

DG
UNRRA (EUROPEAN REGION).

Regd. No.

16-16-#3 vol I
DG 16

*Vol 1 OPENED OCT 1945
CLOSED APRIL 1946*

Date of Paper	FROM WHOM
17/10/45	RECORD
Date Registered	
17/1/46	SUBJECT
POLICY RE ELIGIBILITY OF DISPLACED PERSONS FOR UNRRA ASSISTANCE	

NOTE. This file must always be passed on VIA the REGISTRY.

(38527D) Wt P471/23 5m 7/44 H J R & L Gp 51

Referred to	Date	Referred to	Date	Referred to	Date
		Ex. Registry	15.11.45		
		Mr. Carter	13/2		
Mr. Ward	17/1/46	Registry	19/3		
Mr. Aitch	18/1	P.A.	20.3.		
PA	23.1.	Mr. Ward.	21.10.47.		
Mr. Ward	24.1.46				
Miss Raden	24.1.				
Mr. P. R. R.					
Col. Charley	21.3.46				
Ex. Registry	22.3.				
Room 407 P.P.					
Mr. Ward	26.3.46				
Mr. Ward	28/3				
Mr. Ward	28/3				
Mr. Ward	4/4				
PA.	27.4.				
Mr. D. Ward	10.8.				
De. R. R. R.	12.8.				
PA.	15.8				
Miss R. R. R.	23.8				
PA	13/9				

NOTE.—Do not retain this File unnecessarily.

RELEVANT OR PREVIOUS PAPERS, CROSS REFERENCES, ETC.

File No.

SUBJECT.

DA 16/1	Policy re Eligibility of D.P.'s for Warra Assistance Volksdeutsche and Balts.
DA 16/2	Policy re Eligibility of D.P.'s for Warra Assistance Discharged Soldiers
DA 16/3	Policy re Eligibility of D.P.'s for Warra Assistance Prisoners of War.
DA 149	Transfer of Responsibility for D.P. Camps in Italy.

PRECEDENTS TO BE NOTED

Noted in Registry

FILE NO. DA 16

FILE CONTENTS LIST

Page 3.

ORIGINATORS DATE	REFERENCE	FROM	TO	SYNOPSIS	DOCUMENT NO.
22. 2. 46	Tel. No F. 8402.	Munich	E.R.O.	Re Unkra's policies re D.P.'s & Military Detachments	23
23. 2. :	" 2350	E.R.O.	W'Van	Yr 1092 (No 17)	24
" "	Desp. (2004)	K.A. Aickin }	Arabsen Dr. Samson }	Re Austrian D.P.'s ref Yr memo 15 Feb (not used)	25
4. 3.	Tel. 570.	Rome	E.R.O.	Re Collaborationists	26
6. 3	" 1964	W'Van	"	Yr 2350 (No 24) inquiry whether ineligibles are in Unkra camps.	27
13. 3.	" 2347	"	"	Yr 2277 (No 19) re Post Hostilities refugees before council	28
18. 3	A2509	"	C.R.O.	Re-discussion on Post Hostilities refugees.	29
27. 3	Desp 2498	Mr D. Ward	Mr K. Aickin	Re Yr 146 18 th Mar (enc 30) etc	30
27. 3	Tel. 8	E.R.O.	ATLANTIC City	Re question raised D.P. Hungarian nationals eligible for Unkra care	31
10. 4	Unkra-paper	"	"	Statement of D.P.'s with whom Unkra is authorised to deal	32
13. 4.	Tel. 4495	W'Van	E.R.O.	Post-hostilities refugees	33
16. 4	" 688	E.R.O.	Prague	Statistics of D.P.'s	34
22. 4	" 4819 2282	W'Van "	E.R.O. "	Advice requested re infiltration of D.P.'s	25.
26. 4.	" 896 U.N.R. 4469.	Arabsen	"	Re eligibility to Unkra aid	26.

FILE NO.

DC 16

FILE CONTENTS LISTPage 2

ORIGINATOR'S DATE	REFERENCE	FROM	TO	SYNOPSIS	DOCU- MENT NO.
3. 1. 46	Cable 9073	W'ran	E.R.O.	Yr 7881 (No 6b)	10a
4. 1. 46	" 46	E.R.O.	Frankfurt	Policy re D.P.'s	10b
8. 1. 46	Pouch 4/7	Yvelin Mission	E.R.O.	Re D.P.'s problems - question of eligibility.	10
26. 1.	cc(46) 7	D.C. W'ran.	Mbes of c.c.	Unrra policy with respect to Post-hostilities refugees.	11
30. 1.	Cable 10668	W'ran	E.R.O.	Yr 44 (No 8) - Post hostilities refugees	12
9. 2.	" 1675	E.R.O.	W'ran	Yr 10668 (No 12)	13
11. 2.	" 500 Rep'd 306	"	Arabsen Vienna	ref. exclude collaborators from Unrra assistance	14
14. 2.	" 1861	"	W'ran.	decision re D.P. repatriation European Missions	15
14. 2.	" 799	W'ran	E.R.O.	Yr 1675 (No 13) re Post hostilities refugees	16
19. 2.	" 1092 Rep'd 50	"	Arabsen	Special Sub-Office by c.c. re D.P. assistance	17
14. 2.	attached memo A1065	"	E.R.O.	Determination of date of eligibility of special category of enemy ex-convicts for Unrra assistance.	18a
21. 2.		"	"	re attached memo (No 18a)	18
22. 2.	Cable 2277	E.R.O.	W'ran	Yr 799 (No 16) & 1675 (No 13)	19
" "	" 2278	"	"	Re post host. refugees (re No 19)	20
" "	4/4	Vienna	E.R.O.	General questions re assistance.	21.
" "	" 1267	W'ran	"	Yr 2192(?)	22.

FILE NO. 5016

FILE CONTENTS LIST

Page I

ORIGINATORS DATE	REFERENCE	FROM	TO	SYNOPSIS	DOCUMENT NO.
	memo			Problems regarding eligibility	1
1. 10. 45	cable 508	E.R.O.	Rome	Ref desfr. n. 1916 in Bulletin about D.P.'s	2
5. 10.	147.	"	"	Re our cable 508 (No 2)	3
10. 10.	cable 686	Rome	E.R.O.	" 508 (No 2) re Yellow Green's of D.P. problem	4
1. 11.	147.	E.R.O. A.W. Robertson	W'ran. A. Keller	re directives on D.P. operations	5a
24. 11.	" A5348	W'ran	E.R.O.	" " " " " Reg No	5b
19. 12.	cable 1212	Rome	E.R.O.	4r 10071(?) influx of illegally entered Yugo political refugees	5
20. 12.	" 7889	E.R.O.	W'ran	Date of displacement of D.P.'s	6a
28. 12.	" 7881	"	"	Definition of u.N. nationals	6
	Ref'd No 3 Saigon	"	Paris		
" "	" 7896	"	W'ran	Outstanding D.P. problems.	6
29. 12.	Disp. 1648	" K.A. Giering	W'ran A.G. Davidson	Ref 14r 24 th Nov. (No 5b) gather directives issued	6
31. 12.	cable 1072	E.R.O.	Rome	4r 1212 (No 5)	
2. 1. 46	" 49	"	W'ran	4r 8855 (P.P. no copies) re D.P.'s	
" " "	5	"	Prague	New Policy re untr. existence 109 P's.	

U.N.A. 4469.

P.T.O.

6

Miss Rodie

This is the telegram of which we
spoke.

I pass it to you to issue the
necessary instructions to the field

K. Q. Ardline

10/1

Reference.....

To: Miss R. Radin.

From: Dr. W. Langrod

I would like to ask you to look at the enclosed file.

1. As you will see Washington suggested that we should ask Robertson, who is in Italy, whether Turkish D.P's present a serious problem of need. In my opinion it is too late to send a cable to Robertson, because I understand he is expected here any day. I will therefore make the necessary enquiry when he arrives in London.

2. I think it is superfluous to send a ruling to Italy about Turks to be excluded from UNRRA's care - (unless of course they are victims of Nazi persecution). As a matter of fact Appendix 1 to our Directive No. 3 mentioned Turkey as a neutral country, and thus our missions know, in practice, that Turks are not UNRRA's responsibility. Do you agree?

3. Incidentally, I see from a report from Rome, dated November 22nd last, that the Turkish problem in Italy does not seem to be a big one. The nationality of the 300 Turks transferred to AC Camp at Aversa is considered doubtful.

It is suspected that they are Yugoslavs, Greeks, Albanians, Russians and other nationalities. If they are identified as such, many of them, in my opinion, will fall under UNRRA.

22nd January, 1946.

ENC.

Held for discussion with Souren -
we may however need to cable Italy
after talking to Robertson -

187 Dec. 7
To: Mr. Dudley Ward

From: Mr. Conrad Van Hynning

Eligibility of D.Ps. for UNRRA Care.

Upon review of my memorandum of 28th November to you, I should like to present the following as my own views on the practical decision that UNRRA should make in view of the complicated situation.

(a) Nationality. On the basis of nationality, nationals of the United Nations raise no question.

(b) On question of disrupted nationality which can be resolved into the conclusion that the persons are of "undetermined" nationality (other than enemy) I would recommend that we consider these persons eligible for UNRRA care.

(c) Date of displacement. I should think it would be better not to establish any specific dates either for the beginning or the ending of the war, but rather to assume that displacement, as a result of the war, establishes eligibility for UNRRA care. (Displacement now occurring on a political basis should be excluded by a specific ruling).

(d) Manner of displacement. To examine closely the manner of displacement in every individual case would be extremely confusing and impossible as a basis of determination in the field. If again, we could accept the effect of displacement as a result of the war, without worrying about the manner, we could establish a simple definition which could be applied in the field.

(e) Persecuted Groups. The eligibility of persecuted groups depends on two factors: (1) Persecution, (2) Displacement. Displacement of this group could be practically defined and becomes of relatively little importance, as even moving from their former residence could be considered as including them in the eligible group. Technically they might be living next door to their former residence and still be eligible.

My conclusions on eligibility of particular groups based on the information available concerning the factors listed above is:

- (1) Balts. The German Balts would not be eligible, the true Balts should be considered as eligible on the theory that they are either of undetermined nationality or stateless. The date of their displacement was during the war which qualifies them on this basis and the manner of their displacement should be considered merely as a result of the war, thus making them eligible. Any screening to determine ineligibility because of collaboration with the enemy should be left to the military.
- (2) Ukrainians and White Russians. These should be generally considered eligible as being either of undetermined nationality or stateless. If we could adopt the general policy that persons whose former residence is now under a different government from that which it was while he resided there may be given a free choice as to where they wish to go, we could consider them eligible pending such determination. On date and manner of displacement the same conditions apply as for the Balts.
- (3) Volksdeutsche. Those considered on the basis of their residence and nationality as German would not appear to be eligible. This would include the group who willingly assumed German citizenship. Those recognised by their Government as holding Czech or Yugoslav citizenship will be eligible. Those who have not assumed citizenship but who have nevertheless been denationalised by their Governments will be stateless and therefore eligible.

I am not clear as to the affect of the date of displacement on this group, nor of the manner of displacement, but if both of these could be resolved as having occurred during the war and as a result of the war, it would simplify matters.

If UNRRA can so interpret its resolutions or the general mandates of the UNRRA Council as to authorize it to care for persons whose exact status cannot be determined, but whose displacement is as a result of the war, it would greatly simplify our problems in Germany and Austria. If we could leave to the military the screening of doubtful cases and adopted the policy that determination of nationality is a legal and political problem, not within our competence or authority, we could avoid many difficulties.

CVH/MB

1st Dec. 1945.

Upon review of the memorandum on eligibility of D.P.s.
presented to you on 28th November

Eligibility of D.P.s. for UNRRA care

From: Mr. Couriel Van Hynne

To: Mr. Dudley Ward

D 916

INDEXED

TO: Mr. Roger Carter

FROM: A. H. Robertson.

② May do ①

Thank you for letting me see your note to Miss Gibbons of 17th October. Once again I am afraid that my reply has been delayed by a trip to Germany.

Generally speaking, I am quite in agreement with your remarks. I should, however, make the following observations.

(1) While I am not familiar with anything in the resolutions about the effect of unauthorised movement on eligibility for U.N.R.R.A. assistance, I do not see any reason for holding the view that unauthorised movement should disqualify a displaced person who was otherwise eligible. In other words, if a displaced person is eligible for assistance the the Administration has an obligation to assist him, I do not think that obligation is terminated by the fact that the displaced person alters his situation - provided of course that it is still reasonably possible to assist him in the new situation. Therefore I hope Miss Gibbons decided in favour of your first alternative.

