes and Principles

Article 1

The Purposes of the United Nations are:

1. To maintain international peace and security, and to that end: to take effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace, and to bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to a breach of the peace;
2. To develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and to take other appropriate measures to strengthen universal peace;
3. To achieve international cooperation in solving international problems of an economic, social, cultural, or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion; and
4. To be a center for harmonizing the actions of nations in the attainment of these common ends.

Article 2

The Organization and its Members, in pursuit of the Purposes stated in Article 1, shall act in accordance with the following Principles.

1. The Organization is based on the principle of the sovereign equality of all its Members.
2. All Members, in order to ensure to all of them the rights and benefits resulting from membership, shall fulfil in good faith the obligations assumed by them in accordance with the present Charter.

3. Members shall settle their international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered.

4. All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations.

5. All Members shall give the United Nations every assistance in any action it takes in accordance with the present Charter, and shall refrain from giving assistance to any state against which the United Nations is taking preventive or enforcement action.

6. The Organization shall ensure that states which are not Members of the United Nations act in accordance with these Principles so far as may be necessary for the maintenance of international peace and security.

7. Nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state or shall require the Members to submit such matters to settlement under the present Charter; but this principle shall not prejudice the application of enforcement measures under Chapter VII.

CHAPTER II

Membership

Article 3

The original Members of the United Nations shall be the states which, having participated in the United Nations Conference on International Organization at San Francisco, or having previously signed the Declaration by United Nations of January 1, 1942, sign the present Charter and ratify it in accordance with Article 110.

Article 4

1. Membership in the United Nations is open to all other peace-loving states which accept the obligations con-

ed in the present Charter and, in the judgment of the Organization, are able and willing to carry out these obligations.

2. The admission of any such state to membership in the United Nations will be effected by a decision of the General Assembly upon the recommendation of the Security Council.

Article 5

A Member of the United Nations against which preventive or enforcement action has been taken by the Security Council may be suspended from the exercise of the rights and privileges of membership by the General Assembly upon the recommendation of the Security Council. The exercise of these rights and privileges may be restored by the Security Council.

Article 6

A Member of the United Nations which has persistently violated the Principles contained in the present Charter may be expelled from the Organization by the General Assembly upon the recommendation of the Security Council.

CHAPTER III

Organs

Article 7

1. There are established as the principal organs of the United Nations: a General Assembly, a Security Council, an Economic and Social Council, a Trusteeship Council, an International Court of Justice, and a Secretariat.

2. Such subsidiary organs as may be found necessary may be established in accordance with the present Charter.

Article 8

The United Nations shall place no restrictions on the eligibility of men and women to participate in any capacity and under conditions of equality in its principal and subsidiary organs.

CHAPTER IV

The General Assembly

COMPOSITION

Article 9

1. The General Assembly shall consist of all the Members of the United Nations.
2. Each Member shall have not more than five representatives in the General Assembly.

FUNCTIONS AND POWERS

Article 10

The General Assembly may discuss any questions or any matters within the scope of the present Charter or relating to the powers and functions of any organs provided for in the present Charter, and, except as provided in Article 12, may make recommendations to the Members of the United Nations or to the Security Council or to both on any such questions or matters.

Article 11

1. The General Assembly may consider the general principles of cooperation in the maintenance of international peace and security, including the principles governing disarmament and the regulation of armaments, and may make recommendations with regard to such principles to the Members or to the Security Council or to both.
2. The General Assembly may discuss any questions relating to the maintenance of international peace and security brought before it by any Member of the United Nations, or by the Security Council, or by a state which is not a Member of the United Nations in accordance with Article 35, paragraph 2, and, except as provided in Article 12, may make recommendations with regard to any such questions to the state or states concerned or to the Security Council or to both. Any such question on which action

necessary shall be referred to the Security Council by the General Assembly either before or after discussion.

3. The General Assembly may call the attention of the Security Council to situations which are likely to endanger international peace and security.

4. The powers of the General Assembly set forth in this Article shall not limit the general scope of Article 10.

Article 12

1. While the Security Council is exercising in respect of any dispute or situation the functions assigned to it in the present Charter, the General Assembly shall not make any recommendation with regard to that dispute or situation unless the Security Council so requests.

2. The Secretary-General, with the consent of the Security Council, shall notify the General Assembly at each session of any matters relative to the maintenance of international peace and security which are being dealt with by the Security Council and shall similarly notify the General Assembly, or the Members of the United Nations if the General Assembly is not in session, immediately the Security Council ceases to deal with such matters.

Article 13

1. The General Assembly shall initiate studies and make recommendations for the purpose of:

a. promoting international cooperation in the political field and encouraging the progressive development of international law and its codification;

b. promoting international cooperation in the economic, social, cultural, educational, and health fields, and assisting in the realization of human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion.

2. The further responsibilities, functions, and powers of the General Assembly with respect to matters mentioned in paragraph 1 (b) above are set forth in Chapters IX and X.

Article 14

Subject to the provisions of Article 12, the General Assembly may recommend measures for the peaceful adjustment of any situation, regardless of origin, which it deems likely to impair the general welfare or friendly relations among nations, including situations resulting from a violation of the provisions of the present Charter

settling forth the Purposes and Principles of the United Nations.

Article 15

1. The General Assembly shall receive and consider annual and special reports from the Security Council; these reports shall include an account of the measures that the Security Council has decided upon or taken to maintain international peace and security.

2. The General Assembly shall receive and consider reports from the other organs of the United Nations.

Article 16

The General Assembly shall perform such functions with respect to the international trusteeship system as are assigned to it under Chapters XII and XIII, including the approval of the trusteeship agreements for areas not designated as strategic.

Article 17

1. The General Assembly shall consider and approve the budget of the Organization.

2. The expenses of the Organization shall be borne by the Members as apportioned by the General Assembly.

3. The General Assembly shall consider and approve any financial and budgetary arrangements with specialized agencies referred to in Article 57 and shall examine the administrative budgets of such specialized agencies with a view to making recommendations to the agencies concerned.

VOTING

Article 18

1. Each member of the General Assembly shall have one vote.

2. Decisions of the General Assembly on important questions shall be made by a two-thirds majority of the members present and voting. These questions shall include: recommendations with respect to the maintenance of international peace and security, the election of the non-permanent members of the Security Council, the election of the members of the Economic and Social Council, the election of members of the Trusteeship Council in accordance with paragraph 1 (c) of Article 86, the admis-

of new Members to the United Nations, the suspension of the rights and privileges of membership, the expulsion of Members, questions relating to the operation of the trusteeship system, and budgetary questions.

3. Decisions on other questions, including the determination of additional categories of questions to be decided by a two-thirds majority, shall be made by a majority of the members present and voting.

Article 19

A Member of the United Nations which is in arrears in the payment of its financial contributions to the Organization shall have no vote in the General Assembly if the amount of its arrears equals or exceeds the amount of the contributions due from it for the preceding two full years. The General Assembly may, nevertheless, permit such a Member to vote if it is satisfied that the failure to pay is due to conditions beyond the control of the Member.

PROCEDURE

Article 20

The General Assembly shall meet in regular annual sessions and in such special sessions as occasion may require. Special sessions shall be convoked by the Secretary-General at the request of the Security Council or of a majority of the Members of the United Nations.

Article 21

The General Assembly shall adopt its own rules of procedure. It shall elect its President for each session.

Article 22

The General Assembly may establish such subsidiary organs as it deems necessary for the performance of its functions.

CHAPTER V

The Security Council

COMPOSITION

Article 23

1. The Security Council shall consist of eleven Members of the United Nations. The Republic of China, France, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, and the United States of America shall be permanent members of the Security Council. The General Assembly shall elect six other Members of the United Nations to be non-permanent members of the Security Council, due regard being specially paid, in the first instance to the contribution of Members of the United Nations to the maintenance of international peace and security and to the other purposes of the Organization, and also to equitable geographical distribution.

2. The non-permanent members of the Security Council shall be elected for a term of two years. In the first election of the non-permanent members, however, three shall be chosen for a term of one year. A retiring member shall not be eligible for immediate re-election.

3. Each member of the Security Council shall have one representative.

FUNCTIONS AND POWERS

Article 24

1. In order to ensure prompt and effective action by the United Nations, its Members confer on the Security Council primary responsibility for the maintenance of international peace and security, and agree that in carrying out its duties under this responsibility the Security Council acts on their behalf.

2. In discharging these duties the Security Council shall act in accordance with the Purposes and Principles of the United Nations. The specific powers granted to the Security Council for the discharge of these duties are laid down in Chapters VI, VII, VIII, and XII.

The Security Council shall submit annual and, when necessary, special reports to the General Assembly for its consideration.

Article 25

The Members of the United Nations agree to accept and carry out the decisions of the Security Council in accordance with the present Charter.

Article 26

In order to promote the establishment and maintenance of international peace and security with the least diversion for armaments of the world's human and economic resources, the Security Council shall be responsible for formulating, with the assistance of the Military Staff Committee referred to in Article 47, plans to be submitted to the Members of the United Nations for the establishment of a system for the regulation of armaments.

VOTING

Article 27

1. Each member of the Security Council shall have one vote.
2. Decisions of the Security Council on procedural matters shall be made by an affirmative vote of seven members.
3. Decisions of the Security Council on all other matters shall be made by an affirmative vote of seven members including the concurring votes of the permanent members; provided that, in decisions under Chapter VI, and under paragraph 3 of Article 52, a party to a dispute shall abstain from voting.

PROCEDURE

Article 28

1. The Security Council shall be so organized as to be able to function continuously. Each member of the Security Council shall for this purpose be represented at all times at the seat of the Organization.
2. The Security Council shall hold periodic meetings at which each of its members may, if it so desires, be represented by a member of the government or by some other specially designated representative.

3. The Security Council may hold meetings at places other than the seat of the Organization as in its judgment will best facilitate its work.

Article 29

The Security Council may establish such subsidiary organs as it deems necessary for the performance of its functions.

Article 30

The Security Council shall adopt its own rules of procedure, including the method of selecting its President.

Article 31

Any Member of the United Nations which is not a member of the Security Council may participate, without vote, in the discussion of any question brought before the Security Council whenever the latter considers that the interests of that Member are specially affected.

Article 32

Any Member of the United Nations which is not a member of the Security Council or any state which is not a Member of the United Nations, if it is a party to a dispute under consideration by the Security Council, shall be invited to participate, without vote, in the discussion relating to the dispute. The Security Council shall lay down such conditions as it deems just for the participation of a state which is not a Member of the United Nations.

CHAPTER VI

Pacific Settlement of Disputes

Article 33

1. The parties to any dispute, the continuance of which is likely to endanger the maintenance of international peace and security, shall, first of all, seek a solution by negotia-

enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice.

2. The Security Council shall, when it deems necessary, call upon the parties to settle their dispute by such means.

Article 34

The Security Council may investigate any dispute, or any situation which might lead to international friction or give rise to a dispute, in order to determine whether the continuance of the dispute or situation is likely to endanger the maintenance of international peace and security.

Article 35

1. Any Member of the United Nations may bring any dispute, or any situation of the nature referred to in Article 34, to the attention of the Security Council or of the General Assembly.

2. A state which is not a Member of the United Nations may bring to the attention of the Security Council or of the General Assembly any dispute to which it is a party if it accepts in advance, for the purposes of the dispute, the obligations of pacific settlement provided in the present Charter.

3. The proceedings of the General Assembly in respect of matters brought to its attention under this Article will be subject to the provisions of Articles 11 and 12.

Article 36

1. The Security Council may, at any stage of a dispute of the nature referred to in Article 33 or of a situation of like nature, recommend appropriate procedures or methods of adjustment.

2. The Security Council should take into consideration any procedures for the settlement of the dispute which have already been adopted by the parties.

3. In making recommendations under this Article the Security Council should also take into consideration that legal disputes should as a general rule be referred by the parties to the International Court of Justice in accordance with the provisions of the Statute of the Court.

Article 37

1. Should the parties to a dispute of the nature referred to in Article 33 fail to settle it by the means indicated in that Article, they shall refer it to the Security Council.

2. If the Security Council deems that the continuance of the dispute is in fact likely to endanger the maintenance of international peace and security, it shall decide whether to take action under Article 36 or to recommend such terms of settlement as it may consider appropriate.

Article 38

Without prejudice to the provisions of Articles 33 to 37, the Security Council may, if all the parties to any dispute so request, make recommendations to the parties with a view to a pacific settlement of the dispute.

CHAPTER VII

Action With Respect to Threats to the Peace, Breaches of the Peace, and Acts of Aggression

Article 39

The Security Council shall determine the existence of any threat to the peace, breach of the peace, or act of aggression and shall make recommendations, or decide what measures shall be taken in accordance with Articles 41 and 42, to maintain or restore international peace and security.

Article 40

In order to prevent an aggravation of the situation, the Security Council may, before making the recommendations or deciding upon the measures provided for in Article 39, call upon the parties concerned to comply with such provisional measures as it deems necessary or desirable. Such provisional measures shall be without prejudice to the rights, claims, or position of the parties concerned. The Security Council shall duly take account of failure to comply with such provisional measures.

Article 41

The Security Council may decide what measures not involving the use of armed force are to be employed to give effect to its decisions, and it may call upon the Members of the United Nations to apply such measures. These may include complete or partial interruption of economic relations and of rail, sea, air, postal, telegraphic, radio, and other means of communication, and the severance of diplomatic relations.

Article 42

Should the Security Council consider that measures provided for in Article 41 would be inadequate or have proved to be inadequate, it may take such action by air, sea, or land forces as may be necessary to maintain or restore international peace and security. Such action may include demonstrations, blockade, and other operations by air, sea, or land forces of Members of the United Nations.

Article 43

1. All Members of the United Nations, in order to contribute to the maintenance of international peace and security, undertake to make available to the Security Council, on its call and in accordance with a special agreement or agreements, armed forces, assistance, and facilities, including rights of passage, necessary for the purpose of maintaining international peace and security.

2. Such agreement or agreements shall govern the numbers and types of forces, their degree of readiness and general location, and the nature of the facilities and assistance to be provided.

3. The agreement or agreements shall be negotiated as soon as possible on the initiative of the Security Council. They shall be concluded between the Security Council and Members or between the Security Council and groups of Members and shall be subject to ratification by the signatory states in accordance with their respective constitutional processes.

Article 44

When the Security Council has decided to use force it shall, before calling upon a Member not represented on it to provide armed forces in fulfillment of the obligations assumed under Article 43, invite that Member, if the Member so desires, to participate in the decisions of

the Security Council concerning the employment of contingents of that Member's armed forces.

Article 45

In order to enable the United Nations to take urgent military measures, Members shall hold immediately available national air-force contingents for combined international enforcement action. The strength and degree of readiness of these contingents and plans for their combined action shall be determined, within the limits laid down in the special agreement or agreements referred to in Article 43, by the Security Council with the assistance of the Military Staff Committee.

Article 46

Plans for the application of armed force shall be made by the Security Council with the assistance of the Military Staff Committee.

Article 47

1. There shall be established a Military Staff Committee to advise and assist the Security Council on all questions relating to the Security Council's military requirements for the maintenance of international peace and security, the employment and command of forces placed at its disposal, the regulation of armaments, and possible disarmament.

2. The Military Staff Committee shall consist of the Chiefs of Staff of the permanent members of the Security Council or their representatives. Any Member of the United Nations not permanently represented on the Committee shall be invited by the Committee to be associated with it when the efficient discharge of the Committee's responsibilities requires the participation of that Member in its work.

3. The Military Staff Committee shall be responsible under the Security Council for the strategic direction of any armed forces placed at the disposal of the Security Council. Questions relating to the command of such forces shall be worked out subsequently.

4. The Military Staff Committee, with the authorization of the Security Council and after consultation with appropriate regional agencies, may establish regional subcommittees.

Article 48

1. The action required to carry out the decisions of the Security Council for the maintenance of international peace and security shall be taken by all the Members of the United Nations or by some of them, as the Security Council may determine.

2. Such decisions shall be carried out by the Members of the United Nations directly and through their action in the appropriate international agencies of which they are members.

Article 49

The Members of the United Nations shall join in affording mutual assistance in carrying out the measures decided upon by the Security Council.

Article 50

If preventive or enforcement measures against any state are taken by the Security Council, any other state, whether a Member of the United Nations or not, which finds itself confronted with special economic problems arising from the carrying out of those measures shall have the right to consult the Security Council with regard to a solution of those problems.

Article 51

Nothing in the present Charter shall impair the inherent right of individual or collective self-defense if an armed attack occurs against a Member of the United Nations, until the Security Council has taken the measures necessary to maintain international peace and security. Measures taken by Members in the exercise of this right of self-defense shall be immediately reported to the Security Council and shall not in any way affect the authority and responsibility of the Security Council under the present Charter to take at any time such action as it deems necessary in order to maintain or restore international peace and security.

Regional Arrangements

Article 52

1. Nothing in the present Charter precludes the existence of regional arrangements or agencies for dealing with such matters relating to the maintenance of international peace and security as are appropriate for regional action, provided that such arrangements or agencies and their activities are consistent with the Purposes and Principles of the United Nations.

2. The Members of the United Nations entering into such arrangements or constituting such agencies shall make every effort to achieve pacific settlement of local disputes through such regional arrangements or by such regional agencies before referring them to the Security Council.

3. The Security Council shall encourage the development of pacific settlement of local disputes through such regional arrangements or by such regional agencies either on the initiative of the states concerned or by reference from the Security Council.

4. This Article in no way impairs the application of Articles 34 and 35.

Article 53

1. The Security Council shall, where appropriate, utilize such regional arrangements or agencies for enforcement action under its authority. But no enforcement action shall be taken under regional arrangements or by regional agencies without the authorization of the Security Council, with the exception of measures against any enemy state, as defined in paragraph 2 of this Article, provided for pursuant to Article 107 or in regional arrangements directed against renewal of aggressive policy on the part of any such state, until such time as the Organization may, on request of the Governments concerned, be charged with the responsibility for preventing further aggression by such a state.

2. The term enemy state as used in paragraph 1 of this Article applies to any state which during the Second World War has been an enemy of any signatory of the present Charter.

Article 54

The Security Council shall at all times be kept fully informed of activities undertaken or in contemplation under regional arrangements or by regional agencies for the maintenance of international peace and security.

CHAPTER IX

International Economic and Social Cooperation

Article 55

With a view to the creation of conditions of stability and well-being which are necessary for peaceful and friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, the United Nations shall promote:

- a. higher standards of living, full employment, and conditions of economic and social progress and development;
- b. solutions of international economic, social, health, and related problems; and international cultural and educational cooperation; and
- c. universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion.

Article 56

All Members pledge themselves to take joint and separate action in cooperation with the Organization for the achievement of the purposes set forth in Article 55.

Article 57

1. The various specialized agencies, established by intergovernmental agreement and having wide international responsibilities, as defined in their basic instruments, in economic, social, cultural, educational, health, and related fields, shall be brought into relationship with the

United Nations in accordance with the provisions of Article 63.

2. Such agencies thus brought into relationship with the United Nations are hereinafter referred to as specialized agencies.

Article 58

The Organization shall make recommendations for the coordination of the policies and activities of the specialized agencies.

Article 59

The Organization shall, where appropriate, initiate negotiations among the states concerned for the creation of any new specialized agencies required for the accomplishment of the purposes set forth in Article 55.

Article 60

Responsibility for the discharge of the functions of the Organization set forth in this Chapter shall be vested in the General Assembly and, under the authority of the General Assembly, in the Economic and Social Council, which shall have for this purpose the powers set forth in Chapter X.

CHAPTER X

The Economic and Social Council

COMPOSITION

Article 61

1. The Economic and Social Council shall consist of eighteen Members of the United Nations elected by the General Assembly.

2. Subject to the provisions of paragraph 3, six members of the Economic and Social Council shall be elected

year for a term of three years. A retiring member shall be eligible for immediate re-election.

3. At the first election, eighteen members of the Economic and Social Council shall be chosen. The term of office of six members so chosen shall expire at the end of one year, and of six other members at the end of two years, in accordance with arrangements made by the General Assembly.

4. Each member of the Economic and Social Council shall have one representative.

FUNCTIONS AND POWERS

Article 62

1. The Economic and Social Council may make or initiate studies and reports with respect to international economic, social, cultural, educational, health, and related matters and may make recommendations with respect to any such matters to the General Assembly, to the Members of the United Nations, and to the specialized agencies concerned.

2. It may make recommendations for the purpose of promoting respect for, and observance of, human rights and fundamental freedoms for all.

3. It may prepare draft conventions for submission to the General Assembly, with respect to matters falling within its competence.

4. It may call, in accordance with the rules prescribed by the United Nations, international conferences on matters falling within its competence.

Article 63

1. The Economic and Social Council may enter into agreements with any of the agencies referred to in Article 57, defining the terms on which the agency concerned shall be brought into relationship with the United Nations. Such agreements shall be subject to approval by the General Assembly.

2. It may coordinate the activities of the specialized agencies through consultation with and recommendations to such agencies and through recommendations to the General Assembly and to the Members of the United Nations.

Article 64

1. The Economic and Social Council may take appropriate steps to obtain regular reports from the specialized

agency. It may make arrangements with the Members of the United Nations and with the specialized agencies to obtain reports on the steps taken to give effect to its own recommendations and to recommendations on matters falling within its competence made by the General Assembly.

2. It may communicate its observations on these reports to the General Assembly.

Article 65

The Economic and Social Council may furnish information to the Security Council and shall assist the Security Council upon its request.

Article 66

1. The Economic and Social Council shall perform such functions as fall within its competence in connection with the carrying out of the recommendations of the General Assembly.

2. It may, with the approval of the General Assembly, perform services at the request of Members of the United Nations and at the request of specialized agencies.

3. It shall perform such other functions as are specified elsewhere in the present Charter or as may be assigned to it by the General Assembly.

VOTING

Article 67

1. Each member of the Economic and Social Council shall have one vote.

2. Decisions of the Economic and Social Council shall be made by a majority of the members present and voting.

PROCEDURE

Article 68

The Economic and Social Council shall set up commissions in economic and social fields and for the promotion of human rights, and such other commissions as may be required for the performance of its functions.

Article 69

The Economic and Social Council shall invite any Member of the United Nations to participate, without vote, in its deliberations on any matter of particular concern to that Member.

Article 70

The Economic and Social Council may make arrangements for representatives of the specialized agencies to participate, without vote, in its deliberations and in those of the commissions established by it, and for its representatives to participate in the deliberations of the specialized agencies.

Article 71

The Economic and Social Council may make suitable arrangements for consultation with non-governmental organizations which are concerned with matters within its competence. Such arrangements may be made with international organizations and, where appropriate, with national organizations after consultation with the Member of the United Nations concerned.

Article 72

1. The Economic and Social Council shall adopt its own rules of procedure, including the method of selecting its President.

2. The Economic and Social Council shall meet as required in accordance with its rules, which shall include provision for the convening of meetings on the request of a majority of its members.

CHAPTER XI

Declaration Regarding Non-Self-Governing Territories

Article 73

Members of the United Nations which have or assume responsibilities for the administration of territories whose peoples have not yet attained a full measure of self-government recognize the principle that the interests of the

inhabitants of these territories are paramount, and according as a sacred trust the obligation to promote to the utmost, within the system of international peace and security established by the present Charter, the well-being of the inhabitants of these territories, and, to this end:

a. to ensure, with due respect for the culture of the peoples concerned, their political, economic, social, and educational advancement, their just treatment, and their protection against abuses;

b. to develop self-government, to take due account of the political aspirations of the peoples, and to assist them in the progressive development of their free political institutions, according to the particular circumstances of each territory and its peoples and their varying stages of advancement;

c. to further international peace and security;

d. to promote constructive measures of development, to encourage research, and to cooperate with one another and, when and where appropriate, with specialized international bodies with a view to the practical achievement of the social, economic, and scientific purposes set forth in this Article; and

e. to transmit regularly to the Secretary-General for information purposes, subject to such limitation as security and constitutional considerations may require, statistical and other information of a technical nature relating to economic, social, and educational conditions in the territories for which they are respectively responsible other than those territories to which Chapters XII and XIII apply.

Article 74

Members of the United Nations also agree that their policy in respect of the territories to which this Chapter applies, no less than in respect of their metropolitan areas, must be based on the general principle of good-neighborliness, due account being taken of the interests and well-being of the rest of the world, in social, economic, and commercial matters.

CHAPTER XII

-International Trusteeship System

Article 75

The United Nations shall establish under its authority an international trusteeship system for the administration and supervision of such territories as may be placed thereunder by subsequent individual agreements. These territories are hereinafter referred to as trust territories.

Article 76

The basic objectives of the trusteeship system, in accordance with the Purposes of the United Nations laid down in Article 1 of the present Charter, shall be:

- a. to further international peace and security;
- b. to promote the political, economic, social, and educational advancement of the inhabitants of the trust territories, and their progressive development towards self-government or independence as may be appropriate to the particular circumstances of each territory and its peoples and the freely expressed wishes of the peoples concerned, and as may be provided by the terms of each trusteeship agreement;
- c. to encourage respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion, and to encourage recognition of the interdependence of the peoples of the world; and
- d. to ensure equal treatment in social, economic, and commercial matters for all Members of the United Nations and their nationals, and also equal treatment for the latter in the administration of justice, without prejudice to the attainment of the foregoing objectives and subject to the provisions of Article 80.

Article 77

1. The trusteeship system shall apply to such territories in the following categories as may be placed thereunder by means of trusteeship agreements:

- a. territories now held under mandate;
- b. territories which may be detached from enemy states as a result of the Second World War; and
- c. territories voluntarily placed under the system by states responsible for their administration.

2. It will be a matter for subsequent agreement as to which territories in the foregoing categories will be brought under the trusteeship system and upon what terms.

Article 78

The trusteeship system shall not apply to territories which have become Members of the United Nations, relationship among which shall be based on respect for the principle of sovereign equality.

Article 79

The terms of trusteeship for each territory to be placed under the trusteeship system, including any alteration or amendment, shall be agreed upon by the states directly concerned, including the mandatory power in the case of territories held under mandate by a Member of the United Nations, and shall be approved as provided for in Articles 83 and 85.

Article 80

1. Except as may be agreed upon in individual trusteeship agreements, made under Articles 77, 79, and 81, placing each territory under the trusteeship system, and until such agreements have been concluded, nothing in this Chapter shall be construed in or of itself to alter in any manner the rights whatsoever of any states or any peoples or the terms of existing international instruments to which Members of the United Nations may respectively be parties.