(2) When you suggest that the E.R.O. should contact the A.C.C., Roumania about Roumanians in Italy, I presume that you are thinking of initiating arrangements for their repatriation. I suggest that the question of notifying the Control Commission about assistance being given to Roumanians in Italy or elsewhere requires a good deal of further thought.

(3) With reference to stateless displaced persons, it would be interesting to know how the Rome Mission determines that people are stateless. It may be that the answers to your questions will provide this information. Apart from this particular case I think that it might be useful to have a new displaced persons Directive on statelessness and how it should be determined. I should be glad to learn what you think about this and whether any policy has already been formulated in the Displaced Persons Division or any experience gained in the field.

A. H. Robertson

29th October, 1945.

Mr. Robertson

Para 3
Minute ②

③

Re. your (3), a Directive on Determination of Nationality, embracing the problem of statelessness but approaching it from another angle, has been drafted and submitted to the Office of the General Counsel for consideration on 21/11

22/11

Roger Carter

36

OM.

copy Da 16

copy.
DG 16.

INCOMING CABLE

OA

ACTION: OP. ANALYSIS DIV
REF. STATS. BRANCH
CAPT. KENDERDINE

ROLSEN.....TO.....LONDON

No. 896

Dated: 26th April 1946

Rec'd: 29th April 1946

08.53 hrs.

(en clair)

1. References are telephone conversation Kenderdine -- Krane, London Cables 1202 and 1233. This is an interim reply; full information will be forwarded as soon as comprehensive reports are received from zones.
2. Detailed reports on nationalities in question will be forwarded after survey being undertaken with regard to para. 2 (E) of Council Resolution Number 92.
3. Subject is Western Europeans. Report by French, Dutch and Belgian Liaison Officers on British Zone reveals following reasons for their non-repatriation to date:
 - A. Necessity to make up a train load,
 - B. Some are not immediately acceptable for repatriation, for example, those who have married;
 - C. Some do not desire repatriation. British Military Authorities ruling as to disposal of category C will be produced shortly.In general it may be stated that repatriation has been offered to all displaced persons, of these nations.
4. Subject is claimed U.S., British and Dominions Nationals. Necessity for careful screening process by Consular of corresponding officials has resulted in delay in repatriation. There is no doubt that the greater part of these Nationals were present in Germany at outbreak of war and could not or would not return home. There are, however, certain special cases such as for example, persons born in the U.S. who visited Poland before the war, was unable to return home and was displaced by the Germans. The exact number of cases of this kind will not be known until careful screening can be undertaken.
5. Subject is Spaniards. Full report will be submitted soonest.
6. Subject is Swiss. There has been considerable reduction in the number of Swiss in UNRRA camps. Current figure are: U.S. Zone 13, British Zone 5, French Zone 128. Most of the latter are concentrated at Swiss Border, presumably for screening. Those remaining are in process of removal from UNRRA camp.

/7. New Subject.

7. New Subject. Legal guidance requested on following questions of interpretation of Council Resolutions. Do you consider a person to be eligible for UNRRA aid who, though not displaced by enemy action, was caught in enemy occupied territory as a result of hostilities and was thereby prevented from returning to country of origin or previous residence? Moreover, do you interpret phrase "Previous Residence" to include United Nations Nationals or Stateless people who may have been internally displaced in enemy territory? for example, would White Russians holding Nansen passports resident in Germany before the war who were compelled to remove from one area of Germany to another be entitled to UNRRA assistance?

B/ID

To: Mr. Robertson

From: J. Roger Carter *JRC*

Subject: Rome to London telegram No. 686

DG16
INDEXED

No 4-5

In regard to this telegram it appears that Rome raises three questions:

- i. The question of what constitutes prima facie evidence of eligibility;
- ii. How about persons displaced subsequent to the war;
- iii. Shall Rome send to London or will ERO send special representative to Rome?

1. As you will see from the attached document, paragraph 5, which I prepared this morning for Miss Gibbons's use in Rome, it is probable that this question may have been adequately answered by Mr. Delierneux's letter referred to in London to Rome 508, which had probably not been received in Rome when Rome telegram 686 was despatched. As the difficulty raised by Rome appears to be purely *operational*, Miss Gibbons intends to study it and deal with it on the spot.

2. This question probably reflects the case of the 7,000 to 8,000 Jews who moved without authorisation from Austria into Italy. Miss Gibbons will also deal with this question on the spot and I hope that you approve of my analysis of the nature of the problem. I should have liked to have talked to you or one of your colleagues as to whether my remark on the guidance available from the Council Resolutions is correct, but I had to do this paper within two hours for Miss Gibbons and I therefore had to take a risk on it. I would however, be glad to know in retrospect whether you approve of my remark on this matter.

3. This question has been dealt with by Miss Gibbons.

17th October, 1945.

(35)

INDEXED

Old DR.
copy Daib.

INCOMING CABLE.

WL

ACTION: Dept.R.S.
Division Welfare & Repatn.
Mr.Van Hyning.
Copy to Miss Gibbons.

WASHINGTON.....TO.....LONDON

No.4819
En Clair

DATED: 23rd April,1946.
RECD: 22.30 hours.
23rd April,1946.

Repeated to Rome.No.2282.

Refer Rome to London 1021, repeated Washington 742.

Please advise:

1. Nationalities of D.Ps and countries from which infiltration into Italy is occurring.
2. Specifying whether other than Jews are infiltrating.
3. If infdltrees are post hostilities refugees, our 4195 applies.
4. Considering questions raised by Rome. Please submit recommendations for policy decision here, including estimates of any costs and financial implications involved in your recommendations.

BG/AB

OUTGOING CABLE

ORIG RS
COPY DA 16

copy
Grig R.S.
DG.
OUT FILE
ORIGINATOR: WELFARE & REHABILITATION DIV.
34
COUNTRY MISSIONS SECTION I. BRANCH.
MR. J. ROGER CARTER.

LONDON.....TO.....PRAGUE.

NO. 681.

Dated 16 April 1946.

D. 14.25 hours.

(EN CLAIR)

Re your 608 statistics of D.I.s.

1. Note your estimate 25,000 Sub-Carpathians.
2. Presume these are former residents of Sub-Carpatho-Ruthenia or Podkarpatska Rus. Please confirm.
3. Confirm whether they were displaced as result of and during the war.
4. Cannot Ruthenians opt for residence in CSR under Treaty of Cession of Podkarpatska Rus? If so please explain why you class these as displaced persons.
5. Reply required urgently by April 20 connection with report to CCE.

MAC/FS.

INDEXED

33

Orig WRM
Copy D.G. 16.

Mr Ward

seen by Mr Aiken

INCOMING CABLE.

WR. 111.

Copies D.G.

Action: R.S. Dept.
Welfare & Repatriation
Division.
Mr. Van Hyning.

WASHINGTON.....TO.....LONDON.

No. 4195.

Dated 13th April 1946.
Rec'd 1907 hours
13th April, 1946.

SUBJECT IS POST-HOSTILITIES REFUGEES.

Problem of post-hostilities refugees was presented to Council in Paragraph 23. Report special sub-Committee on Resolution 71 issues were discussed informally by delegates of countries concerned, but no action was taken by Council. Accordingly administration will continue instructions limiting assistance to victims of Nazi persecution only. This decision to limit assistance to persecutees, although not required by resolutions, is proper exercise of administration's discretion and we believe it has implicit approval of Council. Suggestion has been made that we revise policy statement to Central Committee to conform to instructions. This being considered.

ES/GMR.



INDEXED

DA 16.

32

UNRRA PAPER

STATEMENT OF DISPLACED PERSONS WITH WHOM UNRRA IS AUTHORISED
TO DEAL

1. UNRRA is authorised by the Resolutions of its Council to undertake, under certain conditions, the care and repatriation of displaced persons. Displaced persons are defined by the Resolutions of the Council.
2. Resolution 1, part II provides: "The supplies and services of which the Administration will seek to ensure the provision fall under four heads.....
2. Relief services..... assistance in caring for and maintaining records of persons found in any areas under the control of any of the United Nations who, by reason of the war, have been displaced from their homes and in agreement with the appropriate governments military authorities or other agencies in securing their repatriation and return".
3. Resolution No. 10 provides: "That the Council recommends that member governments consult with and give full aid to the Director General in order that he may, in concert with them, plan, coordinate, administer or arrange for the administration of orderly and effective measures for the return to their homes of prisoners, exiles and other displaced persons", and goes on to authorize UNRRA to deal with "nationals of the United Nations who have been obliged to leave their homes by reason of the war" and also "those stateless persons who have been driven, as a result of the war, from their places of settled residence".
4. Resolution 10 is thus restricted in its operation to United Nations nationals and stateless persons, although the general provisions of Resolution 1 are not so restricted. The authority of the Administration was extended by Resolutions 57, 60 and 90, to deal with "other persons who have been obliged to leave their country or place of origin or former residence or who have been deported therefrom by action of the enemy because of race, religion or activities in favour of the United Nations".
5. Resolution 10 reserved the question of "the assistance to be given by the Administration in the return to their homes of displaced persons of enemy or ex-enemy nationality who have been intruded into homes from which nationals of the United Nations have been expelled". Resolution 47 authorised the Administration when requested by the Government of a liberated area "to remove or assist in the removal of intruded persons of enemy or ex-enemy nationality".

10th April 1946.

Re. cable 8855.

no trace of 8855 yet

also check the x ref. - DG 25/18.
Relation with Gooli BRAND - 3 files
" " - yugo - 4 files DD 25/18

(box 17 + 19.

ROUTING SLIP

FICHE DE TRANSMISSION

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POUR OBSERVATIONS

MAY WE DISCUSS?

POURRIONS-NOUS EN PARLER ?

YOUR ATTENTION

VOTRE ATTENTION

AS DISCUSSED

COMME CONVENU

AS REQUESTED

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NOTE AND RETURN

NOTER ET RETOURNER

FOR INFORMATION

POUR INFORMATION

ARCHIVE GROUP: United Nations Relief and Rehabilitation Administration (UNRRA)

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Series: DG: Files of the Personal Representative of the Director-General			SYMBOL: PAG-4 2.0.0.0.
BOX No.	PERIOD	A N N O T A T I O N S	DISPOSED
16	File No. (cont'd.)		
	DG25/13/10	Relations with Governments - Minutes of Meetings between Italian Mission and Diplomatic Representatives of Governments Represented on Central Committee of UNRRA Council	
	25/13/10/1	Relations with Governments - Procedure for Discussions between Italian Government and UNRRA Mission	
	25/14	Relations with Governments - Luxembourg (4 files)	
	25/14/5	Relations with Governments - Luxembourg Economic and Financial Situation	
17	25/14/5/1	Relations with Governments - Luxembourg - General Economic Conditions	
	25/16	Relations with Governments - Netherlands (2 files)	
	25/17	Relations with Governments - Norway (3 files)	
	25/17/4	Relations with Governments - Commercial Relations Between Norway and Allied Governments	
	25/18	Relations with Governments - Poland (3 files)	
18	25/18/2	Relations with Governments - Russian Use of Land in Poland	
	25/18/4	Commercial Relations between Poland and Allied Governments	
	25/18/5	Economic and Financial Situation in Poland	
	25/20	Relations with Governments - Roumania (2 files)	
	25/5/1	General Economic Conditions - Roumania	
	25/23	Relations with Governments - Sweden (2 files)	
	25/24	Relations with Governments - Switzerland	
	25/24	Relations with Governments - Switzerland - du Don Suisse	
	25/25	Relations with Governments - Turkey	

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MAY WE DISCUSS?

POURRIONS-NOUS EN PARLER ?

YOUR ATTENTION

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BOX No.	PERIOD	A N N O T A T I O N S	DISPOSED
	File No.		
18	(cont'd.) DG 25/26	Relations with Governments - United Kingdom	
	25/26/1/x	Relations with Governments - Resettlement of Displaced Persons in U.K.	
	25/27	Relations with Governments - U.S.S.R. (2 files)	
19	25/27/1	Relations with Governments - Byelorussian Soviet Socialist Republic	
	25/27/2	Relations with Governments - Ukrainian Soviet Socialist Republic	
	25/28	Relations with Governments - Yugoslavia (4 files)	
	25/28/2/1	Relations with the Military Government - Trieste - Turn Over Tax	
	25/28/4	Relations with Governments - Commercial Relations Between Yugoslavia and Allied Govt's	
	25/28/5	Relations with Governments - Economic and Financial Situation in Yugoslavia	
	25/28/5/1	General Economic Situation	
	25/28/7	Delivery of POL Supplies to Yugoslavia	
	25/28/9	Denationalisation of Members of Former Yugoslav Armed Forces Outside	
20	25/29	Relations with Governments - United States of America	
	25/29/1	Relations with Governments - Re Establishment of Consular Service - U.S. Zones - Germany and Austria	
	25/29/3x	Relations with Governments - U.S.A. - Vehicles for U.S. Observers - Post UNRRA Relief	
	25/31	Relations with the Dominions	
	25/35/1	Relations with Governments - Resettlement of Displaced Persons to Canada	
	25/39	Relations With Governments - Middle East	

NOTHING TO BE WRITTEN IN THIS MARGIN.