2. Paragraph 1 of this Article shall not be interpreted as giving grounds for delay or postponement of the negotiation and conclusion of agreements for placing mandated and other territories under the trusteeship system as provided for in Article 77.

Article 81

The trusteeship agreement shall in each case include the terms under which the trust territory will be administered and designate the authority which will exercise the administration of the trust territory. Such authority, hereinafter called the administering authority, may be one or more states or the Organization itself.

Article 82

There may be designated, in any trusteeship agreement, a strategic area or areas which may include part or all of the trust territory to which the agreement applies, without prejudice to any special agreement or agreements made under Article 43.

Article 83

1. All functions of the United Nations relating to strategic areas, including the approval of the terms of the trusteeship agreements and of their alteration or amendment, shall be exercised by the Security Council.

2. The basic objectives set forth in Article 76 shall be applicable to the people of each strategic area.

3. The Security Council shall, subject to the provisions of the trusteeship agreements and without prejudice to security considerations, avail itself of the assistance of the Trusteeship Council to perform those functions of the United Nations under the trusteeship system relating to political, economic, social, and educational matters in the strategic areas.

Article 84

It shall be the duty of the administering authority to ensure that the trust territory shall play its part in the maintenance of international peace and security. To this end the administering authority may make use of volunteer forces, facilities, and assistance from the trust territory in carrying out the obligations towards the Security Council undertaken in this regard by the administering authority, as well as for local defense and the maintenance of law and order within the trust territory.

Article 85

1. The functions of the United Nations with regard to trusteeship agreements for all areas not designated as strategic, including the approval of the terms of the

trustship agreements and of their alteration or amendment, shall be exercised by the General Assembly.

2. The Trusteeship Council, operating under the authority of the General Assembly, shall assist the General Assembly in carrying out these functions.

CHAPTER XIII

The Trusteeship Council

COMPOSITION

Article 86

1. The Trusteeship Council shall consist of the following Members of the United Nations:

- a. those Members administering trust territories;
- b. such of those Members mentioned by name in Article 23 as are not administering trust territories; and
- c. as many other Members elected for three-year terms by the General Assembly as may be necessary to ensure that the total number of members of the Trusteeship Council is equally divided between those Members of the United Nations which administer trust territories and those which do not.

2. Each member of the Trusteeship Council shall designate one specially qualified person to represent it therein.

FUNCTIONS AND POWERS

Article 87

The General Assembly and, under its authority, the Trusteeship Council, in carrying out their functions, may:

- a. consider reports submitted by the administering authority;
- b. accept petitions and examine them in consultation with the administering authority;

provide for periodic visits to the respective trust territories at times agreed upon with the administering authority; and

d. take these and other actions in conformity with the terms of the trusteeship agreements.

Article 88

The Trusteeship Council shall formulate a questionnaire on the political, economic, social, and educational advancement of the inhabitants of each trust territory, and the administering authority for each trust territory within the competence of the General Assembly shall make an annual report to the General Assembly upon the basis of such questionnaire.

VOTING

Article 89

1. Each member of the Trusteeship Council shall have one vote.
2. Decisions of the Trusteeship Council shall be made by a majority of the members present and voting.

PROCEDURE

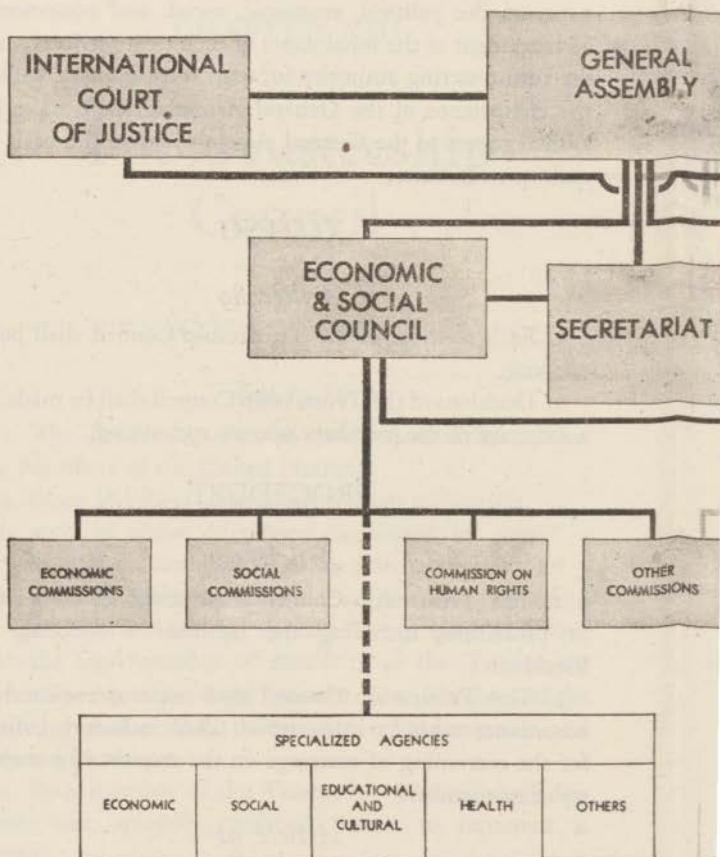
Article 90

1. The Trusteeship Council shall adopt its own rules of procedure, including the method of selecting its President.
2. The Trusteeship Council shall meet as required in accordance with its rules, which shall include provision for the convening of meetings on the request of a majority of its members.

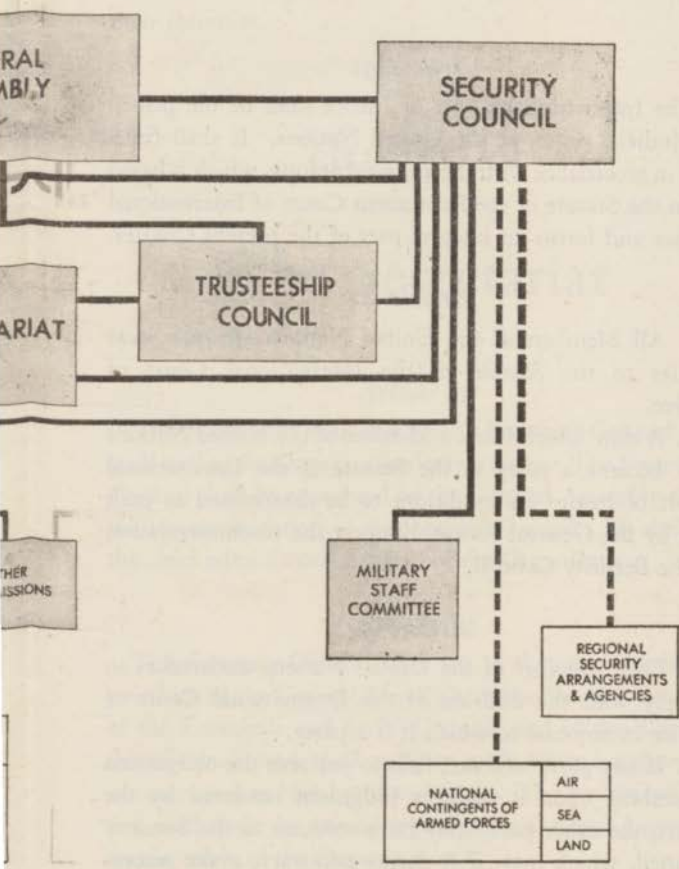
Article 91

The Trusteeship Council shall, when appropriate, avail itself of the assistance of the Economic and Social Council and of the specialized agencies in regard to matters with which they are respectively concerned.

ORGANIZATION OF THE



THE UNITED NATIONS



DIRECT RELATIONSHIP AS
DEFINED IN THE CHARTER

RELATIONSHIP TO BE DETERMINED BY
SPECIAL AGREEMENTS OR ARRANGEMENTS

The International Court of Justice

Article 92

The International Court of Justice shall be the principal judicial organ of the United Nations. It shall function in accordance with the annexed Statute, which is based upon the Statute of the Permanent Court of International Justice and forms an integral part of the present Charter.

Article 93

1. All Members of the United Nations are *ipso facto* parties to the Statute of the International Court of Justice.

2. A state which is not a Member of the United Nations may become a party to the Statute of the International Court of Justice on conditions to be determined in each case by the General Assembly upon the recommendation of the Security Council.

Article 94

1. Each Member of the United Nations undertakes to comply with the decision of the International Court of Justice in any case to which it is a party.

2. If any party to a case fails to perform the obligations incumbent upon it under a judgment rendered by the Court, the other party may have recourse to the Security Council, which may, if it deems necessary, make recommendations or decide upon measures to be taken to give effect to the judgment.

Article 95

Nothing in the present Charter shall prevent Members of the United Nations from entrusting the solution of their differences to other tribunals by virtue of agreements already in existence or which may be concluded in the future.

Article 96

1. The General Assembly or the Security Council may request the International Court of Justice to give an advisory opinion on any legal question.

2. Other organs of the United Nations and specialized agencies, which may at any time be so authorized by the General Assembly, may also request advisory opinions of the Court on legal questions arising within the scope of their activities.

CHAPTER XV

The Secretariat

Article 97

The Secretariat shall comprise a Secretary-General and such staff as the Organization may require. The Secretary-General shall be appointed by the General Assembly upon the recommendation of the Security Council. He shall be the chief administrative officer of the Organization.

Article 98

The Secretary-General shall act in that capacity in all meetings of the General Assembly, of the Security Council, of the Economic and Social Council, and of the Trusteeship Council, and shall perform such other functions as are entrusted to him by these organs. The Secretary-General shall make an annual report to the General Assembly on the work of the Organization.

Article 99

The Secretary-General may bring to the attention of the Security Council any matter which in his opinion may threaten the maintenance of international peace and security.

Article 100

1. In the performance of their duties the Secretary-General and the staff shall not seek or receive instructions from any government or from any other authority external to

the Organization. They shall refrain from any act which might reflect on their position as international officials responsible only to the Organization.

2. Each Member of the United Nations undertakes to respect the exclusively international character of the responsibilities of the Secretary-General and the staff and not to seek to influence them in the discharge of their responsibilities.

Article 101

1. The staff shall be appointed by the Secretary-General under regulations established by the General Assembly.

2. Appropriate staffs shall be permanently assigned to the Economic and Social Council, the Trusteeship Council, and, as required, to other organs of the United Nations. These staffs shall form a part of the Secretariat.

3. The paramount consideration in the employment of the staff and in the determination of the conditions of service shall be the necessity of securing the highest standards of efficiency, competence, and integrity. Due regard shall be paid to the importance of recruiting the staff on as wide a geographical basis as possible.

CHAPTER XVI

Miscellaneous Provisions

Article 102

1. Every treaty and every international agreement entered into by any Member of the United Nations after the present Charter comes into force shall as soon as possible be registered with the Secretariat and published by it.

2. No party to any such treaty or international agreement which has not been registered in accordance with the provisions of paragraph 1 of this Article may invoke that treaty or agreement before any organ of the United Nations.

Article 103

In the event of a conflict between the obligations of the Members of the United Nations under the present Charter and their obligations under any other international agreement, their obligations under the present Charter shall prevail.

Article 104

The Organization shall enjoy in the territory of each of its Members such legal capacity as may be necessary for the exercise of its functions and the fulfillment of its purposes.

Article 105

1. The Organization shall enjoy in the territory of each of its Members such privileges and immunities as are necessary for the fulfillment of its purposes.

2. Representatives of the Members of the United Nations and officials of the Organization shall similarly enjoy such privileges and immunities as are necessary for the independent exercise of their functions in connection with the Organization.

3. The General Assembly may make recommendations with a view to determining the details of the application of paragraphs 1 and 2 of this Article or may propose conventions to the Members of the United Nations for this purpose.

CHAPTER XVII

Transitional Security Arrangements

Article 106

Pending the coming into force of such special agreements referred to in Article 43 as in the opinion of the Security Council enable it to begin the exercise of its responsibilities under Article 42, the parties to the Four-Nation Declaration, signed at Moscow, October 30, 1943,

and France, shall, in accordance with the provisions of paragraph 5 of that Declaration, consult with one another and as occasion requires with other Members of the United Nations with a view to such joint action on behalf of the Organization as may be necessary for the purpose of maintaining international peace and security.

Article 107

Nothing in the present Charter shall invalidate or preclude action, in relation to any state which during the Second World War has been an enemy of any signatory to the present Charter, taken or authorized as a result of that war by the Governments having responsibility for such action.

CHAPTER XVIII

Amendments

Article 108

Amendments to the present Charter shall come into force for all Members of the United Nations when they have been adopted by a vote of two thirds of the members of the General Assembly and ratified in accordance with their respective constitutional processes by two thirds of the Members of the United Nations, including all the permanent members of the Security Council.

Article 109

1. A General Conference of the Members of the United Nations for the purpose of reviewing the present Charter may be held at a date and place to be fixed by a two-thirds vote of the members of the General Assembly and by a vote of any seven members of the Security Council. Each Member of the United Nations shall have one vote in the conference.

2. Any alteration of the present Charter recommended by a two-thirds vote of the conference shall take effect when ratified in accordance with their respective consti-

tional processes by two thirds of the Members of the United Nations including all the permanent members of the Security Council.

3. If such a conference has not been held before the tenth annual session of the General Assembly following the coming into force of the present Charter, the proposal to call such a conference shall be placed on the agenda of that session of the General Assembly, and the conference shall be held if so decided by a majority vote of the members of the General Assembly and by a vote of any seven members of the Security Council.

CHAPTER XIX

Ratification and Signature

Article 110

1. The present Charter shall be ratified by the signatory states in accordance with their respective constitutional processes.

2. The ratifications shall be deposited with the Government of the United States of America, which shall notify all the signatory states of each deposit as well as the Secretary-General of the Organization when he has been appointed.

3. The present Charter shall come into force upon the deposit of ratifications by the Republic of China, France, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, and the United States of America, and by a majority of the other signatory states. A protocol of the ratifications deposited shall thereupon be drawn up by the Government of the United States of America which shall communicate copies thereof to all the signatory states.

4. The states signatory to the present Charter which ratify it after it has come into force will become original

Members of the United Nations on the date of the deposit of their respective ratifications.

Article III

The present Charter, of which the Chinese, French, Russian, English, and Spanish texts are equally authentic, shall remain deposited in the archives of the Government of the United States of America. Duly certified copies thereof shall be transmitted by that Government to the Governments of the other signatory states.

IN FAITH WHEREOF the representatives of the Governments of the United Nations have signed the present Charter.

DONE at the city of San Francisco the twenty-sixth day of June, one thousand nine hundred and forty-five.

STATUTE OF THE INTERNATIONAL COURT OF JUSTICE

Article 1

THE INTERNATIONAL COURT OF JUSTICE established by the Charter of the United Nations as the principal judicial organ of the United Nations shall be constituted and shall function in accordance with the provisions of the present Statute.

CHAPTER I

Organization of the Court

Article 2

The Court shall be composed of a body of independent judges, elected regardless of their nationality from among persons of high moral character, who possess the qualifications required in their respective countries for appointment to the highest judicial offices, or are jurisconsults of recognized competence in international law.

Article 3

1. The Court shall consist of fifteen members, no two of whom may be nationals of the same state.

2. A person who for the purposes of membership in the Court could be regarded as a national of more than one state shall be deemed to be a national of the one in which he ordinarily exercises civil and political rights.

Article 4

1. The members of the Court shall be elected by the General Assembly and by the Security Council from a list of persons nominated by the national groups in the Permanent Court of Arbitration, in accordance with the following provisions.

2. In the case of Members of the United Nations not represented in the Permanent Court of Arbitration, candidates shall be nominated by national groups appointed for this purpose by their governments under the same conditions as those prescribed for members of the Permanent Court of Arbitration by Article 44 of the Convention of The Hague of 1907 for the pacific settlement of international disputes.

3. The conditions under which a state which is a party to the present Statute but is not a Member of the United Nations may participate in electing the members of the Court shall, in the absence of a special agreement, be laid down by the General Assembly upon recommendation of the Security Council.

Article 5

1. At least three months before the date of the election, the Secretary-General of the United Nations shall address a written request to the members of the Permanent Court of Arbitration belonging to the states which are parties to the present Statute, and to the members of the national groups appointed under Article 4, paragraph 2, inviting them to undertake, within a given time, by national groups, the nomination of persons in a position to accept the duties of a member of the Court.

2. No group may nominate more than four persons, not more than two of whom shall be of their own nationality. In no case may the number of candidates nominated by a group be more than double the number of seats to be filled.

Article 6

Before making these nominations, each national group is recommended to consult its highest court of justice, its legal faculties and schools of law, and its national academies and national sections of international academies devoted to the study of law.

Article 7

1. The Secretary-General shall prepare a list in alphabetical order of all the persons thus nominated. Save as provided in Article 12, paragraph 2, these shall be the only persons eligible.

2. The Secretary-General shall submit this list to the General Assembly and to the Security Council.

Article 8

The General Assembly and the Security Council shall proceed independently of one another to elect the members of the Court.

Article 9

At every election, the electors shall bear in mind not only that the persons to be elected should individually possess the qualifications required, but also that in the body as a whole the representation of the main forms of civilization and of the principal legal systems of the world should be assured.

Article 10

1. Those candidates who obtain an absolute majority of votes in the General Assembly and in the Security Council shall be considered as elected.

2. Any vote of the Security Council, whether for the election of judges or for the appointment of members of the conference envisaged in Article 12, shall be taken without any distinction between permanent and non-permanent members of the Security Council.

3. In the event of more than one national of the same state obtaining an absolute majority of the votes both of the General Assembly and of the Security Council, the eldest of these only shall be considered as elected.

Article 11

If, after the first meeting held for the purpose of the election, one or more seats remain to be filled, a second and, if necessary, a third meeting shall take place.

Article 12

1. If, after the third meeting, one or more seats still remain unfilled, a joint conference consisting of six members, three appointed by the General Assembly and three by the Security Council, may be formed at any time at the request of either the General Assembly or the Security

Council, for the purpose of choosing by the vote of absolute majority one name for each seat still vacant, to submit to the General Assembly and the Security Council for their respective acceptance.

2. If the joint conference is unanimously agreed upon any person who fulfils the required conditions, he may be included in its list, even though he was not included in the list of nominations referred to in Article 7.

3. If the joint conference is satisfied that it will not be successful in procuring an election, those members of the Court who have already been elected shall, within a period to be fixed by the Security Council, proceed to fill the vacant seats by selection from among those candidates who have obtained votes either in the General Assembly or in the Security Council.

4. In the event of an equality of votes among the judges, the eldest judge shall have a casting vote.

Article 13

1. The members of the Court shall be elected for nine years and may be re-elected; provided, however, that of the judges elected at the first election, the terms of five judges shall expire at the end of three years and the terms of five more judges shall expire at the end of six years.

2. The judges whose terms are to expire at the end of the above-mentioned initial periods of three and six years shall be chosen by lot to be drawn by the Secretary-General immediately after the first election has been completed.

3. The members of the Court shall continue to discharge their duties until their places have been filled. Though replaced, they shall finish any cases which they may have begun.

4. In the case of the resignation of a member of the Court, the resignation shall be addressed to the President of the Court for transmission to the Secretary-General. This last notification makes the place vacant.

Article 14

Vacancies shall be filled by the same method as that laid down for the first election, subject to the following provision: the Secretary-General shall, within one month of the occurrence of the vacancy, proceed to issue the invitations provided for in Article 5, and the date of the election shall be fixed by the Security Council.

Article 15

A member of the Court elected to replace a member whose term of office has not expired shall hold office for the remainder of his predecessor's term.

Article 16

1. No member of the Court may exercise any political or administrative function, or engage in any other occupation of a professional nature.

2. Any doubt on this point shall be settled by the decision of the Court.

Article 17

1. No member of the Court may act as agent, counsel, or advocate in any case.

2. No member may participate in the decision of any case in which he has previously taken part as agent, counsel, or advocate for one of the parties, or as a member of a national or international court, or of a commission of enquiry, or in any other capacity.

3. Any doubt on this point shall be settled by the decision of the Court.

Article 18

1. No member of the Court can be dismissed unless, in the unanimous opinion of the other members, he has ceased to fulfil the required conditions.

2. Formal notification thereof shall be made to the Secretary-General by the Registrar.

3. This notification makes the place vacant.

Article 19

The members of the Court, when engaged on the business of the Court, shall enjoy diplomatic privileges and immunities.

Article 20

Every member of the Court shall, before taking up his duties, make a solemn declaration in open court that he will exercise his powers impartially and conscientiously.

Article 21

1. The Court shall elect its President and Vice-President for three years; they may be re-elected.

2. The Court shall appoint its Registrar and may provide for the appointment of such other officers as may be necessary.

Article 22

1. The seat of the Court shall be established at The Hague. This, however, shall not prevent the Court from sitting and exercising its functions elsewhere whenever the Court considers it desirable.

2. The President and the Registrar shall reside at the seat of the Court.

Article 23

1. The Court shall remain permanently in session, except during the judicial vacations, the dates and duration of which shall be fixed by the Court.

2. Members of the Court are entitled to periodic leave, the dates and duration of which shall be fixed by the Court, having in mind the distance between The Hague and the home of each judge.

3. Members of the Court shall be bound, unless they are on leave or prevented from attending by illness or other serious reasons duly explained to the President, to hold themselves permanently at the disposal of the Court.

Article 24

1. If, for some special reason, a member of the Court considers that he should not take part in the decision of a particular case, he shall so inform the President.

2. If the President considers that for some special reason one of the members of the Court should not sit in a particular case, he shall give him notice accordingly.

3. If in any such case the member of the Court and the President disagree, the matter shall be settled by the decision of the Court.

Article 25

1. The full Court shall sit except when it is expressly provided otherwise in the present Statute.

2. Subject to the condition that the number of judges available to constitute the Court is not thereby reduced below eleven, the Rules of the Court may provide for allowing one or more judges, according to circumstances and in rotation, to be dispensed from sitting.

3. A quorum of nine judges shall suffice to constitute the Court.

Article 26

1. The Court may from time to time form one or more chambers, composed of three or more judges as the Court may determine, for dealing with particular categories of

cases, for example, labor cases and cases relating to transit and communications.

2. The Court may at any time form a chamber for dealing with a particular case. The number of judges to constitute such a chamber shall be determined by the Court with the approval of the parties.

3. Cases shall be heard and determined by the chambers provided for in this Article if the parties so request.

Article 27

A judgment given by any of the chambers provided for in Articles 26 and 29 shall be considered as rendered by the Court.

Article 28

The chambers provided for in Articles 26 and 29 may, with the consent of the parties, sit and exercise their functions elsewhere than at The Hague.

Article 29

With a view to the speedy despatch of business, the Court shall form annually a chamber composed of five judges which, at the request of the parties, may hear and determine cases by summary procedure. In addition, two judges shall be selected for the purpose of replacing judges who find it impossible to sit.

Article 30

1. The Court shall frame rules for carrying out its functions. In particular, it shall lay down rules of procedure.

2. The Rules of the Court may provide for assessors to sit with the Court or with any of its chambers, without the right to vote.

Article 31

1. Judges of the nationality of each of the parties shall retain their right to sit in the case before the Court.

2. If the Court includes upon the Bench a judge of the nationality of one of the parties, any other party may choose a person to sit as judge. Such person shall be chosen preferably from among those persons who have been nominated as candidates as provided in Articles 4 and 5.

3. If the Court includes upon the Bench no judge of the nationality of the parties, each of these parties may proceed to choose a judge as provided in paragraph 2 of this Article.

4. The provisions of this Article shall apply to the case of Articles 26 and 29. In such cases, the President shall request one or, if necessary, two of the members of the Court forming the chamber to give place to the members of the Court of the nationality of the parties concerned, and, failing such, or if they are unable to be present, to the judges specially chosen by the parties.

5. Should there be several parties in the same interest, they shall, for the purpose of the preceding provisions, be reckoned as one party only. Any doubt upon this point shall be settled by the decision of the Court.

6. Judges chosen as laid down in paragraphs 2, 3, and 4 of this Article shall fulfil the conditions required by Articles 2, 17 (paragraph 2), 20, and 24 of the present Statute. They shall take part in the decision on terms of complete equality with their colleagues.

Article 32

1. Each member of the Court shall receive an annual salary.

2. The President shall receive a special annual allowance.

3. The Vice-President shall receive a special allowance for every day on which he acts as President.

4. The judges chosen under Article 31, other than members of the Court, shall receive compensation for each day on which they exercise their functions.

5. These salaries, allowances, and compensation shall be fixed by the General Assembly. They may not be decreased during the term of office.

6. The salary of the Registrar shall be fixed by the General Assembly on the proposal of the Court.

7. Regulations made by the General Assembly shall fix the conditions under which retirement pensions may be given to members of the Court and to the Registrar, and the conditions under which members of the Court and the Registrar shall have their traveling expenses refunded.

8. The above salaries, allowances, and compensation shall be free of all taxation.

Article 33

The expenses of the Court shall be borne by the United Nations in such a manner as shall be decided by the General Assembly.

CHAPTER II

Competence of the Court

Article 34

1. Only states may be parties in cases before the Court.
2. The Court, subject to and in conformity with its Rules, may request of public international organizations information relevant to cases before it, and shall receive such information presented by such organizations on their own initiative.
3. Whenever the construction of the constituent instrument of a public international organization or of an international convention adopted thereunder is in question in a case before the Court, the Registrar shall so notify the public international organization concerned and shall communicate to it copies of all the written proceedings.

Article 35

1. The Court shall be open to the states parties to the present Statute.
2. The conditions under which the Court shall be open to other states shall, subject to the special provisions contained in treaties in force, be laid down by the Security Council, but in no case shall such conditions place the parties in a position of inequality before the Court.
3. When a state which is not a Member of the United Nations is a party to a case, the Court shall fix the amount which that party is to contribute towards the expenses of the Court. This provision shall not apply if such state is bearing a share of the expenses of the Court.

Article 36

1. The jurisdiction of the Court comprises all cases which the parties refer to it and all matters specially provided for in the Charter of the United Nations or in treaties and conventions in force.
2. The states parties to the present Statute may at any time declare that they recognize as compulsory *ipso facto*

and without special agreement, in relation to any other state accepting the same obligation, the jurisdiction of the Court in all legal disputes concerning:

- a. the interpretation of a treaty;
- b. any question of international law;
- c. the existence of any fact which, if established, would constitute a breach of an international obligation;
- d. the nature or extent of the reparation to be made for the breach of an international obligation.