Registry
No.

DG

31
27 MAR 1946

DG 16

Draft.

DEPT.
DIVISION
BRANCH
ACTION
ATTENTION

Despatched 1756/27/5 M.

Office of General Counsel
Brig. M. D. Ward -

Telegram.

Atlantic City

26 March 1946.

En Clair

No. 8

27 MAR 1946

DAVIDSON FROM WARD.

has been raised by Gen. Morgan

Question ~~arises~~ ^{not} whether displaced Hungarian
nationals should be made eligible for care

and repatriation assistance in view of
program of aid to Hungary, in order to

bring practice into conformity with ~~that~~

concerning displaced Italians under

Resolution 73 and displaced Austrians under
proposal recommended by ERO for submission

to Fourth Council. ~~welfare and repatriation~~

~~Division believes question should be called~~

~~to Council's attention but make no~~

~~recommendation concerning decision.~~

T. Ward

59



OUT FILE

DG 16

OUTGOING CABLE

DG.

ORIGINATOR: OFFICE OF GENERAL COUNCIL
MR. D. WARD.

LONDON.....TO.....ATLANTIC CITY.

NO. 8.

Dated 27 March 1946.
D. 17.56 hours.

(EN CLAIR)

DAVIDSON FROM WARD.

Question has been raised by General Morgan whether displaced Hungarian nationals should not be made eligible for care and repatriation assistance in view of program of aid to Hungary, in order to bring practice into conformity with concerning displaced Italians under Resolution 73 and displaced Austrians under proposal recommended by ARO for submission to Fourth Council.

YH/FS.

Desp 2498

30

Dg 16

D.G.16

27th March 1946.

K.A. Aickin, Esq., PERSONAL
United Nations Relief & Rehabilitation Administration,
Traymore Hotel,
Atlantic City,
N.J.

My dear Keith,

Enc 29

Your letter of the 18th March was received here March 25th and reached me this afternoon, March 27th. I hasten to thank you and to say that I am very relieved to find that Washington and ourselves were in fact so close together on the question of post hostility refugees. I had indeed already had some assurance of this from Davidson on the telephone after he had talked to you.

From what I can see out of the daily telegrams from Atlantic City you must be having a hectic time. We here go on very much as usual with, however, the additional burden of almost incessant telephone conversations with the unfortunate Bill in Vienna. The question of the Agreement with Austria has now reached a climax with Parminter's hurried arrival here yesterday afternoon.

I had, as you are probably aware, several talks with Davidson on the telephone, and on each occasion he has told me how great a help you have been to him, which is one point of selfcongratulation for ERO.

Yours,

Mr D Waple.



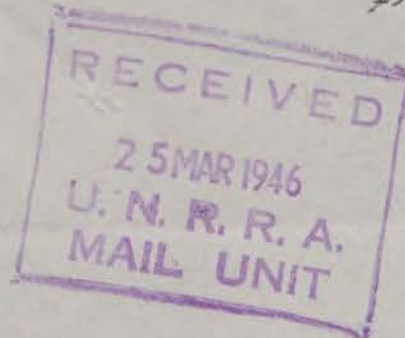
INDEXED
29 A
UNITED NATIONS
RELIEF AND REHABILITATION ADMINISTRATION

Mr. van Hynning to Sec. Gen.

A2509

Traymore Hotel
Atlantic City, N.J.
15 March 1946

Dudley Ward, Esq.,
~~General Counsel~~
UNRRA
11 Portland Place
London
England



MAR 18 1946

Dear Dudley:

As you will have seen from Davidson's cable, one of the first things which I discussed when I arrived in Washington was our exchange of cables on the subject of post-hostilities refugees.

As a result of discussion with both Davidson and Schachter, I found that the views of London and Washington were not so far apart as we had thought and that we were in fact both endeavouring to achieve the same objective. Some at least of the difficulty in Washington had arisen from the fact that they had supposed that we had suggested differentiation between Jews and other post-hostilities refugees on the ground that such a distinction was contemplated by or at least justifiable under the resolutions and they were, not unnaturally, unable to make out what the basis under the resolutions was for such a view. I did explain, however, that what we in London had proposed was a purely administrative distinction without any attempt to justify it under the existing resolutions and that we had felt that whatever the resolutions said it was a perfectly safe administrative policy to take care of Jewish refugees whether or not they were displaced across national frontiers for the first time after the suspension of hostilities.

What Davidson had been concerned about was to provide some means of taking care of the Jewish refugees since he felt that we would be criticized if we failed to provide for them. The only basis which Washington could suggest under the resolutions for such action was the doctrine of "continuous displacement" with which we disagreed so persistently. In Washington they were as conscious as we were of the strain which this interpretation imposed on the resolutions and were not at all happy about it.

(1 Enclosure)

UNITED NATIONS
RELIEF AND REHABILITATION ADMINISTRATION

-2-

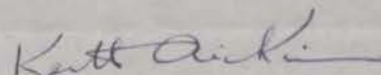
As a result of your suggestions, the matter has now been raised with the Council and in the revised explanatory notes circulated with the agenda the question of post-hostilities refugees is specifically raised before the Council.

In these circumstances, it is obvious that we should hold any further action until the Council has considered the items on the agenda dealing with displaced persons and hope that whatever rulings are finally given will give us a clear line one way or the other. The note circulated with the agenda states that the policy has been put into effect so far only with respect to Jewish refugees and I think our existing instructions to Germany, Austria and Czechoslovakia should therefore stand until after the Council Session.

In case you have not already received it, I enclose a copy of the explanatory notes circulated with the agenda and I will let you know from time to time how matters progress but it is unlikely that anything will happen on the subject of displaced persons until next week.

I shall be writing you separately about other matters. Woodbridge and I will be making sure that proper arrangements have been made for complete sets of Council documents to be forwarded to London as they become available. I have no doubt that some routine procedure has been set up but we will be checking it for you. With kind regards,

Yours sincerely,



Keith Aickin

Enclosure

P.S. I now find that although the explanatory notes on the agenda do refer to the problem of post-hostilities refugees, the statement about the Administration's policy having been put into operation only with regard to Jews was contained not in those notes but in a statement made to the special sub-committee under Resolution 71.

INDEXED

RESTRICTED

COUNCIL IV Document 13
C(46)10
11 March 1946

UNITED NATIONS RELIEF AND REHABILITATION ADMINISTRATION

FOURTH SESSION OF THE COUNCIL

Revised Provisional Agenda

- ITEM 1. Organization of the Fourth Session and election of officers.
- ITEM 2. Reports of the Director General to the Council covering the activities of the Administration from 1 July 1945 to 28 February 1946. (Report from 1 July 1945 to 30 September 1945, Council IV Document 7, DGR6; Report from 1 October to 31 December with message covering period, January and February 1946, Council IV Document 8, DGR7)
- ITEM 3. Review of the authority of the Administration with respect to displaced persons operations under Resolution 71.
- ITEM 4. Consideration of problem of continued assistance to Displaced Persons for whom the Administration has responsibility under the Council Resolutions. (Council IV Document 11, C(46)8)
- ITEM 5. Extension of Resolution 46 to include persons of other than United Nations nationality who have been displaced by the enemy because of their race, religion or activities in favor of the United Nations. (Council IV Document 10, C(46)7)
- ITEM 6. Extension of the period of UNRRA's responsibility under the amended International Sanitary Conventions. (Council IV Document 3, C(46)3)
- ITEM 7. Report of the Committee on Financial Control, relating to the accounts of the Administration, pursuant to Resolution 78. (Council IV Document 5, CFC(46)22)
- ITEM 8. Request of the United Nations General Assembly to be furnished with full periodic reports on the work of the Administration and on the progress toward economic rehabilitation in the countries being assisted by UNRRA. (Council IV Document 9, C(46)6)
- ITEM 9. Application of the Government of Albania for membership in the United Nations Relief and Rehabilitation Administration. (Council IV Document 4, C(46)4)
- ITEM 10. Enlargement of the Central Committee (Council IV Document-2, C(46)2)

R E S T R I C T E D

COUNCIL IV Document 13
C(46)10
11 March 1946

- 2 -

ITEM 11. Items proposed by the Government of the Philippine Commonwealth:

- a. Philippine membership in the Committee of Supplies.
- b. Ability of Commonwealth Government to pay for relief supplies.
- c. Request of the Commonwealth for one hundred million dollar aid from UNRRA.

(Council IV Document 6, C(46)5)

ITEM 12. Consideration of the Administration's problem arising from food shortages. (Council IV Document 12, C(46)9)

ITEM 13. Council business relating to the adjournment of the Fourth Session of the Council.

R E S T R I C T E D

COUNCIL IV Document 13
C(46)10
11 March 1946

Explanation of Revised Provisional Agenda
for the Fourth Session of the Council of the
UNITED NATIONS RELIEF AND REHABILITATION ADMINISTRATION

- ITEM 1. The procedure governing the Council business at the opening of each Council Session is described in the Rules of Procedure, particularly Article I, VI, VIII, and IX. (Compilation of the Resolutions on Policy, pp. 93-100).
- ITEM 2. Article IV of the Agreement provides that the Director General shall make periodic reports to the Central Committee and to the Council covering the progress of the Administration activities. The reports of the Director General at the Fourth Council Session will consist of two separate reports, the first covering the period between 1 July and 30 September 1945, (Council IV Document 7, DGR-6), the second covering the period between 1 October and 31 December 1945. (Council IV Document 8, DGR-7). The major operations during January and February 1946 are reported in the Director General's message prefacing the Fourth Quarter Report, 1945.
- Representatives of member governments will have an opportunity to discuss the activities and the developments covered in the Director General's reports.
- ITEM 3. Resolution 71 passed by the Third Session of the Council authorized the Administration to care for displaced persons of United Nations nationality in ex-enemy territory irrespective of whether the government of which such persons are nationals, consents to such assistance. The resolution provides that the authority granted therein shall be reviewed at the end of six months after the termination of the Third Session. A Subcommittee of the Central Committee is studying this question now in preparation for its review by the Central Committee and the Council.
- ITEM 4. This item is concerned with those displaced persons who cannot or do not desire to be returned to their countries of former nationality or former residence and who are entitled to UNRRA care for a temporary period. It is believed that the Council will wish to consider at this Session when and under what conditions this period of temporary care shall be terminated and whether arrangements should be made for the transfer of UNRRA responsibility to other organizations.

One special problem which the Council may wish to consider under this item concerns the Administration policy with respect to persons who were originally displaced during the war and who have moved across national frontiers since the cessation of hostilities.