3. The declarations referred to above may be made unconditionally or on condition of reciprocity on the part of several or certain states, or for a certain time.

4. Such declarations shall be deposited with the Secretary-General of the United Nations, who shall transmit copies thereof to the parties to the Statute and to the Registrar of the Court.

5. Declarations made under Article 36 of the Statute of the Permanent Court of International Justice and which are still in force shall be deemed, as between the parties to the present Statute, to be acceptances of the compulsory jurisdiction of the International Court of Justice for the period which they still have to run and in accordance with their terms.

6. In the event of a dispute as to whether the Court has jurisdiction, the matter shall be settled by the decision of the Court.

Article 37

Whenever a treaty or convention in force provides for reference of a matter to a tribunal to have been instituted by the League of Nations, or to the Permanent Court of International Justice, the matter shall, as between the parties to the present Statute, be referred to the International Court of Justice.

Article 38

1. The Court, whose function is to decide in accordance with international law such disputes as are submitted to it, shall apply:

- a. international conventions, whether general or particular, establishing rules expressly recognized by the contesting states;
- b. international custom, as evidence of a general practice accepted as law;
- c. the general principles of law recognized by civilized nations;

subject to the provisions of Article 59, judicial decisions and the teachings of the most highly qualified publicists of the various nations, as subsidiary means for the determination of rules of law.

2. This provision shall not prejudice the power of the Court to decide a case *ex aequo et bono*, if the parties agree thereto.

CHAPTER III

Procedure

Article 39

1. The official languages of the Court shall be French and English. If the parties agree that the case shall be conducted in French, the judgment shall be delivered in French. If the parties agree that the case shall be conducted in English, the judgment shall be delivered in English.

2. In the absence of an agreement as to which language shall be employed, each party may, in the pleadings, use the language which it prefers; the decision of the Court shall be given in French and English. In this case the Court shall at the same time determine which of the two texts shall be considered as authoritative.

3. The Court shall, at the request of any party, authorize a language other than French or English to be used by that party.

Article 40

1. Cases are brought before the Court, as the case may be, either by the notification of the special agreement or by a written application addressed to the Registrar. In either case the subject of the dispute and the parties shall be indicated.

2. The Registrar shall forthwith communicate the application to all concerned.

3. He shall also notify the Members of the United Nations through the Secretary-General, and also any other states entitled to appear before the Court.

Article 41

1. The Court shall have the power to indicate, if it considers that circumstances so require, any provisional measures which ought to be taken to preserve the respective rights of either party.

2. Pending the final decision, notice of the measures suggested shall forthwith be given to the parties and to the Security Council.

Article 42

1. The parties shall be represented by agents.

2. They may have the assistance of counsel or advocates before the Court.

3. The agents, counsel, and advocates of parties before the Court shall enjoy the privileges and immunities necessary to the independent exercise of their duties.

Article 43

1. The procedure shall consist of two parts: written and oral.

2. The written proceedings shall consist of the communication to the Court and to the parties of memorials, counter-memorials and, if necessary, replies; also all papers and documents in support.

3. These communications shall be made through the Registrar, in the order and within the time fixed by the Court.

4. A certified copy of every document produced by one party shall be communicated to the other party.

5. The oral proceedings shall consist of the hearing by the Court of witnesses, experts, agents, counsel, and advocates.

Article 44

1. For the service of all notices upon persons other than the agents, counsel, and advocates, the Court shall apply direct to the government of the state upon whose territory the notice has to be served.

2. The same provision shall apply whenever steps are to be taken to procure evidence on the spot.

Article 45

The hearing shall be under the control of the President or, if he is unable to preside, of the Vice-President; if neither is able to preside, the senior judge present shall preside.

Article 46

The hearing in Court shall be public, unless the Court shall decide otherwise, or unless the parties demand that the public be not admitted.

Article 47

1. Minutes shall be made at each hearing and signed by the Registrar and the President.
2. These minutes alone shall be authentic.

Article 48

The Court shall make orders for the conduct of the case, shall decide the form and time in which each party must conclude its arguments, and make all arrangements connected with the taking of evidence.

Article 49

The Court may, even before the hearing begins, call upon the agents to produce any document or to supply any explanations. Formal note shall be taken of any refusal.

Article 50

The Court may, at any time, entrust any individual, body, bureau, commission, or other organization that it may select, with the task of carrying out an enquiry or giving an expert opinion.

Article 51

During the hearing any relevant questions are to be put to the witnesses and experts under the conditions laid down by the Court in the rules of procedure referred to in Article 30.

Article 52

After the Court has received the proofs and evidence within the time specified for the purpose, it may refuse to accept any further oral or written evidence that one party may desire to present unless the other side consents.

Article 53

1. Whenever one of the parties does not appear before the Court, or fails to defend its case, the other party may call upon the Court to decide in favor of its claim.
2. The Court must, before doing so, satisfy itself, not only that it has jurisdiction in accordance with Articles

36 and 37, but also that the claim is well founded in fact and law.

Article 54

1. When, subject to the control of the Court, the agents, counsel, and advocates have completed their presentation of the case, the President shall declare the hearing closed.
2. The Court shall withdraw to consider the judgment.
3. The deliberations of the Court shall take place in private and remain secret.

Article 55

1. All questions shall be decided by a majority of the judges present.
2. In the event of an equality of votes, the President or the judge who acts in his place shall have a casting vote.

Article 56

1. The judgment shall state the reasons on which it is based.
2. It shall contain the names of the judges who have taken part in the decision.

Article 57

If the judgment does not represent in whole or in part the unanimous opinion of the judges, any judge shall be entitled to deliver a separate opinion.

Article 58

The judgment shall be signed by the President and by the Registrar. It shall be read in open court, due notice having been given to the agents.

Article 59

The decision of the Court has no binding force except between the parties and in respect of that particular case.

Article 60

The judgment is final and without appeal. In the event of dispute as to the meaning or scope of the judgment, the Court shall construe it upon the request of any party.

Article 61

1. An application for revision of a judgment may be made only when it is based upon the discovery of some

fact of such a nature as to be a decisive factor, which was, when the judgment was given, unknown to the Court and also to the party claiming revision, always provided that such ignorance was not due to negligence.

2. The proceedings for revision shall be opened by a judgment of the Court expressly recording the existence of the new fact, recognizing that it has such a character as to lay the case open to revision, and declaring the application admissible on this ground.

3. The Court may require previous compliance with the terms of the judgment before it admits proceedings in revision.

4. The application for revision must be made at latest within six months of the discovery of the new fact.

5. No application for revision may be made after the lapse of ten years from the date of the judgment.

Article 62

1. Should a state consider that it has an interest of a legal nature which may be affected by the decision in the case, it may submit a request to the Court to be permitted to intervene.

2. It shall be for the Court to decide upon this request.

Article 63

1. Whenever the construction of a convention to which states other than those concerned in the case are parties is in question, the Registrar shall notify all such states forthwith.

2. Every state so notified has the right to intervene in the proceedings; but if it uses this right, the construction given by the judgment will be equally binding upon it.

Article 64

Unless otherwise decided by the Court, each party shall bear its own costs.

Advisory Opinions

Article 65

1. The Court may give an advisory opinion on any legal question at the request of whatever body may be authorized by or in accordance with the Charter of the United Nations to make such a request.

2. Questions upon which the advisory opinion of the Court is asked shall be laid before the Court by means of a written request containing an exact statement of the question upon which an opinion is required, and accompanied by all documents likely to throw light upon the question.

Article 66

1. The Registrar shall forthwith give notice of the request for an advisory opinion to all states entitled to appear before the Court.

2. The Registrar shall also, by means of a special and direct communication, notify any state entitled to appear before the Court or international organization considered by the Court, or, should it not be sitting, by the President, as likely to be able to furnish information on the question, that the Court will be prepared to receive, within a time limit to be fixed by the President, written statements, or to hear, at a public sitting to be held for the purpose, oral statements relating to the question.

3. Should any such state entitled to appear before the Court have failed to receive the special communication referred to in paragraph 2 of this Article, such state may express a desire to submit a written statement or to be heard; and the Court will decide.

4. States and organizations having presented written or oral statements or both shall be permitted to comment on the statements made by other states or organizations in the form, to the extent, and within the time limits which the Court, or, should it not be sitting, the President, shall decide in each particular case. Accordingly, the Registrar shall in due time communicate any such written statements to states and organizations having submitted similar statements.

Article 67

The Court shall deliver its advisory opinions in open court, notice having been given to the Secretary-General and to the representatives of Members of the United Nations, of other states and of international organizations immediately concerned.

Article 68

In the exercise of its advisory functions the Court shall further be guided by the provisions of the present Statute which apply in contentious cases to the extent to which it recognizes them to be applicable.

CHAPTER V

Amendment

Article 69

Amendments to the present Statute shall be effected by the same procedure as is provided by the Charter of the United Nations for amendments to that Charter, subject however to any provisions which the General Assembly upon recommendation of the Security Council may adopt concerning the participation of states which are parties to the present Statute but are not Members of the United Nations.

Article 70

The Court shall have power to propose such amendments to the present Statute as it may deem necessary, through written communications to the Secretary-General, for consideration in conformity with the provisions of Article 69.

FOR CHINA:

VI-KYUIN WELLINGTON KOO
WANG CHUNG-HUI
WEI TAO-MING
WU YI-FANG
LI HWANG
CHUN-MAI CARSON CHANG
TUNG PI-WU
HU LIN

FOR THE UNION OF SOVIET SOCIALIST REPUBLICS:

A GROMYKO
A LAVRENTIEV
K NOVIKOV
S. TSARAPKIN
S GOLUNSKY
S KRYLOV
RODIONOV

FOR THE UNITED KINGDOM OF GREAT BRITAIN AND
NORTHERN IRELAND:

HALIFAX.
CRANBORNE.

FOR THE UNITED STATES OF AMERICA:

E R STETTINIUS, JR
CORDELL HULL
TOM CONNALLY
A H VANDENBERG
SOL. BLOOM
CHARLES A. EATON.
HAROLD E STASSEN
VIRGINIA C. GILDERSLEEVE.

FOR FRANCE:

J. PAUL-BONCOUR

FOR ARGENTINA:

M CÁRCANO
O IBARRA G.
JUAN CARLOS BASSI
A D BRUNET

FOR AUSTRALIA:

F. M. FORDE.
H V EVATT.

FOR THE KINGDOM OF BELGIUM:

A E DE SCHRYVER

FOR BOLIVIA:

V ANDRADE
C SALAMANCA F
E ARZE Q.

FOR BRAZIL:

P. LEÃO VELLOSO
C DE FREITAS VALLE.
GEN. ESTEVAO LEITAO DE CARVALHO
A. CAMILLO DE OLIVEIRA
DR BERTHA LUTZ

FOR THE BYELORUSSIAN SOVIET SOCIALIST REPUBLIC:

K KISELEV
A ZHEBRAK
V. PERTSEV
G BAIDAKOV
F. SHMYGAV

FOR CANADA:

W. L. MACKENZIE KING.
LOUIS. S. ST. LAURENT

FOR CHILE:

JOAQUÍN FERNÁNDEZ F
MARCIAL MORA M
JOSÉ MAZA
GABRIEL GONZÁLEZ.
CONTRERAS LABARCA
F. NIETO DEL RÍO
E ALCALDE C
GERMÁN VERGARA.
JULIO ESCUDERO.

FOR COLOMBIA:

ALBERTO LLERAS
AL GONZÁLEZ FERNÁNDEZ
EDUARDO ZULETA ANGEL
SILVIO VILLEGAS
JESÚS M. YEPES.

FOR COSTA RICA:

JULIO ACOSTA
J RAFAEL OREAMUNO

FOR CUBA:

GMO BELT
ERNESTO DIHIGO

FOR CZECHOSLOVAKIA:

JAN MASARYK.

FOR DENMARK:

HENRIK KAUFFMANN
HARTVIG FRISCH
E. HUSFELDT

FOR THE DOMINICAN REPUBLIC:

M PEÑA BATLLE
EMILIO G GODOY
GILBERTO SÁNCHEZ LUSTRINO
T. FRANCO F
MINERVA BERNARDINO

FOR ECUADOR:

C. PONCE ENRÍQUEZ
GALO PLAZA
C. TOBAR ZALDUMBIDE

FOR EGYPT:

A. BADAWI.
IB. HADI

FOR EL SALVADOR:

HÉCTOR DAVID CASTRO
CARLOS LEIVA, M. D.

FOR ETHIOPIA:

AKLILU H
AMBAYE W
EPHREM T. MEDHEN

FOR GREECE:

J. A. SOFIANOPOULOS

FOR GUATEMALA:

GUILLERMO TORIELLO
M. NORIEGA M
E SILVA PEÑA

FOR HAITI:

GERARD LESCOT
A. LIAUTAUD

FOR HONDURAS:

JULIÁN R CÁCERES
MARCOS CARIAS REYES
VIRGILIO R. GALVEZ

FOR INDIA:

A RAMASWAMI MUDALIAR.
V. T. KRISHNAMACHARI

FOR IRAN:

MOSTAFA ADLE

FOR IRAQ:

MOHD. FADHEL JAMALI

FOR LEBANON:

W. NAIM
A. YAFI
SALEM.
CHARLES MALIK

FOR LIBERIA:

C. L. SIMPSON
GABRIEL L. DENNIS
J. LEMUEL GIBSON
RICHARD HENRIES
M. N. GRANT

FOR THE GRAND DUCHY OF LUXEMBOURG:

HUGUES LE GALLAIS

FOR MEXICO:

E. PADILLA
F. CASTILLO NÁJERA
MANUEL TELLO.

FOR THE KINGDOM OF THE NETHERLANDS:

A. LOUDON

FOR NEW ZEALAND:

PETER FRASER.
C A BERENDSEN

FOR NICARAGUA:

MARIANO ARGÜELLO
LUIS MANUEL DE BAYLE

FOR THE KINGDOM OF NORWAY:

WILHELM MUNTHE MORGENSTIERNE

FOR PANAMA:

ROBERTO JIMÉNEZ

FOR PARAGUAY:

CELSO R. VELÁZQUEZ
J. B. AYALA

FOR PERU:

MANUEL C GALLAGHER
V. A. BELAUNDE
LUIS FERNÁN CISNEROS.

FOR THE PHILIPPINE COMMONWEALTH:

CARLOS P. ROMULO
FRANCISCO A. DELGADO.

FOR POLAND:

[to be signed at a later date]

FOR SAUDI ARABIA:

FAISAL

FOR SYRIA:

F. AL-KHOURI
N. ANTAKI
N. KOUDSI

FOR TURKEY:

HASAN SAKA
HUSEYIN RAGIP BAYDUR
FERIDUN CEMAL ERKIN

FOR THE UKRAINIAN SOVIET SOCIALIST REPUBLIC:

DM. MANUILSKY
IVAN SENIN
ALEXANDER PALLADIN
MIKOLA PETROVSKY

FOR THE UNION OF SOUTH AFRICA:

J. C. SMUTS F.M.

FOR URUGUAY:

JOSÉ SERRATO
JACOBO VARELA
HÉCTOR LUISI
CY GIAMBRUNO
JUAN F. GUICHÓN
HÉCTOR PAYSSÉ REYES

FOR VENEZUELA:

C PARRA PÉREZ
GUSTAVO HERRERA
A MACHADO HNDZ
R ERNESTO LÓPEZ

FOR YUGOSLAVIA:

STANOJE SIMIĆ

UNRRA - ITALIAN MISSION
BUREAU OF RELIEF SERVICES

Date 4/11/46

From: Deputy Chief of Mission

To: Assistant Chief of Bureau

Executive Ass't (Program coordination)

Health Division

Welfare Division

✓ Displaced Persons Division

Special Relief Projects Division

Important

Remarks: Mr. Varuchione -

Here are three copies of
the revised SRP resolution & Draft
Constitution for your Division. You and
your staff will want to review this material
carefully.

Anderson

10th October, 1946.

To : Chiefs of Missions

PLANNING BY THE UNITED NATIONS FOR THE ESTABLISHMENT
OF A SPECIALIZED AGENCY FOR THE CARE OF REFUGEES AND
DISPLACED PERSONS

Under date of 20th June 1946, we sent to you a copy of the Draft Constitution of the proposed International Refugee Organization and Annex I Definitions. Under date of 6th August 1946 we sent you a report summarizing activities of the United Nations up to that time on this subject.

The Economic and Social Council adjourned its Third Session in New York on 4th October. At that Session the Draft Constitution was adopted by a majority of the members and a provisional budget for the first financial year of the I.R.O. Also the Council adopted a resolution on a preparatory commission to serve in the interim period before the I.R.O. is established. These documents and the entire subject of refugees and displaced persons will be discussed further at the General Assembly of the United Nations scheduled to convene 23rd October 1946. Final decisions for action depend on the General Assembly.

In the interim we are enclosing for your information copies of the Economic and Social Council document on Interim Arrangements and the Draft Constitution and its three Annexes.

There are a number of revisions in both the Draft Constitution and Annex I Definitions. We are attaching a guide to the revisions of the earlier documents which we sent you on 20th June.

Andrew Topping

Acting Deputy Director General
and Chief of Relief Services

Attachments
U.N.a. 7383

UNITED NATIONS
ECONOMIC
AND
SOCIAL COUNCIL

UNRESTRICTED
E/164/Rev.1
2 October 1946
ORIGINAL: ENGLISH

UNITED STATES DELEGATION

INTERIM ARRANGEMENTS - REFUGEES AND DISPLACED PERSONS

(Note: The words underlined are those which do not appear or have been changed from E/164. Two paragraphs in E/164 have been deleted completely: Paragraph 2 (c) (ii) and Paragraph 6)

THE ECONOMIC AND SOCIAL COUNCIL

HAVING reviewed the Constitution of the International Refugee Organization in the light of the comments thereon by Members of the United Nations; and

HAVING considered the Report of the Committee on the Finances of the International Refugee Organization established under resolution of the Council of 21 June 1946 and the comments thereon of Members of the United Nations; and

HAVING taken into account the Draft Report of the Secretary-General on the initiation of the work of the IRO; and

CONSIDERING that all possible measures should be taken to expedite the establishment of the International Refugee Organization, to provide for an orderly transfer of functions to it from existing organizations, and to ensure, in the period previous to the coming into effective operation of the organization, the maximum of effort for the accomplishment of these purposes;

REQUESTS the Secretary-General, pending the establishment of the Preparatory Commission referred to in the annexed interim arrangement, to take such further steps, as may be appropriate to plan, in consultation with UNRRA and the IGC, the initiation of the work of the IRO; and

RECOMMENDS that the General Assembly adopt the annexed resolution.

THE GENERAL ASSEMBLY

NOTING that action has been taken pursuant to the resolution concerning refugees and displaced persons adopted by the General Assembly on 12 February 1946, as follows:

- (a) the establishment by the Economic and Social Council of a Special Committee on Refugees and Displaced Persons under a resolution of the Council of 16 February 1946;
- (b) the making of a report by the Special Committee to the second session of the Council;
- (c) the adoption of a draft constitution for an International Refugee Organization and the creation of a Committee on the Finances of the International Refugee Organization by the Council under a resolution of the Council of 21 June 1946;
- (c) the circulation to Members of the United Nations for their comments of the draft constitution and the report of the Committee on Finances;
- (e) the final approval by the Council of the Constitution, the adoption by the Council of an arrangement for a preparatory commission, and the transmittal of both these instruments to the General Assembly, under a resolution of the Council of October 1946;

Having considered the constitution of the International Refugee Organization and the arrangement for a preparatory commission as approved by the Economic and Social Council;

Considering that every effort should be made to provide for the early establishment of the International Refugee Organization and the provision of measures during the interim period designed to facilitate such establishment;

- (a) approves the Constitution of the International Refugee Organization and the Arrangement for Preparatory Commission as annexed hereto;
- (b) requests the Secretary-General to open these two instruments for signature and, in the case of the Constitution, to open it for signature either with or without reservation as to subsequent acceptance;

(c) urges Members of the United Nations to sign these two instruments and, where constitutional procedures permit to sign the Constitution without reservation as to subsequent acceptance.

(d) authorizes the Secretary-General to make such staff available to the Preparatory Commission as may be deemed necessary and desirable;

(e) approves an advance of funds to the Preparatory Commission for expenses incurred by it in the performance of its functions.

INTERIM ARRANGEMENT

THE GOVERNMENTS which have signed the Constitution of the International Refugee Organization,

Having determined that they will take all measures possible to accomplish expeditiously the coming into effective operation of that Organization and to provide for an orderly transfer to it of the functions and assets of existing organizations,

Having decided that, pending the coming into force of the Constitution of the Organization, a Preparatory Commission for the International Refugee Organization should be established for the performance of certain functions and duties,

AGREE to this Arrangement as follows:

1. There is hereby established a Preparatory Commission for the International Refugee Organization, which shall consist of one representative from each government signatory to the Constitution. The Director of the Inter-governmental Committee on Refugees, the Director General of the United Nations Relief and Rehabilitation Administration, and the Director of the International Labour Organization, or their representatives, shall be invited to sit with the Commission in a consultative capacity.

2. The Commission shall:

(a) Take all necessary and practicable measures for the purpose of bringing the Organization into effective operation as soon as possible;

- (b) Arrange for the convening of the General Council in its first session at the earliest practicable date following the entry into force of the Constitution of the Organization;
 - (c) Prepare the provisional agenda for this first session as well as documents and recommendations relating thereto;
 - (d) Suggest plans, in consultation with existing organizations and the Control Authorities, for the programme for the first year of the Organization;
 - (e) Prepare draft financial and staff regulations, and draft rules of procedure for the General Council and the Executive Committee.
3. The Commission may, in its discretion and after agreement with existing organizations dealing with refugees and displaced persons, take over any of the functions, activities, assets, and personnel of such organizations, provided that the Commission is satisfied that this is essential in order to accomplish the orderly transfer to the International Refugee Organization of such functions or activities.
4. The Commission shall be governed by the rules of procedure of the Economic and Social Council of the United Nations so far as these are applicable.
5. The Commission shall appoint an Executive Secretary, who shall serve the Commission in that capacity and perform such duties as the Commission may determine. He shall be responsible for the appointment and direction of such staff as may be required for the work of the Commission.
6. The expenses incurred by the Commission may be met by advances from such governments as choose to make advance contributions, which shall be deductible from their first contributions to the Organization; and from such funds and

assets as may be transferred from existing organizations to meet the cases provided for in paragraph 3 above.

7. The first meeting of the Commission shall be convened as soon as practicable by the Secretary-General of the United Nations.

8. The Commission shall cease to exist upon the election of the Director General of the Organization, at which time its property, assets, and records shall be transferred to the Organization.

9. This Arrangement shall be effective as from this date, and shall remain open for signature by Members of the United Nations which sign the Constitution of the International Refugee Organization until the Commission is dissolved in accordance with paragraph 8.

IN FAITH WHEREOF, the undersigned representatives, having been duly authorized for that purpose, sign this Arrangement in the English and French languages, both texts being of equal authenticity.

DONE at _____, this _____
day of _____, one thousand nine hundred and
forty _____.

UNITED NATIONS

ECONOMIC

AND

SOCIAL COUNCIL

UNRESTRICTED

E/161/Rev.1

1 October 1946

ORIGINAL: ENGLISH

DRAFT CONSTITUTION FOR THE INTERNATIONAL REFUGEE ORGANIZATION

(This Text Incorporates Amendments Agreed on by the Council)

PREAMBLE

The Governments accepting this Constitution RECOGNIZING

that genuine refugees and displaced persons constitute an urgent problem which is international in scope and character;

that as regards displaced persons, the main task to be performed is to encourage and assist in every way possible their early return to their country of origin;

that genuine refugees and displaced persons should be assisted by international action either to return to their countries of nationality or former habitual residence or to find new homes elsewhere;

that genuine refugees and displaced persons, until such time as their repatriation or re-settlement and re-establishment is effectively completed, should be protected in their rights and legitimate interests and should receive care and assistance, and as far as possible should be put to useful employment in order to avoid the evil and anti-social consequences of continued idleness, HAVE AGREED, for the accomplishment of the foregoing purposes in the shortest possible time, to establish and do hereby establish, a non-permanent organization to be called the International Refugee Organization, a specialized agency to be brought into relationship with the United Nations, and accordingly HAVE ACCEPTED the following ARTICLES.

ARTICLE I

MANDATE

The mandate of the Organization shall extend to refugees and displaced persons in accordance with the principles, definitions and conditions set forth in Annex I, which is attached to and made an integral part of this Constitution.

ARTICLE II

FUNCTIONS AND POWERS

1. The functions of the Organization to be carried out in accordance with the

purposes and the principles of the Charter of the United Nations, shall be the repatriation; the identification, registration and classification; the care and assistance; the legal and political protection; the transport; and the re-settlement and re-establishment in countries able and willing to receive them, of persons who are the concern of the Organization under the provisions of Annex I. Such functions shall be exercised with a view:

(a) To encouraging and assisting in every way possible the early return to their country of nationality or former habitual residence of those persons who are the concern of the organization, having regard to the principles laid down in the resolution on refugees and displaced persons adopted by the General Assembly of the United Nations on 12 February 1946, (Annex III) and to promoting this by all possible means, in particular by providing them with material assistance, adequate food rations for a period of three months from the time of their departure from their present places of residence provided they are returning to a deficit food area in a country suffering as a result of enemy occupation during the war and provided such food shall be distributed under the auspices of the organization; and the necessary clothing and means of transportation; and;

(b) with respect to persons other than those included in paragraph (a) above to facilitating (i) their re-establishment in countries of temporary residence, (ii) the emigration to and re-settlement and the re-establishment in other countries of individuals or family units, and (iii) as may be necessary and practicable, within available resources and subject to the relevant financial regulations, the investigation, promotion or execution of projects of group re-settlement or large-scale re-settlement.

2. For the purpose of carrying out its functions, the Organization may engage in all appropriate activities, and to this end, shall have power:

- (a) to receive and disburse private and public funds;
- (b) as necessary to acquire land and buildings by lease, gift or, in exceptional circumstances only, by purchase, and to hold such land and buildings or to dispose of them by lease, sale or otherwise;

- (c) to acquire, hold and convey other necessary property;
- (d) to enter into contracts, and undertake obligations;
- (e) to conduct negotiations and conclude agreements with governments;
- (f) to consult and co-operate with public and private organizations whenever it is deemed advisable insofar as such organizations share the purpose of the Organization and observe the principles of the United Nations;
- (g) to promote the conclusion of bilateral arrangements for mutual assistance in the repatriation of displaced persons, having regard to the principles laid down in paragraph (c) (ii) of the Resolution adopted by the General Assembly of the United Nations on 12 February 1946 regarding the problem of refugees (Annex III);
- (h) to appoint staff, subject to the provisions of Article IX of this constitution;
- (i) to undertake any project appropriate to the accomplishment of the purposes of this Organization;
- (j) to conclude agreements with countries able and willing to receive refugees and displaced persons for the purpose of ensuring the protection of their legitimate rights and interests insofar as this may be necessary;
- (k) and in general, to perform any other legal act appropriate to its purposes.