-2-

Resolutions relating to refugees and displaced persons, adopted by the General Assembly and the Economic and Social Council of the United Nations have been circulated for information. (Council IV Document 11, C(46)8)

- ITEM 5. Under Resolution 46, the Administration has been authorized under certain conditions to assist displaced persons located in United Nations territories which had never been occupied by the enemy. This authority has been applicable only to "stateless" persons or nationals of the United Nations; it has not covered the class of ex-enemy nationals who are included in Resolutions 57 and 60, - namely, those persons who have been displaced by action of the enemy because of race, religion or activities in favor of the United Nations. It is believed that the Council will wish to consider whether this group of "friendly ex-enemy nationals" should be eligible for assistance on the same basis as the other displaced persons for whom the Administration has responsibility. (Council IV Document 10, C(46)7)
- ITEM 6. The International Sanitary Convention, 1944, and the International Sanitary Convention for Aerial Navigation, 1944, which are now being administered by UNRRA, will expire on 15 July 1946 unless prolonged by the signatory governments. The United States Government has proposed that the signatory governments empower their representatives at Atlantic City to sign protocols prolonging the Sanitary Conventions. In the event such protocols are signed, the Administration will be requested to continue to perform its functions under the conventions until such time as a new health organization is established, but, in any event, not later than 31 December 1946.
- ITEM 7. Resolution 78 provides that the Administration shall take certain remedial measures, such that the Council will be assured that the accounts of the Administration are satisfactory. The report of the Committee on Financial Control relating to these matters has been distributed to the Council members. (Council IV Document 5 CFC(46)22)
- ITEM 8. At its First Session, the General Assembly of the United Nations adopted a resolution which provides inter alia that the United Nations Relief and Rehabilitation Administration should provide the General Assembly with full periodic reports on the work of the Administration and on the progress toward economic rehabilitation in the countries being assisted by UNRRA. It is believed the Council will wish to consider and take appropriate action on this request. (Council IV Document 9, C(946)6)

R E S T R I C T E D

COUNCIL IV Document 13
C(46)10
11 March 1946

-3-

- ITEM 9. Article II of the UNRRA Agreement provides that the members of the United Nations Relief and Rehabilitation Administration shall be the governments or authorities signatory of the agreement and such other governments or authorities as may upon application for membership be admitted thereto by the Council. The Government of Albania submitted its application for membership on September 8, 1945. (Council IV Document 4, C(46)4)
- ITEM 10. The Australian Government has requested that the Council enlarge the Central Committee to include Australia, Brazil and another European country. This proposal would require for its adoption an amendment to Article III, paragraph 3, of the UNRRA Agreement. (Council IV Document 2, C(46)2)
- ITEM 11. The Government of the Philippine Commonwealth has requested the inclusion of these topics in the Agenda. (Council IV Document 6, C(46)5)
- ITEM 12. The Director General has transmitted to the Council members for the United States, United Kingdom and Canada, a request by the member for Poland that these governments, which are members of the Combined Food Board, present to the Fourth Session all relevant facts with respect to the world food situation, including proposed allocations of food to the various claimants. (Council IV Document 12, C(46)9)
- ITEM 13. This item includes all actions necessary or appropriate to the adjournment of the Session.

INDEXED

9a 16

ACTION COPY

INCOMING CABLE

(28)

JW.

D.G.

Action: Office of the
General Counsel.
Mr. D. Ward.

WASHINGTON.....TO.....LONDON.

No. 2347.

Dated. 13th. March. 1946.

En clair.

Rec'd. 13th. March. 1946.
21. 30 hrs.

16/19 28

Ward from Davidson.

Your 2277 Director General is bringing question of Post hostilities refugees before council as you suggested. After talking with Aickin believe we have complete meeting of minds on this subject. Believe misunderstanding arose in that I now gather you were proposing separate treatment for Jews simply as Administrative matter whereas we were attempting to ascertain basis on which you would distinguish them as matter of policy under the resolutions. Aickin will write you further.

YH/LJ

REC'D Ex Regy - 17 MAR 1946

URGENT & IMPORTANT

TR38 78 SHR UNRRA 13 MAR 420P

ADVANCE ACTION COPY

UNCHECKED

2347 WARD FROM DAVIDSON

see attached

YOUR 2277 DIRECTOR GENERAL IS BRINGING QUESTION OF POST HOSTILITIES REFUGEES BEFORE COUNCIL AS YOU SUGGESTED. AFTER TALKING WITH AICKIN BELIEVE WE HAVE COMPLETE MEETING OF MINDS ON THIS SUBJECT. BELIEVE MISUNDERSTANDING AROSE IN THAT I NOW GATHER YOU WERE PROPOSING SEPARATE TREATMENT FOR JEWS SIMPLY AS ADMINISTRATIVE MATTER WHEREAS WE WERE ATTEMPTING TO ASCERTAIN BASIS ON WHICH YOU WOULD DISTINGUISH THEM AS MATTER OF POLICY UNDER THE RESOLUTIONS. AICKIN WILL WRITE YOU FURTHER

422P

No Action Necessary

Set

14th March '46

Action Mr D. Ward.

13 MAR 1946

Orig WR 36.

Da 16

INDEXED

27

INCOMING CABLE

WR 36
LP 8001 III
WR 108

ACTION: RS DEPT
WR DIV
MISS RADIN

WASHINGTON.....TO.....LONDON

No. 1964

Dated: 6th March 1946
Rec'd: 6th March 1946
21.47 hrs.

-
1. Request you cable data showing progressively by months August through January number of Assembly Centres in each zone Germany and Austria UNRRA has assumed responsibility for operating.
 2. Your 2350 paragraph 2A on Austria refers to proposed screening by military; subcommittee wishes to know whether ineligibles referred to are now in UNRRA camps.

No 25

YH/ID

0449
OFF 301
2616.

26

INCOMING CABLE.

DG

Action: Office of General
Council.
Mr. Dudley Ward.
Copy: Mr. Van Kynning.

ROME.....TO.....LONDON

No. 570

Dated: 4th March 1946.

Rec'd: 12.15 hours
4th March 1946.

Ward from Franklin.

X

Re your cable London to Rome 422 concerning collaborators. Subject to your approval following text has been submitted to AFHQ to modify Article two paragraphs (2) and (3) of the final draft of DP agreement:

"(2) Subject to the provisions of (3) it will be the function of UNRRA to determine which displaced persons fall within the categories eligible for UNRRA assistance. At any time before or after the transfer of responsibility for displaced persons to UNRRA, Sacmed will, on the request of UNRRA, assist in establishing the eligibility for UNRRA assistance of displaced persons. Persons shown at any time to be ineligible for UNRRA assistance will be the responsibility of Sacmed and will be removed by Sacmed from UNRRA camps and installations, provided that such persons were registered in displaced persons camps and installations on the effective date of this agreement. However, this qualification does not apply in regard to persons subject to the provisions of (3).

"(3) Both before and after the effective date of this agreement Sacmed retains exclusive responsibility to determine the persons who may be subject to detention in the custody of the Military or Civilian authorities of any of the United Nations on charges of having collaborated with the enemy or having committed other crimes against the interests or nationals of the United Nations, and to remove such persons from displaced persons camps and other installations. Persons determined by Sacmed to be subject to such detention and removed by him from UNRRA camps and installations become ineligible for further UNRRA care whether or not they are retained in the custody of Military or Civilian authorities".

Plan to visit Greek Mission by March tenth if you inform me that State of AFHQ transaction justifies departure from Rome.

X Originated by WR DIV.

Da 16
copy DP 105

(2004)

25

23rd February, 1946

Dr. Manfred Simon,
UNRRA Central Headquarters for Germany,
AORISEN.

My dear Simon,

Mr. Dudley Ward has asked me to reply direct to your memorandum of 13th February concerning Austrian displaced persons.

Although I agree that resolution 74 is not altogether clear on the position of displaced Austrians outside Austria, we have a clear ruling from Washington that we are not authorised to take care of Austrian displaced persons outside Austria, except where they would be regarded as intruders in liberated territory, and we are therefore not authorised to take care of Austrian citizens displaced in Germany.

I agree with the statement in your paragraph 4 that it would be logical and justified for us to be authorised to care for displaced Austrians and with this thought in mind we have asked Washington to include on the Council Agenda for the Meeting next month a resolution authorising care for displaced Austrians in the same way as for United Nations nationals, since it seemed anomalous that Austrians should be worse off than Italians in this respect.

Until the Council has acted on this matter we must continue on the present interpretation of resolution 74, namely that we cannot care for Austrian displaced persons. This policy is contained in the Displaced Persons Directives, see Directive No. 2, paragraph 9.

With kind regards,

Yours sincerely,

K. A. Aikin.

DESPATCHED BY

23/2/46

Second Copy on File DP 105 Vol. II.

OUTFILE

Orig DP.
copy Da 16
" Da 16/1

24

OUTGOING CABLE

WR

Originated by: R.S. Dept.
Welfare & Repatriation
Division.
Mr. Radin.

LONDON.....TO.....WASHINGTON

No. 2350
En Clair

D. 23rd February 1946.

TOP PRIORITY.

No (17)

Your 1092 Presiding.

Following is based on information ERO and received telephone from Austria and Germany. Information pertinent Austria and Germany itemised separately using your outline numbering.

FOR AUSTRIA

(1) (a) Information as at 1st February Liaison Officers all countries by zones.

	<u>Total</u>	<u>British</u>	<u>American</u>	<u>French</u>
British	1	-	1	-
Czech	3	1	2	-
French	4	1	2	1
Greek	1	-	1	-
Hungarian	2	-	1	1
Dutch	1	-	1	-
Polish	5	1	4	-
Roumanian	3	-	2	1
Swiss	1	-	1	-
U.S.S.R.	4	1	2	1
Jugoslav	5	-	4	1
	<u>30</u>	<u>4</u>	<u>21</u>	<u>5</u>

- (b) All Liaison Officers are accredited to the Military not, repeat not, to UNRRA. London Poles and Royalist Jugoslavs not approved by their Governments but approved by Military. We are informed Warsaw Government agrees to London Poles since they are unable to provide their own representatives. No information regarding attitude of Yugoslav Government on Royalist representatives.
- (c) Information indicates 2 London Poles and 2 Royalist Yugoslav National Liaison Officers in American Zone and none in other Zones. Informed additional Polish and Yugoslav representatives not, repeat not, on Military list have access to UNRRA camps. UNRRA has requested review of these representatives by the Military.
- (d) Refer to (b) above.
- (e) Following information from CHQ not, repeat not, from Military Authorities, that Team Directors and other Field Personnel report activities of London Pole representatives and Polish Red Cross and Royalist Yugoslav representatives impeding repatriation. CHQ has requested specific information from Military.

- 8416 -
- (2) (a) Situation involves not only repatriation but also borderline eligibles. Military estimated in December repatriation approximately 10,000 month until static population reached. UNRRA American Zone Director estimates 8,000 ineligibles to be removed by Military screening next 3 months including ex-enemy, Volksdeutsche, German Balts and Collaborators. French Zone Director estimates 3,000 ineligibles will be removed by screening. No information British Zone. Repatriation depends on availability Military transport. Military committed through June to transportation of over two hundred thousand ex-enemy nationals out of Austria which may delay movement of repatriables.
- (b) Estimate 1st February Displaced Persons receiving UNRRA assistance 1st August by Zone: British 8,000; American 12,000; French 5,000. These are mainly Yugoslavs, Poles, Ukrainians, Russian emigres, Balts and Jews awaiting entry Palestine. No specific breakdown by Nationalities available. Above figures expected to be about the same for 1st October.
- (3) UNRRA assisted 17 Displaced Persons outside Assembly Centres with food American Zone. None reported for British/French Zones. American Zone also assisted several thousand outside centres with tracing and health services by UNRRA Assembly Centres. No information available regarding actual numbers and nationalities.
- (4) Displaced Persons living outside UNRRA and/or Army Centres receive Austrian population ration scale. About 5,000 Displaced Persons American Zone receiving equivalent 2 parcels per month through May from American Red Cross.
- (5) (Inapplicable to Austria).
- (6) Information regarding ex-enemy nationals and Volksdeutsche under UNRRA care 1st February:

	<u>Total</u>	<u>British</u>	<u>American</u>	<u>French</u>
Austrian	22	17	5	-
Hungarian	211	59	5	147
Roumanian	574	78	4	492
Volksdeutsche	5290	4264	56	970

The above includes unknown number persecutees.

- (7) Information regarding Jews under UNRRA care all Zones 1st February: British 1028; American 4647; French 200. Majority British Zone Polish nationality. Among their numbers American Zone estimates 1498 stateless; 624 Polish; 42 Hungarian; 39 Roumanian; 38 Czech. No information regarding nationality French Zone.

Information total number Jews by Zones: estimated American Zone 7100; French Zone 600; British Zone no information.

/FOR GERMANY

FOR GERMANY1. (a) Liaison Officers, Germany, as of 1st February 1946.

	<u>Total</u>	<u>British Zone</u>	<u>U.S. Zone</u>	<u>French Zone</u>
Total	529	303	159	67
Belgian	37	19	12	6
Czech	24	10	11	3
Danish	2	1	1	-
French	46	27	19	-
Greek	2	1	1	-
Italian	10	5	3	2
Dutch	40	26	11	3
Norwegian	9	7	2	-
Polish	273	169	63	41
U.S.S.R.	64	29	28	7
Yugoslav	22	9	8	5

1. (b) So far as is known by Central Headquarters, Germany, all official Yugoslav Liaison Officers have been approved by Tito Government. Re Polish Liaison Officers, USFET on 25th October issued Directive with agreement of Chief London Liaison Officer and Chief Warsaw Liaison Officer establishing terms of reference for 2 groups, assigning London Polish personnel to Welfare activities and Warsaw personnel repatriation activities. Following is breakdown:

	<u>British Zone</u>	<u>U.S. Zone</u>	<u>French Zone</u>
Warsaw Liaison Officers	21	25	10
London Polish Liaison Officers	143	38	21

1. (c) Answered in 1(b) above.