ARTICLE III

RELATIONSHIP TO THE UNITED NATIONS

The relationship between the Organization and the United Nations shall be established in an agreement between the Organization and the United Nations as provided in Articles 57 and 63 of the Charter of the United Nations.

ARTICLE IV

MEMBERSHIP

1. Membership in the Organization is open to Members of the United Nations. Membership is also open to any other peace-loving States, not Members of the

United Nations, upon recommendation of the Executive Committee, by a two-thirds majority vote of Members of the General Council present and voting, subject to the conditions of the agreement between the Organization and the United Nations approved pursuant to Article III of this Constitution.

2. Subject to the provisions of paragraph 1, the members of the Organization shall be those States whose duly authorized representatives sign this Constitution without reservation as to subsequent acceptance and those States which deposit with the Secretary-General of the United Nations their instruments of acceptance after their duly authorized representatives have signed this Constitution with such reservation.

3. Members of the Organization which are suspended from the exercise of the rights and privileges of membership of the United Nations shall, upon request of the latter, be suspended from the rights and privileges of this Organization.

4. Members of the Organization which are expelled from the United Nations shall automatically cease to be members of this Organization.

5. With the approval of the General Assembly of the United Nations members of the Organization which are not members of the United Nations and which have persistently violated the principles of the Charter of the United Nations may be suspended from the rights and privileges of the Organization, or expelled from its membership by the General Council.

6. A member of the Organization which has persistently violated the principles contained in the present Constitution, may be suspended from the rights and privileges of the Organization by the General Council, or, with the approval of the General Assembly of the United Nations, expelled from the Organization.

7. A member of the Organization undertakes to afford its general support to the work of the Organization. No resolution adopted by the Organization may impose any specific obligation on any member, even if the delegate of the member has voted in favour of the resolution, unless the member, or its delegate on its behalf, and being duly authorized, has expressly accepted the obligation in question.

8. Any member may at any time give written notice of withdrawal to the Chairman of the Executive Committee. Such notice shall take effect one year after the date of its receipt by the Chairman of the Executive Committee.

ARTICLE V

ORGANS

1. There are established as the principal organs of the Organization: a General Council, an Executive Committee and a Secretariat.

ARTICLE VI

THE GENERAL COUNCIL

1. The ultimate policy-making body of the Organization shall be the General Council in which each member shall have one representative and such alternates and advisers as may be necessary. Each member shall have one vote in the General Council.
2. The General Council shall be convened in regular session not less than once a year by the Executive Committee provided, however, that for three years after the Organization comes into being the General Council shall be convened in regular session not less than twice a year. It may be convened in special session whenever the Executive Committee shall deem necessary; and it shall be convened in special session by the Director-General within thirty days after a request for such special session is received by the Director-General from one-third of the members of the Council.
3. At the opening meeting of each session of the General Council, the Chairman of the Executive Committee shall preside until the General Council has elected one of its members as Chairman for the Session.
4. The General Council shall thereupon proceed to elect from amongst its members a First Vice-Chairman and a Second Vice-Chairman, and such other officers as it may deem necessary.

ARTICLE VII

EXECUTIVE COMMITTEE

1. The Executive Committee shall, between sessions of the General Council, perform such functions as may be necessary to give effect to the policies of the General Council, and may make policy decisions of an emergency nature which it shall pass on to the Director General, who shall be guided thereby, and shall report to the Executive Committee on the action which he has taken thereon. These decisions shall be subject to reconsideration by the General Council.

2. The Executive Committee of the General Council shall consist of the representatives of nine members of the Organization. Each member of the Executive Committee shall be elected for a two-year term by the General Council at a regular session of the Council. A member may continue to hold office on the Executive Committee during any such period as may intervene between the conclusion of its term of office and the first succeeding meeting of the General Council at which an election takes place. A member shall be at all times eligible for re-election to the Executive Committee. If a vacancy occurs in the membership of the Executive Committee between two sessions of the General Council, the Executive Committee may fill the vacancy by itself appointing another member to hold office until the next meeting of the Council.
3. The Executive Committee shall elect a Chairman and a Vice-Chairman from among its members, the terms of office to be determined by the General Council.
4. Meetings of the Executive Committee shall be convened:
 - (a) At the call of the Chairman, normally twice a month,
 - (b) Whenever any delegate or a member of the Executive Committee shall request the convening of a meeting, by a letter addressed to the Director-General, in which case the meeting shall be convened within seven days of the date of the receipt of the request.
 - (c) In the case of a vacancy occurring in the Chairmanship, the Director-General shall convene a meeting at which the first item on the agenda shall be the election of a Chairman.
5. The Executive Committee may in order to investigate the situation in the field, either as a body or through a delegation of its members, visit camps, hostels or assembly points within the control of the Organization, and may give instructions to the Director-General in consequence of the reports of such visits.
6. The Executive Committee shall receive the reports of the Director-General as provided in paragraph 6 of Article VIII of this Constitution, and, after consideration thereof, shall request the Director-General to transmit these reports to the General Council with such comments as the

Executive Committee may consider appropriate. These reports and such comments shall be transmitted to all members of the General Council before its next regular session and shall be published. The Executive Committee may request the Director-General to submit such further reports as may be deemed necessary.

ARTICLE VIII

ADMINISTRATION

1. The Chief Administrative Officer of the Organization shall be the Director-General. He shall be responsible to the General Council and the Executive Committee and shall carry out the administrative and executive functions of the Organization in accordance with the decisions of the General Council and the Executive Committee, and shall report on the action taken thereon.
2. The Director-General shall be nominated by the Executive Committee and appointed by the General Council. If no person acceptable to the General Council is nominated by the Executive Committee, the General Council may proceed to appoint a person who has not been nominated by the Committee. When a vacancy occurs in the office of the Director-General the Executive Committee may appoint an Acting Director-General to assume all the duties and functions of the office until a Director-General can be appointed by the General Council.
3. The Director-General shall serve under a contract which shall be signed on behalf of the Organization by the Chairman of the Executive Committee and it shall be a term of such contract that six months' notice of termination can be given on either side. In exceptional circumstances, the Executive Committee, subject to subsequent confirmation by the General Council, has the power to relieve the Director-General of his duties, by a two-thirds majority vote of the members, if in the Committee's opinion his conduct is such as to warrant such action.
4. The staff of the Organization shall be appointed by the Director-General under regulations to be established by the General Council.
5. The Director-General shall be present or be represented by one of his subordinate officers, at all meetings of the General Council, of the Executive

Committee and of all other committees and sub-committees. He or his representative may participate in any such meeting but shall have no vote.

6. (a) The Director-General shall prepare at the end of each half-year period a report on the work of the Organization. The report prepared at the end of each alternate period of six months shall relate to the work of the Organization during the preceding year and shall give a full account of the activities of the Organization during that period. These reports shall be submitted to the Executive Committee for consideration, and thereafter shall be transmitted to the General Council together with any comments of the Executive Committee thereon, as provided by paragraph 6 of Article VII of this Constitution.

(b) At every special session of the General Council the Director-General shall present a statement of the work of the Organization since the last meeting.

ARTICLE IX

STAFF

1. The paramount consideration in the employment of the staff and in the determination of the conditions of service shall be the necessity of securing the highest standards of efficiency, competence and integrity. A further consideration in the employment of the staff shall be adherence to the principles laid down in the Resolution adopted by the General Assembly on 12 February 1946 regarding the problem of refugees. Due regard shall be paid to the importance of recruiting field staff on an appropriate geographical basis, and of employing an adequate number of persons from the countries of origin of the displaced persons.

2. No person shall be employed by the Organization who is excluded under Part II, other than paragraph (5) of Annex I to this Constitution from becoming the concern of the Organization.

3. In the performance of their duties the Director-General and the staff shall not seek or receive instruction from any Government or from any other authority external to the Organization. They shall refrain from any action which might reflect on their position as international officials responsible only to the Organization. Each member of the Organization undertakes to respect the exclusively international character of the responsibilities of the Director-General and the staff and not to seek to influence them in the discharge of their responsibilities.

ARTICLE X

FINANCE

1. The Director-General shall submit, through the Executive Committee, to the General Council an annual budget, covering the necessary administrative, operational, and large-scale resettlement expenditures of the Organization, and from time to time such supplementary budgets as may be required. The Executive Committee shall transmit the budget to the General Council with any remarks it may deem appropriate. Upon final approval of a budget, by the General Council the total under each of these three headings, to wit, "administrative", "operational", and "large-scale resettlement", shall be allocated to the members in proportions for each heading to be determined from time to time by a two-thirds majority vote of the members of the General Council present and voting.
2. (a) Contributions may be payable in kind or in such currency as may be provided for in a decision by the General Council accompanying the budget, having regard to currencies in which the anticipated expenditure of the organization will be effected from time to time regardless of the currency in which the budget is expressed.
(b) Contributions in kind shall be made within limits to be prescribed, and on a value basis to be determined by the General Council.
3. Each member undertakes to contribute to the Organization its share of the administrative expenses as determined and allocated under paragraphs 1 and 2 above.

4. Each member shall contribute to the operational and large-scale resettlement expenditures as determined and allocated under paragraphs 1 and 2 above subject to the requirements of the constitutional procedure of such member.

5. The administrative budget of the Organization shall be submitted annually to the General Assembly of the United Nations for such review and recommendation as the General Assembly may deem appropriate. The agreement under which the Organization shall be brought into relationship with the United Nations under Article III of this Constitution may provide, *inter alia*, for the approval of the administrative budget of the Organization by the General Assembly of the United Nations.

6. Without prejudice to the provisions concerning supplementary budgets in paragraph 1 above, the following exceptional arrangements shall apply in respect of the financial year in which this Constitution comes into force:

- (a) the budget shall be the provisional budget set forth in Annex II to this Constitution; and
- (b) the amounts to be contributed by the members shall be in the proportions set forth in Annex II to this Constitution.

ARTICLE XI

HEADQUARTERS AND OTHER OFFICES

1. The Organization shall establish its headquarters at Paris, and all meetings of the General Council and the Executive Committee shall be held at this headquarters, unless a majority of the members of the General Council or the Executive Committee have agreed, at a previous meeting or by correspondence with the Director-General, to meet elsewhere.

2. The Executive Committee may establish such regional and other offices and representations as may be necessary.

3. All offices and representations shall be established only with the consent of the government in authority in the place of its establishment.

ARTICLE XII

PROCEDURE

1. The General Council shall adopt its own rules of procedure, following in general the rules of procedure of the Economic and Social Council of the United Nations, wherever appropriate and with such modifications as the General Council shall deem desirable. The Executive Committee shall regulate its own procedure subject to any decisions of the General Council in respect thereto.
2. Unless otherwise provided in the Constitution or by action of the General Council, motions shall be carried by simple majority of the members present and voting in the General Council and the Executive Committee.

ARTICLE XIII

STATUS, IMMUNITIES AND PRIVILEGES

1. The Organization shall enjoy in the territory of each of its members such legal capacity as may be necessary for the exercise of its functions and the fulfilment of its objectives.
2. (a) The Organization shall enjoy in the territory of each of its members such privileges and immunities as may be necessary for the exercise of its functions and the fulfilment of its objectives.
(b) Representatives of members, officials, and administrative personnel of the organization shall similarly enjoy such privileges and immunities as are necessary for the independent exercise of their functions in connection with the Organization.
3. Such legal status, privileges, and immunities shall be defined in an agreement to be prepared by the Organization after consultation with the Secretary-General of the United Nations. The agreement shall be open to accession by all members and shall continue in force as between the organization and every member which accedes to the agreement.

ARTICLE XIV

RELATIONS WITH OTHER ORGANIZATIONS

1. Subject to the provisions of the agreement to be negotiated with the United Nations pursuant to Article III of this Constitution, the Organization may

establish such effective relationships as may be desirable with other international organizations.

2. The Organization may assume part of or all the functions and acquire part of or all the resources, assets, and liabilities of any inter-governmental Organization or agency the purposes and functions of which lie within the scope of the organization. Such action may be taken either through mutually acceptable arrangements with the competent authorities of such organizations or agencies or pursuant to authority conferred upon the Organization by international convention or agreement.

ARTICLE XV

AMENDMENT OF CONSTITUTION

Texts of proposed amendments to this Constitution shall be communicated by the Director-General to Members at least three months in advance of their consideration by the General Council. Amendments shall come into effect when adopted by a two-thirds majority of the Members of the General Council present and voting and accepted by two-thirds of the Members in accordance with their respective constitutional processes, provided, however, that amendments involving new obligation for Members shall come into force in respect of each Member only on acceptance by it.

ARTICLE XVI

INTERPRETATION

"1. The English, French, Russian, Chinese and Spanish texts of this Constitution shall be regarded as equally authentic.