1. (d) There are no officially accredited Royalist Yugoslav Liaison Officers in Germany.

1. (e) Germany has no specific instances which have been officially reported although unofficial verbal reports have been made. Teams have been asked to report such activities to Central Headquarters.

2. (a) Monthly rate of repatriation at present uncertain because of factors, such as transportation difficulties, variation of attitudes towards return, etc. The following rate is anticipated in the 3 Zones, based on the assumption that 70% of the Poles will return from British and American Zones and that 20,000 of the 47,000 will return from the French Zones:

	<u>British Zone</u>	<u>U.S. Zone</u>	<u>French Zone</u>
March	25,000	15,000	20,000
April	75,000	40,000	20,000
May and early June	135,000	60,000	20,000

/2. (b) Estimate

2. (b) Estimate of numbers receiving assistance August, 1946:

	<u>British Zone</u>	<u>U.S. Zone</u>	<u>French Zone</u>
Balts	65,000	80,000	5,000
Poles	100,000	50,000	20,000
Jews	15,000	35,000)	
Yugoslavs	10,000	5,000)	5,000
Miscellaneous	20,000	30,000)	

Estimate of numbers receiving assistance October, 1946:-

	<u>British Zone</u>	<u>U.S. Zone</u>	<u>French Zone</u>
Poles	90,000	45,000	15,000
Miscellaneous	10,000	25,000	

Remainder practically static.

These figures are based on the assumption that the figure of Jews will not increase. If the present rate of increase continues there would be 55,000 Jews in American Zone by August 1946 and 60,000 by October 1946.

- UNRRA is assisting Displaced Persons living outside Assembly Centres in all 3 Zones. There are no figures in the British Zone and an incomplete figure of 18,000 in the U.S. Zone. The estimate in the French Zone is 5,000. No nationality breakdown is available. This assistance takes the form of supplementary food rations, clothing, medical care and welfare services.
- Displaced Persons not receiving UNRRA assistance in British and French Zones are treated as eligible Displaced Persons, and are given the same ration as Displaced Persons in camps receiving UNRRA assistance. In the U.S. Zone, United Nations Displaced Persons are treated as part of the German population if not in Assembly Centres, except for the persecuted groups which are given a supplementary ration.
- Arolsen 31st January report corrects previous figure to 83,315, other than undetermined. Figures quoted below come from camp reports and are not yet categorised uniformly, but effort is being made to interpret terms used so that report will become increasingly uniform and accurate; for example, the so-called Ukrainians listed below will eventually be classified under U.S.S.R., Polish or Hungarian. Same with many other nationalities listed. This figure for Jews is not, repeat not, the total figure, which is given in paragraph 7:-

Albanians	15	Roumanians	3,046
So-called Armenians	1,608	So-called Serbs	14
Arabs	5	So-called Stateless	20,197
Austrians	978	So-called Ukrainians	11,999
Bulgarians	52	South and Central	
Chinese	10	America	535
Egyptians	5	Spanish	277
Finns	76	Swedes	31
German Jews	839	Swiss	253
Hungarians	2,946	Turks	830
Iranians	56	U.S.A.	778
Jews other than		U.K.	204
German	26,355	Unknown	11,139
Palestinians	61	Lebanese	6

5.

6. Ex-enemy nationals under UNRRA care:-

	<u>British Zone</u>	<u>U.S. Zone</u>	<u>French Zone</u>
Hungarians	1,563	318	1,065
Rumanians	1,895	787	364
Bulgarians	30	22	-
Austrians	223	16	769

The persons listed above are primarily either Jewish or former victims of concentration camps. A few may not be eligible, but these are being screened out by the Military at present time.

7. (a) The following figures on Jews in Germany are summary figures presented by UNRRA and Military to Anglo-American Commission of Enquiry. In camps (including Berlin camps) British 11,722, U.S. 33,373, French 1,100. In Communities (excluding Berlin), British 7,000, U.S. 17,274, French 700. In Berlin Community, all Zones 7,800. Total of all Jews in camps and communities 78,967.

7. (b) No breakdown available by nationality for U.S. Zone, French Zone and Berlin. Best estimate available of total number of German Jews 15 to 20,000. In British Zone nationality breakdown of Jews as follows:

Poles	12,769	Germans	3,100	Czechs	115
Hungarians	852	Austrians	153	Latvians	64
Palestinians	31	Rumanians	1,319	U.S.	1
Lithuanians	54	So-called Stateless	264		

7. (c) Only figures regarding Jews receiving assistance from UNRRA is 46,000 in camps and unknown number in communities. However AJDC working under UNRRA auspices assisting great many Jews in communities and it is safe to estimate that between 80/90% are being assisted by UNRRA either directly or through voluntary agencies.

8. Not applicable to Germany.

9. Incident of Royal Yugoslavs referred to took place in Luitpolz Caserne Munich. UNRRA team had been withdrawn in early December before incident occurred and camp maintained as Army camp without UNRRA personnel. Therefore UNRRA not repeat not involved.

FOR ITALY

Your point 8.

UNRRA Italy assisting only non-Italian Displaced Persons who are eligible for and apply for UNRRA care. Total number of non-Italian Displaced Persons in Italy includes those who have not applied, who are ineligible for UNRRA care and who are receiving care from Military. Figures from Italy as at 31st January give 41,418 assisted by UNRRA of whom 24,270 are in camps and 17,148 are receiving outside assistance. Estimates of additional 85,000 non-Italian Displaced Persons include:-

/Jugoslavs

Jugoslavs	52,000
French	7,600
Greek	6,600
British	4,200
U.S.A.	1,500
Czechs	1,400
Soviets	1,400
Dutch	1,300
Palestinians	1,100
Albanians	1,000
Belgians	1,000
Ex-enemy	4,600
Neutrals	1,300

SEPARATE SUBJECT:

General Morgan urges and we agree that we cannot emphasize too strongly that problem of Liaison Officers is entirely a Military responsibility. Further we would like to call attention to the fact that estimates and projections given above must not repeat not be considered as sound basis for agreed planning since many levels involved. E.R.O. is following up on points raised in reports which need action by UNRRA.

P/IGT.

INDEXED

DC 16

ACTION

COPY

INCOMING CABLE

DG.

28

ACTION: R.S.DEPT
W.R. DIV.
MR.VAN HYNINGMUNICH.....TO.....LONDON (via 3rd U.S. Army
GNMCSU-2-22)

Ref. No.F-8402

[EN CLAIR]

Dated : 22nd Feb.1946
Rec'd : 23rd Feb.1946
09.45 hrs.URGENT FROM WHITING.

Reference your 041815*. Request clarification, as it seems imperative UNRRA policies regarding displaced persons should correspond with Military Directives. UNRRA can not be placed in position of accepting for care displaced persons who are not eligible under military interpretation, as UNRRA dependant upon Army for accommodations, supplies, and so forth.

Specifically, your Para.2 conflicts with existing Army instructions, which state that displaced persons other than persecutees returning voluntarily to Germany after repatriation lose status as United Nations displaced persons. Military Government Law 161 is to be applied judiciously.

If Para.2 represents UNRRA policy, it conflicts with this law. Since whole matter of determination of eligibility of displaced persons is under continuing consideration from military, recommend that future messages relating to this aspect of displaced persons operations be sent in restricted category, and not unclassified.

* Reference not traced.

C/EMB

Contents noted
No action
needed at
present

Rel Ex Reg. 12 6 FEB 1946

RKRadin
4/3/46

INDEXED

orig DP 8.
copy 04 16

22

INCOMING CABLE

DP 8002 II

Action: Dept. R. S.
Div. W. R.
Mr. Van Hyning.

WASHINGTON.....TO.....LONDON.

No. 1267

Dated: 22nd February .1946

Rec'd 22.08 hours
22nd February 1946.

2
Your 2192, Agree with your position as stated in paragraph 1 which is in accord with our stated policy and pleased with your cable to the field.

AM/PW

Rec'd Exec. Reay.

8.3.46.

INDEXED

D916,

21

INCOMING CABLE

ACTION: R.S. Dept.
W & R. Division
Mr. Van Hyning.

VIENNA.....TO.....LONDON

No. Unnumbered (pending enquiry)
En Clair

D. 22nd February 1946
R. 23rd February 1946
09.25 hours

MOST IMMEDIATE.

Reply to questions Van Hyning telephoned 21st February.

1. Number of Liaison Officers each zone by Nationality cabled our 107 M.
2. They are not repeat not all appointed by and accredited to present Governments. See our 107.
3. London Poles and King Peter Yugoslavs have been accredited by Military and not by present Governments. Understand Warsaw Government agreed to London Polish Representation as unable themselves to supply up to this time adequate Polish Representation.
4. Attitude of Liaison Officers representing exiled Governments sometimes unsympathetic to recognised Governments often freely expressed among Displaced Persons and encourages possible desire to return home.
5. Military elements committed through June to transportation out of Austria of over 200,000 ex-enemy nationals so that any movement of other large groups would present difficulties. American Zone Director estimates approximately 8,000 D.P's will be removed from UNRRA assisted camps within next 3 months. French Zone Director estimates some 3,000 D.P's can be removed by careful screening in next 3 months. These figures must be qualified by new admissions to camps and the efficacy of Military screening. This of course is not repatriation but reclassification due to screening of Volksdeutsche German Balts and Collaborators and others. Repatriation of United Nations D.P's at this time is on a very small scale.
6. Presently removing all Volksdeutsche German Balts Collaborators from D.P. Camps assisted by UNRRA. We are setting target date of August 1st for completing all possible repatriation. However this repatriation is dependent on many factors over which we have no control for example see 4 above. Estimate approximate number of non-repatriables to be left in UNRRA assisted camps August 1st will be French Zone 5,000, American Zone 12,000, British Zone 8,000 mainly Yugoslavs, Poles, Jews wishing to go to Palestine, Ukrainians, Russian Emigres and Balts. I am prepared to present proposals for disposition of non-repatriable persons remaining August 1st during my visit to London.
7. UNRRA not aiding D.P's outside Assembly Centres with material assistance except 17 reported for American Zone Area I end of January. None in French and British Zones, American Zone has assisted several thousand outside Centres with Tracing Services and Health Services from D.P. Assembly Centres. Only material assistance outside camps is American Red Cross in American Zone Area where about 5,000 (about 5,000) received equivalent of 6 parcels per person during past 3 months. Parcels available for this number two parcels per month through May.

/8. D.P's

8.. D.P's outside UNRRA Centres receive only Austrian ration scale except Red Cross parcels mentioned in Item 7.

9. Displaced Persons ex-enemy nationality 31st January in camps in which UNRRA participates as follows total 861, American Zone, total 14 Austria 5, Hungary 5, Roumania 4. British Zone total 200, Austria 17, Bulgaria 28, Germany 18, Hungary 59, Roumania 78, French Zone total 647, Bulgaria 8, Hungary 147, Roumania 492. In addition to those classified from ex-enemy countries are Volksdeutsche from various countries total 5195 - American Zone 56, British Zone 4169, French Zone 970. Also in addition are Sudetens total 95, all in British Zone. No information about character conflict between figures paragraph 9 and those in paragraph 5 due to present classification and screening programmes.

10. Jews in UNRRA D.P Camps end of January total 5875. French Zone approximately 200, American Zone total 4647, of whom 1498 classified as Stateless, 2406 not specified, 624 Polish, 42 Hungarian 39 Roumanian, 38 Czech, others from U.S., Belgium, France, Germany, Greece, Latvia, Palestine, British Zone total 1028 majority Polish. Zone totals in and out of Camps French Zone about 600, American Zone 7100, British Zone not known.

11. I should like to make it clear that figures in paragraphs 5 and 6 above are only estimates and subject to many variables. These are the best we can produce on this short notice.

12. In addition to Telcon with Van Hynning re question on figures in our 107. Figures in 107 based on available Military Reports at that time. Figures in this cable largely based upon UNRRA returns and relate primarily to UNRRA assisted centres not to the overall situation covered in our 107.

* Vienna to London 290

Repeated Washington 107

Assigned 'OA'

M/IGT

NOTHING TO BE WRITTEN IN THIS MARGIN.

Registry
No.

DWG

Office General Counsel
22 FEB 1946

29

Despatched

20 2 4 M.

Draft.

Davidson from Ward

My immediately preceding telegram.

Telegram.