"2. Subject to Article 96 of the Charter of the United Nations and of Chapter II of the Statute of the International Court of Justice, any question or dispute concerning the interpretation or application of this Constitution shall be referred to the International Court of Justice, unless the General Council or the parties to such dispute agree to another mode of settlement."

ARTICLE XVII

ENTRY INTO FORCE

1. (a) States may become parties to this Constitution by
 - (i) signature without reservation as to approval;
 - (ii) signature subject to approval followed by acceptance;
 - (iii) acceptance.(b) Acceptance shall be effected by the deposit of a formal instrument with the Secretary-General of the United Nations.
2. This Constitution shall come into force when fifteen states have become parties to it in accordance with the provisions of Article IV.
3. In accordance with Article 102 of the Charter of the United Nations, the Secretary-General of the United Nations will register this Constitution, when it has been signed, without reservation as to approval, on behalf of one state or upon deposit of the first instrument of acceptance.
4. The Secretary-General of the United Nations will inform states, parties to this Constitution, of the date when it has come into force; he will also inform them of the dates when other states have become parties to this Constitution.

IN FAITH WHEREOF the Undersigned, duly authorized for that purpose, have signed this Constitution.

Done in the City of New York this day of _____ 1946, in a single copy in the English, French, Russian, Chinese and Spanish languages. The original texts shall be deposited in the Archives of the United Nations. The Secretary-General of the United Nations will send certified copies of the texts of each of the signatory Governments and, upon the coming into force of the Constitution and the election of a Director-General, to the Director-General of the Organization.

ANNEX I
DEFINITIONS

GENERAL PRINCIPLES

1. The following general principles constitute an integral part of the definitions as laid down in Part I and II below.

- (a) The main object of the Organization will be to bring about a rapid and positive solution of the problem of bona fide refugees and displaced persons, which shall be just and equitable to all concerned.
- (b) The main task concerning displaced persons is to encourage and assist in every way possible their early return to their countries of origin, having regard to the principles laid down in paragraph (c) (ii) of the Resolution adopted by the General Assembly of the United Nations on 12 February 1946 regarding the problem of refugees. (Annex III)
- (c) As laid down in the Resolution adopted by the Economic and Social Council on 16 February 1946, no international assistance should be given to traitors, quislings, and war criminals, and nothing should be done to prevent in any way their surrender and punishment.
- (d) It should be the concern of the Organization to ensure that its assistance is not exploited in order to encourage subversive or hostile activities directed against the government of any of the United Nations.
- (e) It should be the concern of the Organization to ensure that its assistance is not exploited by persons in the case of whom it is clear that they are unwilling to return to their countries of origin because they prefer idleness to facing the hardships of helping in the reconstruction of their countries.
- (f) On the other hand it should equally be the concern of the Organization to ensure that no bona fide and deserving refugee or displaced person is deprived of such assistance as it may be in a position to offer

- (g) The Organization should endeavour to carry out its functions in respect of resettlement and re-establishment in such a way as to avoid disturbing friendly relations between nations.
2. To ensure the impartial and equitable application of the above principles and of the terms of the definition which follows some special system of semi-judicial machinery should be created, with appropriate constitution, procedure and terms of reference.

PART I

Refugees and Displaced Persons within
the meaning of the Resolution Adopted
by the Economic and Social Council of
the United Nations on 16 February 1946

SECTION A. DEFINITION OF REFUGEES

1. Subject to the provisions of Sections C and D and of Part II below, the term "refugee" applies to a person who has left, or who is outside of, his country of nationality or of former habitual residence, and who, whether or not he had retained his nationality, belongs to one of the following categories:
- (a) Victims of the Nazi or Fascist regimes or of regimes which took part on their side in the Second World War, or of the quisling or similar regimes which assisted them against the United Nations, whether enjoying international status as refugees or not;
 - (b) Spanish Republicans and other victims of the Falangist regime in Spain, whether enjoying international status as refugees or not;
 - (c) Persons who were considered refugees before the outbreak of the Second World War, for reasons of race, religion, nationality or political opinion.
2. Subject to the provisions of Sections C and D and of Part II below regarding the exclusion of certain categories of persons, including war criminals, quislings and traitors, from the benefits of the Organization, the term "refugee" also applies to a person, other than a displaced person as

defined in Section B below, who is outside of his country of nationality or former habitual residence, and who as a result of events subsequent to the outbreak of the Second World War, is unable or unwilling to avail himself of the protection of the Government of his country of nationality or former nationality.

3. Subject to the provisions of Section D and of Part II below, the term "refugee" also applies to persons who, having resided in Germany or Austria, and being of Jewish origin or foreigners or stateless persons, were victims of Nazi persecution and were detained in or were obliged to flee from and were subsequently returned to, one of those countries as a result of enemy action, or of war circumstances, and have not yet been firmly resettled therein.

4. The term "refugee" also applies to unaccompanied children who are war orphans or whose parents have disappeared, and who are outside their countries of origin. Such children shall be given all possible priority assistance, including in the case of those whose nationality can be determined, assistance in repatriation, to which there should be no obstacles.

SECTION B. DEFINITION OF DISPLACED PERSONS

The term "Displaced Persons" applies to a person who, as a result of the actions of the authorities of the regimes mentioned in Part I, Section A, paragraph 1 (a) has been deported from, or has been obliged to leave, his country of nationality or of former habitual residence, such as persons who were compelled to undertake forced labour or who were deported for racial, religious or political reasons. Displaced persons will only fall within the mandate of the Organizations subject to the provisions of Sections C and D of Part I and to the provisions of Part II below. If the reasons for their displacement have ceased to exist, they should be repatriated as soon as possible in accordance with Article II, 1 (a) of this Constitution, and subject to the provision of paragraph (c), sub-paragraphs (ii) and (iii) of the

General Assembly Resolution of 12 February 1946 regarding the problem of refugees (Annex III).

SECTION C. CONDITIONS UNDER WHICH "REFUGEES" AND "DISPLACED PERSONS" WILL BECOME THE CONCERN OF THE ORGANIZATION

1. In the case of all the above categories except those mentioned in Section A, paragraphs 1 (b) and 3 above, persons will become the concern of the Organization in the sense of the Resolution adopted by the Economic and Social Council on 16 February 1946 if they can be repatriated, and the help of the Organization is required in order to provide for their repatriation, or if they are unable to return to their countries of nationality or former habitual residence or if they have definitely, in complete freedom, and after receiving full knowledge of the facts, including adequate information from the governments of their countries of nationality or former habitual residence, expressed valid objections to returning to those countries:

(a) The following shall be considered as valid objections:

- (i) persecution, or fear, based on reasonable grounds (French: fondee, Russian: obosnovany), of persecution because of race, religion, nationality or political opinions, provided these opinions are not in conflict with the principles of the United Nations, as laid down in the preamble of the Charter of the United Nations;
- (ii) objections of a political nature judged by the Organization to be "valid", as contemplated in paragraph 8 (a) of the Report of the Third Committee of the General Assembly as adopted by the Assembly on 12 February 1946 *;
- (iii) in the case of persons falling within the category mentioned

* "In answering the delegate for Belgium, the Chairman stated that it was implied that the international body would judge what were, or what were not 'valid objections'; and that such objections clearly might be of a political nature."

in Section A, paragraphs 1 (a) and 1 (c) compelling family reasons arising out of previous persecution, or compelling reasons of infirmity or illness.

(b) The following shall normally be considered adequate information:

Information regarding conditions in the countries of nationality of the refugees and displaced persons concerned, communicated to them directly by representatives of the governments of those countries, who shall be given every facility for visiting camps and Assembly Centres of refugees and displaced persons in order to place such information before them.

2. In the case of all refugees falling within the terms of Section A, paragraph 1 (b), persons will become the concern of the Organization in the sense of the Resolution adopted by the Economic and Social Council of the United Nations on 16 February 1946, so long as the Falangist regime in Spain continues. Should that regime be replaced by a democratic regime they will have to produce valid objections to returning to Spain corresponding to those indicated in paragraph 1 (a) above.

SECTION D. CIRCUMSTANCES IN WHICH REFUGEES AND DISPLACED PERSONS WILL CEASE TO BE THE CONCERN OF THE ORGANIZATION

Refugees or displaced persons will cease to be the concern of the Organization:

- (a) when they have returned to the countries of their nationality in the United Nations territory, unless their former habitual residence to which they wish to return is outside their country of nationality; or
- (b) when they have acquired a new nationality; or
- (c) when they have, in the determination of the Organization become otherwise firmly established; or
- (d) when they have unreasonably refused to accept the proposals of the Organization for their resettlement; or
- (e) when they are making no substantial effort towards earning their living when it is possible for them to do so, or when they are exploiting the assistance of the Organization.

PART II

Persons who will not be the concern
of the Organization

1. War criminals, quislings and traitors.
2. Any other persons who can be shown:
 - (a) to have assisted the enemy in persecuting the civil populations of countries, Members of the United Nations; or
 - (b) to have voluntarily assisted the enemy forces since the outbreak of the Second World War in their operations against the United Nations, unless such assistance was purely humanitarian and non-military.
3. Ordinary criminals (Russian: ugolovny) who are extraditable by treaty.
4. Persons of German ethnic origin (whether German nationals or members of German minorities in other countries) who:
 - (a) have been or may be transferred to Germany from other countries;
 - (b) have been, during the Second World War, evacuated from Germany to other countries;
 - (c) have fled from, or into, Germany, or from their places of residence into countries other than Germany in order to avoid falling into the hands of Allied Armies.
5. Persons who are in receipt of financial support and protection from their country of nationality, unless their country of nationality requests international assistance for them.
6. Persons who, since the end of hostilities in the Second World War:
 - (a) have participated in any organization having as one of its purposes the overthrow by armed force of the Government of their country of origin, being a member of the United Nations, or the overthrow by armed force of the Government of any other Member of the United Nations, or have participated in any terrorist organization;
 - (b) have become leaders of movements hostile to the Government of their country of origin being a member of the United Nations or sponsors of movements encouraging refugees not to return to their country of origin.

ANNEX II

BUDGET AND CONTRIBUTIONS FOR THE FIRST FINANCIAL YEAR

1. The Provisional budget for the first financial year shall be a sum of _____ United States dollars for administrative expenses and a sum of _____ United States dollars for operational expenses. Any unspent balance under either heading shall be carried over to the corresponding heading as a credit in the budget of the next financial year.
2. These sums shall be contributed by the members [(Governments)] in proportions as follows:
 - . [(Note: It is contemplated that the budgets for the first year and the scales of contributions are to be prepared by the Committee on Finances.)]

ANNEX III

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY ON
12 FEBRUARY 1946 (A/45)

The General Assembly,

recognizing that the problem of refugees and displaced persons of all categories is one of immediate urgency and recognizing the necessity of clearly distinguishing between genuine refugees and displaced persons, on the one hand, and the war criminals, quislings, and traitors referred to in Paragraph (d) below, on the other:

(a) decides to refer this problem to the Economic and Social Council for thorough examination in all its aspects under item 10 of the agenda for the first session of the Council and for report to the second part of the first session of the general assembly;

(b) recommends to the Economic and Social Council that it establish a special committee for the purpose of carrying out promptly the examination and preparation of the report referred to in paragraph (a); and

(c) recommends to the Economic and Social Council that it take into consideration in this matter the following principles:

- (i) This problem is international in scope and nature.
- (ii) No refugees or displaced persons who have finally and definitely, in complete freedom, and after receiving full knowledge of the facts including adequate information from the governments of their countries of origin, expressed valid objections to returning to their countries of origin and who do not come within the provisions of paragraph (d) below, shall be compelled to return to their country of origin. The future of such refugees or displaced persons shall become the concern of whatever international body may be recognized or established as a result of the report referred to in paragraphs (a) and (b) above, except in cases where the government of the country where they are established has made an arrangement with this body to assume the

complete cost of their maintenance and the responsibility for their protection.

(iii) The main task concerning displaced persons is to encourage and assist in every way possible their early return to their countries of origin. Such assistance may take the form of promoting the conclusion of bilateral arrangements for mutual assistance in the repatriation of such persons, having regard to the principles laid down in paragraph (c) (ii) above.

(d) considers that no action taken as a result of this resolution shall be of such a character as to interfere in any way with the surrender and punishment of war criminals, quislings and traitors, in conformity with present or future international arrangements or agreements.

(e) considers that Germans being transferred to Germany from other States or who fled to other States from allied troops, do not fall under the action of this declaration in so far as their situation may be decided by allied forces of occupation in Germany, in agreement with the governments of the respective countries.

Guide to Revisions in Draft Constitution
for I.R.O. and Annex I Definitions

(Based on documents of same title sent 20 June 1946)

I The present Draft Constitution revises the Preamble and the following Articles.

Article II	Functions
Article IV	Membership
Article V	The General Council
Article VI	Executive Committee
Article VII	Administration
Article VIII	Staff
Article IX	Finance
Article X	Headquarters and other offices
Article XII	Amendment of Constitution
Article -	(Legal Status)
Article -	(Entry into Force)
Article -	(Interpretation)

In addition the present constitution includes one additional Article (Article V Organs).

II The present Annex I Definitions revises substantively the following Sections.

General Principles : paragraph 1 (g) is added to June draft.

Part I Section A : paragraph 1 (c) is omitted and
 paragraph 1 (d) is rephrased.
 paragraph 2 is rephrased
 paragraph 4 is rephrased

Part I Section C : paragraph 1 (b) is rephrased.

Part II : paragraph 2 is rephrased.