WASHINGTON

NO. 2278

Originated by

Mr. Dudley Ward

22nd February 1946.

Signed by Mr. Giddens

22 FEB 1946

1. We have since learnt what we believe to be attitude of H.M.G. Representatives on these questions. This is as follows:

2. In their view there is no basis in resolutions for post hostility refugees being admitted to UNRRA care on ground of internal displacement during war. On other hand Government of country receiving full UNRRA relief would be entitled, if it so requests, to receive UNRRA supplies and services for care of post hostility refugees whom it may itself have admitted into its territory.

In other words UNRRA might, if requested, assist post hostility refugees, e.g. in Italy but not in Germany.

3. This standpoint, it would appear, covers not only other categories but also Jews, who in U.K. view should ^{in general} be regarded in same way as other nationals of their country of origin.

4. Our view of Jewish problem is set out in paragraphs 4 and 5 of my immediately preceding telegram.

5. As regards other categories U.K. thesis would solve only part of problem since, as has been said above UNRRA would be precluded in Germany from receiving post hostility refugees.

6. In countries receiving UNRRA relief there would seem little harm in Government devoting to post hostility refugees within its boundaries part of supplies received from UNRRA since each country now receives fixed financial allocation.

7. With regard to services position is different.

checked corr. - Mf.

In/

In our view so long as there is no resolution explicitly authorising us to do so we should be well advised, if requested by the government concerned to take over camps for post hostility refugees, to refuse and so avoid being implicated in political issues which are not UHRA's concern. We should however be prepared to provide UHRA services to fill gaps in other relief activities caused by diversion of indigenous relief workers to care of post hostility refugees.

OWand

NOTHING TO BE WRITTEN IN THIS MARGIN.

D416

OUTGOING CABLE.

W.R.

ORIGINATED BY: OFFICE GENERAL
COUNCIL
MR. DUDLEY WARD

LONDON.....TO.....WASHINGTON

NO. 2278
(EN CLAIR)

DATED: 22nd February, 1946
20.25 hours.

Davidson from Ward.

My immediately preceding telegram.

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MG/EB

Registry
No.

DG 16.

Draft.

Telegram.

UNRRA LONDON

TO
UNRRA WASHINGTON

DATE

NO.

EN CLAIR

(Dudley Ward

21.2.46.)

NOTHING TO BE WRITTEN IN THIS MARGIN.

agust 21/2/46

22 FEB 1946

checked corr
wif.

Office of General Counsel 1900
Mr. Dudley Ward
22 FEB 1946

OUT FILE

19

Despatched 2016 M.

DAVIDSON FROM WARD.

YOUR 799. — No 16

1. HAVE NOW RECEIVED CENTRAL COMMITTEE DOCUMENT.
2. REGRET YOU SHOULD HAVE MISUNDERSTOOD OUR POSITION. THIS MATTER HAD NOT BEEN DISCUSSED WITH ROBERTSON. HE WAS UNAWARE OF OUR VIEWS AND COULD HAVE EXPRESSED ONLY ~~A~~ PERSONAL OPINION ^{as also did van Hynning.}
3. WE ARE CONSCIOUS OF ~~THE~~ DIFFICULTY OF DEALING WITH JEWISH REFUGEES IF INTERNAL DISPLACEMENT IS REJECTED AS CRITERION OF ELIGIBILITY.
4. HOWEVER WE SHOULD PREFER TO TREAT JEWS AS AN ENTIRELY SEPARATE PROBLEM RATHER THAN TO ATTEMPT TO JUSTIFY THEIR RECEPTION BY RELIANCE ON WHAT IN OUR VIEW IS A DOUBTFUL INTERPRETATION OF THE RESOLUTIONS.
5. AS THE JEWISH QUESTION IS SUI GENERIS IT ^{could, in our view,} ~~CAN~~ BE TREATED SEPARATELY FROM THAT OF POLITICAL REFUGEES. CARE OF JEWISH REFUGEES IS A SOUND ADMINISTRATIVE DECISION WHICH, ^{we believe} ~~IN OUR VIEW~~, WOULD RECEIVE THE APPROVAL OF ~~THE~~ CENTRAL COMMITTEE AND OF ~~THE~~ COUNCIL, WHILE TO ^{such care} JUSTIFY ~~IF~~ BY THE SAME INTERPRETATION OF THE RESOLUTIONS UNDER WHICH IT IS SUGGESTED THAT CARE MAY BE GIVEN TO POLITICAL REFUGEES RISKS INVOLVING THE JEWS IN THE CONTROVERSY WHICH MAY VERY WELL ARISE OVER ~~THE QUESTION~~ ~~OF~~ POLITICAL REFUGEES.
6. IN ~~THE~~ UNO DELIBERATIONS ~~THE~~ SPECIAL CASE OF THE JEWS WAS EXPLICITLY RECOGNISED BY THE YUGOSLAV DELEGATE ^{& others} AND WE BELIEVE THAT A STRAIGHT RESOLUTION ON THIS MATTER WOULD BE FAVOURABLE RECEIVED BY THE COUNCIL.

/7. POSTWAR...

PTO

↓ P 10

7. POSTWAR NON-JEWISH REFUGEE PROBLEM APPEARS TO US MORE REAL AND MORE IMMEDIATE THAN YOUR TELEGRAM SUGGESTS. APART FROM ~~the~~ HIGH PERCENTAGE OF POSTWAR REFUGEES IN ITALY, FOR WHICH SEE OUR CABLE NO. 1675 - No 13 THERE ARE ALSO ~~a~~ GREAT NUMBER OF POLITICAL REFUGEES IN AUSTRIA. FURTHERMORE ~~we~~ WE HAVE BEEN ASKED BY ~~the~~ ^{Greek} GOVERNMENT TO ASSIST IN ~~the~~ CARE OF POSTWAR REFUGEES FROM ~~CZECHOSLOVAKIA~~ ^{Yugoslavia} AND ALBANIA.

8. IT IS OF COURSE FOR YOU TO DECIDE WHETHER REFERENCE TO CENTRAL COMMITTEE WITHOUT REQUESTING SPECIFIC AUTHORITY IS SUFFICIENT PROTECTION AGAINST POLITICAL REPERCUSSIONS AND WHAT PERIOD IS TO BE ALLOWED FOR COMMENT BY MEMBERS OF ~~the~~ COMMITTEE. WE AWAIT YOUR INSTRUCTIONS AS TO WHETHER AND IF SO WHEN WE SHOULD ISSUE INSTRUCTIONS TO THE FIELD.

9. IN THIS CONNECTION YOU WILL REMEMBER THAT IN INSTRUCTING GERMANY, AUSTRIA AND CZECHOSLOVAKIA AS TO THE ADMISSION OF JEWISH REFUGEES WE DID NOT EXPLAIN THE ARGUMENT FROM THE RESOLUTIONS ON WHICH ~~this~~ ^{instruction} WAS BASED.

10. IF ~~a~~ DIRECTIVE IS NOW ISSUED FOR ~~the~~ ADMISSION OF OTHER POSTWAR REFUGEES IT WILL BE NECESSARY TO EXPLAIN ~~the~~ BASIS FOR ADMISSION ^{since} ORAL EVIDENCE OF INTERNAL DISPLACEMENT HAS TO BE OBTAINED.

11. AT PRESENT INSTRUCTIONS REGARDING JEWS HAVE BEEN ISSUED ONLY TO GERMANY, AUSTRIA AND CZECHOSLOVAKIA AS WE UNDERSTOOD FROM PARA 9 OF YOUR TELEGRAM NO. 8855 THAT YOU WERE SENDING SEPARATE TELEGRAM ON OTHER AREAS. PLEASE CONFIRM THAT WE MAY ISSUE INSTRUCTIONS ON JEWS TO OTHER AREAS.

12. PLEASE BE ASSURED THAT WE ARE NOT OPPOSING ~~the~~ ADMISSION OF POSTWAR REFUGEES IN ITSELF, WHICH MAY BE NECESSARY IN VIEW OF DEVELOPMENTS NOT CONTEMPLATED WHEN ~~the~~ RESOLUTIONS WERE ORIGINALLY APPROVED. WE ARE HOWEVER SERIOUSLY CONCERNED THAT ~~a~~ POLICY SO DIFFERENT FROM THAT ORIGINALLY CONTEMPLATED BY ~~the~~

NOTHING TO BE WRITTEN IN THIS MARGIN.

Registry
No.

- 3 -

Despatched

M.

Draft.

Telegram.

COUNCIL SHOULD BE ADOPTED WITHOUT ~~THE~~ EXPLICIT
APPROVAL OF ~~THE~~ COUNCIL AND FURTHER, AS STATED IN
PARA. 5 ABOVE, WE ARE CONCERNED LEST ~~THE~~ JEWISH
ISSUE SHOULD BE PREJUDICED BY CONTROVERSY OVER
POLITICAL REFUGEES.

P. Wand

NOTHING TO BE WRITTEN IN THIS MARGIN.

OUTGOING CABLE

ORIGINATED BY: OFFICE OF GENERAL COUNSEL
MR. DUDLEY WARD.

LONDON TO WASHINGTON.

No. 2277

Dated: 22nd Feb, 1946
D. 20.16 hrs.

[EN CLAIR]

Davidson from Ward.

Your 799.

1. Have now received Central Committee Document.
2. Regret you should have misunderstood our position. This matter had not been discussed with Robertson. He was unaware of our views and could have expressed only personal opinion, as also did Van Hyming.
3. We are conscious of difficulty of dealing with Jewish refugees if internal displacement is rejected as criterion of eligibility.
4. However we should prefer to treat Jews as an entirely separate problem rather than to attempt to justify their reception by reliance on what in our view is a doubtful interpretation of the resolutions.
5. As the Jewish question is SUI GENERIS it could, in our view, be treated separately from that of political refugees. Care of Jewish refugees is a sound administrative decision which, we believe, would receive approval of Central Committee and of Council, while to justify such care by the same interpretation of the resolutions under which it is suggested that care may be given to political refugees risks involving the Jews in the controversy which may very well arise over political refugees.
6. In UNO deliberations, special case of the Jews was explicitly recognised by the Yugoslav delegates and others and we believe that a straight resolution on this matter would be favourably received by the Council.
7. Postwar non-Jewish refugee problem appears to us more real and more immediate than your telegram suggests. Apart from high percentage of postwar refugees in Italy, for which see our cable No. 1675 there are also great number of political refugees in Austria. Furthermore we have been asked by Greek Government to assist in care of postwar refugees from Yugoslavia and Albania.

(2)

8. It is of course for you to decide whether reference to Central Committee without requesting specific authority is sufficient protection against political repercussions and what period is to be allowed for comment by members of Committee. We await your instructions as to whether and if so when we should issue instructions to the field.

9. In this connection you will remember that in instructing Germany, Austria and Czechoslovakia as to the admission of Jewish refugees we did not explain the argument from the resolutions on which instruction was based.

10. If directive is now issued for admission of other postwar refugees it will be necessary to explain basis for admission since oral evidence of internal displacement has not been obtained.

11. At present instructions regarding Jews have been issued only to Germany, Austria and Czechoslovakia as we understood from para. 9 of your telegram No. 8855 that you were sending separate telegram on other areas. Please confirm that we may issue instructions on Jews to other areas.

12. Please be assured that we are not opposing admission of postwar refugees in itself, which may be necessary in view of developments not contemplated when resolutions were originally approved. We are however seriously concerned that policy so different from that originally contemplated by Council should be adopted without explicit approval of Council and further, as stated in para. 5 above, we are concerned lest Jewish issue should be prejudiced by controversy over political refugees.

MG/AD

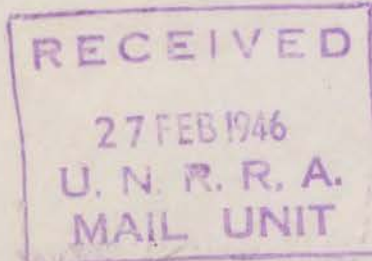
INDEXED

16 A1065

UNITED NATIONS
RELIEF AND REHABILITATION ADMINISTRATION

1344 CONNECTICUT AVENUE
WASHINGTON 25, D. C.

VIA AIR MAIL



21 FEB 1946

Mr. Dudley Ward
UNRRA
European Regional Office
11 Portland Place
London W-1, England

Dear Dudley:

I am attaching a memorandum prepared by Mr. Jacobson of this office regarding the eligibility of those friendly enemy nationals who were obliged to leave their homes prior to the outbreak of the war. I have not yet reached a decision on this question and should very much appreciate receiving your views. I might say that the issue has been presented to us, particularly with respect to a group of European Jewish refugees in China who left their countries of nationality prior to 1 September 1939.

Sincerely yours,

al

Alfred E. Davidson
General Counsel

Attachment

INDEXED

89

UNITED NATIONS
RELIEF AND REHABILITATION ADMINISTRATION

1344 CONNECTICUT AVENUE
WASHINGTON 25, D. C.

MEMORANDUM.

TO : Alfred E. Davidson

FROM : Jerome J. Jacobson

14th February, 1946.

SUBJECT: Determination of date of eligibility of special category of enemy or ex-enemy nationals for UNRRA assistance.

1. Question has been raised regarding the manner of determining the eligibility of persons for UNRRA care or repatriation who would qualify as special categories of enemy or ex-enemy nationals entitled to this assistance. The question is particularly significant in view of the fact that the time test for determining eligibility of displaced persons has been fixed as of September 1st, 1939. It would appear that large numbers of persons who qualify as enemy or ex-enemy nationals entitled to assistance have been displaced prior to September 1st, 1939.

2. It should be noted that the Resolutions of the Council do not deal with enemy or ex-enemy nationals, either as displaced persons or even as former enemies. They are described as "other persons who have been obliged to leave their country or place of origin or former residence or to have been deported therefrom by action of the enemy because of race, religion or activities in favor of the United Nations..." Resolution 57 provides care and repatriation for them when found in enemy or ex-enemy areas, and Resolution 60 provides assistance for them when found in liberated territory. It is significant that the language carefully chosen to make available UNRRA assistance to them did not use the description of "displaced persons", a term consistently reserved for displaced United Nations nationals, nor were they regarded as intruded ex-enemy nationals. It would reasonably follow then that the criteria relating to displaced persons such as the showing of displacement as a result of the war, or a displacement on or after September 1st, 1939, would not apply to this special category, therefore their eligibility may stem from an earlier deportation or leaving due to the action of the enemy. This construction appears amply supported in the proceedings of the Second Session of the Council. On September 21st 1944, Mr. Acheson, the United States representative to UNRRA, introduced an amendment before the Ad Hoc Committee on Policy to extend UNRRA assistance to these special categories found within enemy or ex-enemy territory. In behalf of his resolution Mr. Acheson stated:

"This Resolution is directed particularly to those unhappy people who have been the most constant object of persecution by the enemy - that vast number of displaced persons of the Jewish race and religion who constitute one of the most

heartrending spectacles in the World.

We now come to the point where the United Nations will occupy these enemy countries and will be in control of the areas where these unhappy people are found, and the purpose of this amendment is to make it abundantly clear that, regardless of their technical nationality, they are the object of consideration by UNRRA".

At another point Mr. Acheson stated:

"That the purpose of this amendment is to make it clear that UNRRA proposes to act and not merely to sympathize".

3. At the same time that Mr. Acheson introduced his amendment, the delegate for Cuba presented a proposed draft resolution, part of which read as follows:

"In order to ensure the aid of UNRRA to Jews of enemy or ex-enemy nationality, and to other enemy or ex-enemy nationals who have been the victims of racial and religious persecution, Resolution I relating to the scope of activities of the Administration, Part I, Paragraph 3, should be supplemented at the end by the following passage:

'These restrictions (regarding relief to be given in enemy or ex-enemy areas) do not apply to the relief and rehabilitation activities of UNRRA for the benefit of Jews and other victims of racial and religious persecution in enemy or ex-enemy countries who have been subject since 1933 to discrimination and persecution by the Nazis, their allies or their satellites. Aid to these minorities should be given by UNRRA under the same principles as in the liberated areas from such time and for such purposes as may be agreed upon by the Military Command and the Administration. The financial cost of this relief shall be charged to the account of these countries to be repaid by them at some future date' ".

4. The Chairman noted at the reading of the Cuban Resolution that it covered the principle of the resolution and the amendment made by Mr. Acheson, and he signified some doubt over the priority of consideration because the two were substantively alike in effect, in connection with other procedural questions that were raised before the Committee. It appeared to be the general agreement of the Committee that the substance of the Cuban Resolution and the Acheson Resolution were identical. The Acheson amendment was subsequently considered and embodied as a part of Resolution 57.

5. Shedding further light on the intention of the Council it should be noted that when Mr. Acheson's amendment was under consideration on procedural grounds, the member for New Zealand pointed out the limitations and inadequacies of the amendment since the Resolution with which it dealt referred only to the special categories of persons who would be found in enemy or ex-enemy territory. Mr. Berendsen the representative for New Zealand stated:

"As I understand it - probably my colleague from the United States will correct me if I am wrong - as the amendment is drafted it has reference only to that particular class of person who is presently in enemy or ex-enemy territory. If that is the suggested limitation of this very proper and humanitarian proposal, then I think it would be appropriate to make the comment that perhaps most of the persons in that category who have been in enemy or ex-enemy territory are perhaps dead. If, however, the proposal is intended to cover what seems to me to be a much wider area of persons who are in that category, but are now on territory other than enemy or ex-enemy territory, then I think the question of amendment of substantive motion is one for very serious consideration".

6. Mr. Acheson concurred in these views and explained that a subsequent resolution was to be offered to provide for those people found in other territories. Following this qualifying statement, Mr. Acheson's amendment was adopted.

7. At a subsequent meeting of the Committee on Policy, Mr. Law, the representative for the United Kingdom, introduced a resolution which was adopted by the Council as Resolution 60. This resolution extended UNRRA assistance to the special categories of persecuted minorities found in liberated territory. Speaking for his Resolution and referring to Mr. Acheson's prior adopted amendment, Mr. Law stated:

"I think it is quite clear from the discussion of this matter, that it was the intention of the Committee that UNRRA should give assistance to certain persecuted minorities even though they were technically of enemy nationality".

8. Mr. Law went on to point out that the Administration will not regard these people in the same light as intruded persons of enemy nationality, but rather that "they are as much enemies of the common enemy as we are ourselves".

9. It is clear from the discussion relating to the two Resolutions that the Committee recognized that minorities for whom they were providing assistance had been obliged to leave their country, place of origin or former residence, or had been deported from there prior to the outbreak of hostilities in September 1939. The Committee gave recognition to sufferings endured in concentration camps, and in accepting the Acheson

amendment and the Law Resolution as a substitute for the Cuban Resolution, it undoubtedly accepted its chairman's construction that the two were in substance identical with the scope of the Cuban Resolution. Nowhere in the proceedings is there any suggestion that any member contemplated the scope of application narrower than the clear text of the Cuban Resolution, or that anyone intended to distinguish UNRRA assistance as between those minorities persecuted after the outbreak of hostilities and those persecuted prior thereto.

11. It is, therefore, appropriate to extend the assistance of care and repatriation under Resolutions 57 and 60 to those person discriminated against by the enemy because of race, religion or activities in favor of the United Nations, as of the first discriminatory decrees of 1933.

Wash
URGENT & IMPORTANT
20 32/19 But has
DG 16.
UNCL
19 FEB 1946
Miss Gable
MR. [initials]
TR62 196 SHR UNRRA 19 FEB 314P

ADVANCE ACTION COPY
1074

1. FURTHER RE DISPLACED PERSONS
2. WE WISH TO POINT OUT THAT THERE IS NO INCONSISTENCY BETWEEN
PARA 4 OF OUR 10189 AND PARA 5 OF OUR 8855 — PP 182
No error
at Regt.
3. THE FACT STILL IS THAT ALL DISPLACED PERSONS OPERATIONS IN
EUROPE EXCEPT (A) DISPLACED PERSONS GERMANY, AND (B) MERRA AND NORTH
AFRICAN CAMPS ARE NOW INCLUDED (REPEAT INCLUDED
AS PART OF THE TOTAL BUDGET FOR EACH COUNTRY
4. WE MUST EMPHASIZE THAT DURING THE CONFERENCE WITH DEPUTY CHIEFS
SUPPLY NOVEMBER AND MISSION CHIEFS DECEMBER WE STATED ON A NUMBER OF
OCCASIONS THE PRINCIPLE MENTIONED OUR 10189 AND RESTATED PARA 3 ABOVE
5. IN THE EVENT AN UNUSUAL NUMBER POST HOSTILITIES DISPLACED
PERSONS ELIGIBLE FOR UNRRA ASSISTANCE ARRIVE IN ANY RECIPIENT
COUNTRY IN NUMBERS NOT ORIGINALLY ANTICIPATED AS BEING IN THAT COUNTRY
THEN THAT GOVERNMENT MAY REQUEST UNRRA FOR SUPPLEMENTARY SUPPLIES.
WE WILL THEN CONSIDER THE CASE AS AN EXCEPTION TO THE PRINCIPLE SET
FORTH IN OUR 10189 AND PARA 3 ABOVE
N REQUESTING SUPPLEMENTARY SUPPLIES THE RECIPIENT GOVERNMENTS MUST
SPECIFICALLY STATE THE NUMBER OF DISPLACED PERSONS INVOLVED
7 THUS PARAS 5 AND 6 ABOVE RESTATE PARA 5 OF OUR 8855 — PP 182

314P

* assigned to Reg
NOTE PARA 6 APPEARS TO BE MISSING

INCOMING CABLE

ACTION COPY

DC 16

DC

16

Action: Office of General Counsel.
Mr. Dudley Ward.

DW.

WASHINGTON.....TO.....LONDON.

No. 799

Dated: 14th Feb., 1946

Rec'd 22.55 hours
14th Feb. 1946

Ward from Davidson.
Your 1675.

13

1. Director General advised Central Committee of Policy contained our 10668 on 26th January but as yet we have had no reaction from any member. Approval of Committee was not expressly requested but we assume if member objects he will request reconsideration or discussu in at Committee meeting.
2. We are surprised your comment since Robertson originally formulated position our 10668 and we assumed your agreement. We also discussed policy with Van Hyning who indicated agreement. We gave serious thought to considerations expressed paragraphs 3 and 4 your 1675 and are in agreement with you as to undesirability of assisting Groups mentioned. We concluded however that, under Resolutions, internal displacement by reason of War is sufficient basis eligibility provided that authorities of Area where DP's now located request or otherwise consent to such assistance.
3. With respect to Germany available information indicates that the overwhelming majority of post hostilities Refugees are Jew from Poland. If we rule against assistance to post hostilities Refugees generally it would be necessary to expel Jewish Infiltrates, a Policy exceedingly difficult to carry out for Administrative as well as humanitarian reasons. On discussuins with Morgan confirmed this conclusion.
4. In the recipient Countries we would require a specific request to be made by the Government before assistance can be granted Post Hostilities Refugees. We believe this condition minimizes problem of Political Refugees. Thus far this view has been confirmed since we have received a request only from Czechoslovakia on behalf Refugee Policy Jews. No recipient Country has yet requested aid to Political Refugees.
5. We shall of course welcome receiving views of Governments concerned during special subcommittees review of resolution 71.

AM/PW

INDEXED
WR 36
DPS 0211
17
INCOMING CABLE

6mic DP
copy DA 16
Action: Relief Services Dept.
WR Div.
C. R. S.
4 copies to P.R.D.G.

WASHINGTON TO LONDON

No. 1092
repeated to:
Arolsen 50

Dated: 19th Feb., 1946.

Rec'd: 15.30 hours
19th Feb., 1946.

PRESIDING.

Special Sub-Committee established by Central Committee to study operations under Resolution 71 has specifically requested following information which is not available in satisfactory form here:

1. Liaison Officers (Polish and Yugoslav) in Germany and Austria.

- (a) How many in each Zone.
- (b) Have all of these been approved by and accredited by the present Polish and Yugoslav Governments respectively.
- (c) Are there any former Liaison Officers appointed by the London Polish Authorities not approved by the present Polish Government who are continuing to have access to UNRRA Assembly Centres. If so, under what authority.
- (d) Who appointed "Royalist Yugoslav Liaison Officers" mentioned para. 3D your 1861. Were names submitted Yugoslav Government? Give details. **No 15**
- (e) Furnish specific information regarding activities of Liaison Officers directed toward impeding repatriation including activities referred para. 3D your 1861. You are requested urgently to secure this information from the appropriate French, British and American Military authorities. In respect to (a) above it would be helpful to have information on Liaison Officers of all countries working with D.P.s in UNRRA Centres.

2. Repatriation.

- (a) At what monthly rate do you anticipate repatriation will occur and are the Military Authorities prepared to provide the necessary transport? This should deal with D.P.s receiving UNRRA assistance.
- (b) How many Displaced Persons receiving UNRRA assistance do you estimate will remain in each Zone in Germany and Austria on August 1st? On October 1st? Reply should be by nationalities and use February 1st as base figures.

(c) ... / 3.

3. Is UNRRA assisting any Displaced Persons living outside Assembly Centres in Germany and Austria? If so, how many, what nationalities, and what form of assistance.
4. Do Displaced Persons living outside of UNRRA and/or Army Centres receive rations, etc. at the regular Displaced Persons scale or are they treated as part of local German population.
5. Sub-Committee dissatisfied with categories "Other" - 107,300, and "Unknown" - 91,000 provided in Arolsen December 31st reports. Can you advise as to composition these categories in as much detail as possible. These two categories are distinct from 92,300 ex-enemy (presumably principally Hungarians, Roumanians, Bulgarians) and 141,100 Balts.
6. Number, Zone location, nationality, and character of ex-enemy Displaced Persons under UNRRA care.
7. Accurate statistics all Zones on Jews requested. Sub-Committee dissatisfied with our explanation of lack of uniform system of registering Jews. Can you advise numbers and nationalities by Zones and indicate how many are receiving UNRRA assistance.
8. Explanation requested as to why UNRRA assisting in Italy only 26,000 Displaced Persons in Camps and 20,000 outside Camps when reports shows 137,000 non-Italian Displaced Persons there? How are remainder cared for and what is their composition by nationality.
9. Have Royal Yugoslavs recently reported in Press as discharged from employ of U.S. Army been readmitted to UNRRA Camps as eligible Displaced Persons.
10. Above data required urgently. Request you cable reply not later than February 23rd.

VB/IC

Wash
2255/14
5916,
YT65 280 SHR UNRRA 14 FEB 550P

799 WARD FROM DAVIDSON
YOUR 1675

1. DIRECTOR GENERAL ADVISED CENTRAL COMMITTEE OF POLICY CONTAINED OUR 10668 ON 26 JANUARY BUT AS YET WE HAVE HAD NO REACTION FROM ANY MEMBER. APPROVAL OF COMMITTEE WAS NOT EXPRESSLY REQUESTED BUT WE ASSUME IF MEMBER OBJECTS HE WILL REQUEST RECONSIDERATION OR DISCUSSION AT COMMITTEE MEETING
2. WE ARE SURPRISED YOUR COMMENT SINCE ROBERTSON ORIGINALLY FORMULATED POSITION OUR 10668 AND WE ASSUMED YOUR AGREEMENT. WE ALSO DISCUSSED POLICY WITH VAN HYNING WHO INDICATED AGREEMENT. WE GAVE SERIOUS THOUGHT TO CONSIDERATIONS EXPRESSED PARAGRAPHS 3 AND 4 YOUR 1675 AND ARE IN AGREEMENT WITH YOU AS TO UNDESIRABILITY OF ASSISTING GROUPS MENTIONED. WE CONLUDED HOWEVER THAT UNDER RESOLUTIONS INTERNAL DISPLACEMENT BY REASON OF WAR IS SIFFICIENT BASIS ELIGIBILITY PROVIDED THAT AUTHORITIES OF AREA WHERE DPS NOW LOCATED REQUEST OR OTHERWISE CONSENT TO SUCH ASSISTANCE
3. WITH RESPECT TO GERMANY AVAILABLE INFORMATION INDICATES THAT THE OVERWHELMING MAJORITY OF POST HOSTILITIES REFUGEES ARE JEW FROM POLAND. IF WE RULE AGAINST ASSISTANCE TO POST HOTILITIES REFUGEES GENERALLY IT WOULD BE NECESSARY TO EXPEL JEWISH INFILTREES, A POLICY EXCEEDINGLY DIFIICULT TO CARRY OUT FOR ADMINISTRATIVE AS WELL AS HUMANITARIAN REASONS. OU DISCUSSIONS WITH MORGAN CONFIRMED THIS CONCLUSION
4. IN THE RECIPIENT COUNTRIES WE WOULD REQUIRE A SPECIFIC REQUEST TO BE MADE BY THE GOVERNMENT BEFORE ASSISTANCE CAN BE GRANTED POST HOSTILITIES REFUGEES. WE BELIEVE THIS CONDITION MINIMIZES PROBLEM OF POLITICAL REFUGEES. THUS FAR THIS VIEW HAS BEEN CONFIRMED SINCE WE HAVE RECEIVED A REQUEST ONLY FROM CZECH ON BEHALF REFUGEE POLISY JEWS. NO RECIPIENT COUNTRY HAS YET REQUESTED AID TO POLITICAL REFUGEES
5. WE SHALL OF COURSE WELCOME RECEIVING VIEWS OF GOVERNMENTS CONCERNED DURING SPECIAL SUBCOMMITTEES REVIEW OF RESOLUTION 71

555P

URGENT & IMPORTANT

ADVANCE ACTION COPY

UNCHECKED

Mr. Dudley Ward

Orig Df
Copy for DG 16

OUTGOING CABLE

Originated by: R.S. Dept.
Miss Gibbons.

LONDON.....TO.....WASHINGTON

No. 1861
En Clair

D. 14th February 1946.
1645 hrs.

1. Re your request 8898 and 21 following information regarding Resolution 71. Will airmail early next week final report including discussions here with Displaced Persons Representatives European Missions.
2. This summarizes cable replies Greece, Germany, Middle East and memoranda Austria Italy.
3. Regarding consultation with Governmental and Military Representatives: Missions report regular and continuing conferences and contacts between UNRRA staff and National Liaison Officers and other Governmental Representatives for express purpose encouraging repatriation. Closest working relationships with Military exist Italy, Germany, Austria. Specifically:
 - (a) Middle East has continuing contact Yugoslav Legation and Central Committee El Shatt.
 - (b) Italy has concentrated establishing best possible relationships all Government Representatives and until Resolution 71 all Displaced Persons were referred to them for certification of nationality. Mission continues to inform them regarding UNRRA policies so they can cooperate with their Nationals in executing these policies. Special mention made excellent Conferences with Polish Ambassador and Yugoslav Representative.
 - (c) Greece consults daily Greek Ministry of Repatriation regarding ways encouraging repatriation and problems which Ministry should discuss with Representatives other Governments in Greece. Contacts made through Ministry as UNRRA does not handle D.P.'s directly.
 - (d) Germany reports conferences continuing between UNRRA Staff, Military Authorities and National Liaison Officers to determine methods to accomplish increased repatriation. National Liaison Officers working closely with UNRRA teams in Assembly Centres. UNRRA has discussed with Military London Polo and Royalist Yugoslav Liaison Officers who are discouraging repatriation. Subsequently Royalist Yugoslav Officers removed from British Zone. As you know all Liaison Officers Germany accredited to Military not UNRRA!
 - (e) Austria reports frequent contacts National Liaison Officers and Military. Discussions with one Polish Liaison Officer resulted in permission for a Displaced Person to accompany Polish repatriates and return to Assembly Centre giving first hand account living conditions Poland. Chief Repatriation Officer UNRRA visited Assembly Centres personally talked with Liaison Officers. All team Directors reporting monthly visits National Liaison Officers and steps taken encourage repatriation.

/4. Regarding

4. Regarding other steps taken encouraging repatriation:

Missions report methods used encouraging repatriation including issuance instructional bulletins to staff, meetings of staff, visits by Mission Headquarters to field and efforts to assist persons on an individual basis to request repatriation. Specifically:

- (a) Middle East mentions successful use of staff member in cooperation Government Representative encouraging dissident Yugoslavs to change their minds and return Yugoslavia. Special Services Section M.E.O. facilitates individual enquiries regarding possible repatriation.
- (b) Italy reports frequent Central Headquarters Instructions and Conferences stimulating Regional staff encouraging repatriation.
- (c) Greek Mission and Government issued joint proclamation for country wide circulation specifying advantages and procedures regarding repatriation. An Individual Problems Section in Mission deals with problems individual repatriation.
- (d) Germany issued General Bulletin No.6 (copy requested for you) which states it is responsibility of all field personnel to encourage repatriation. C.H.Q. giving first priority to repatriation problems; keynote of Zone Directors Conference February. Maximum effort being made to strengthen and coordinate all levels including Military and Governmental this effort.
- (e) Significant problems raised by Middle East, Austria and Germany regarding need of Displaced Persons for more information regarding living conditions, Poland, Yugoslavia, Middle East recommends Warsaw Government Representative be assigned Cairo. Polish Government now sending Commission to Cairo. Suggestion has been made by London to UNRRA Mission Poland that Warsaw Government prepare informational statement regarding conditions for circulation all Poles in Assembly Centres.

5. Regarding problems in determining eligibility for assistance:

Missions cite four major problems.

(a) Post-war Refugees:

Greece reports Yugoslav and Albania post war refugees who entered Greece last October.

Italy reports over 50% persons receiving care in Military Camps entered Italy after cessation of European hostilities. Italy especially mentions Yugoslav post war refugees and movement of several thousand Jews from Austria en route Palestine.

Germany and Austria report large number post war refugees with special mention of Yugoslavs and Polish infiltrates.

(b) Discharged Soldiers

We are familiar with policy regarding discharged soldier your cable 10179 but cannot put into effect until decision reached by H.M.G. regarding Yugoslav and Polish Army personnel. These mentioned as a problem by all Missions repeat all Missions but Greece. In addition Middle East mentions ex members of Palestine Brigade.

/(c) Volksdeutsche

(c) Volksdeutsche and German Balts

Policy regarding ineligibility of Volksdeutsche and German Balts issued Germany and Austria and general procedures laid down for implementing policy but major problem foreseen in obtaining swift action by Military in removing them from UNRRA camps and being assured of careful screening by Military in camps being turned over to UNRRA.

(d) Collaborators.

Policy regarding ineligibility collaborators for assistance issued Germany and Austria. Large numbers of Balts in Germany in this category now probably under UNRRA care. Again major problem foreseen in stimulating Military to do effective screening job. Additional problem in countries where Military withdrawing and question arises of what action should be taken to identify such persons. Italy is an example where some French, Dutch, and Belgian may possibly be collaborators.

M/IGT.

OUT FILE

orig we 8.

DG16

(14)

OUTGOING CABLE

WR 8

ORIGINATED BY: R.S. DEPT
WELFARE & REPAT
MISS RADIN

LONDON.....TO.....AROLSEN

No. 500

Dated : 11th Feb. 1946
D. 12.25 hrs.

[EN CLAIR]

Repeated Vienna No. 306

1. In order to carry out the intent of Section 2a of Resolution 71 UNRRA should intensify its efforts to exclude collaborators from UNRRA assistance. Concerted action should be taken in urging the military to identify and remove collaborators from UNRRA Assembly Centres.
2. When the Military determines a person is a collaborator and removes him from an UNRRA Centre that person becomes ineligible for further UNRRA care whether or not he is detained in the custody of military or civilian authorities.
3. Although UNRRA is not, repeat not, authorised to make any determination on collaboration, it should in all ways possible urge military to make such determination promptly and co-operate with military for that purpose.
4. In order to implement this policy the following steps should be taken:
 - (a) Urge local military authorities to conduct intensive screening in UNRRA camps.
 - (b) When suspected collaborators are reported to Assembly Centre Directors, Directors should request immediate military investigation.
 - (c) Notification of decision in writing from military should be secured.
 - (d) When military has determined persons to be collaborators they should be requested to remove such persons from UNRRA+ care immediately.
 - (e) Military should be urged to intensify screening of persons in camps to be transferred to UNRRA, and to remove collaborators before transfer is affected.
 - (f) Where applicant for UNRRA care is suspected of collaboration clearance should be obtained if possible from military before assuming responsibility for care.

/g

- (g) Where appropriate, information should be provided to Allied Liaison Officers of the countries whose nationals are involved to assist them in determining whether they should call on military authorities to take action. However any request by Liaison Officers for removal of collaborators made directly to UNRRA should be referred to military authorities who alone have authority to determine and remove collaborators.

5. For example Press and Military Intelligence report large numbers of Balts receiving care from UNRRA to be nazi collaborators. Baltic Camps at Mainfranken and Regensburg particularly mentioned. Therefore, you should request military to make careful check in those Centres.

YH/EMD

Table

1675

NOTHING TO BE WRITTEN IN THIS MARGIN.

Registry
No.

DG.

Office of General Counsel
Mr. Dudley Ward.
R1200

13 - 9 FEB 1946

225

Despatched 15/6/9/2 M. DG.

Draft.

Post War Political Refugees. Your 10668.

Telegram.

To: Washington

9th February 1946

En Clair

1675

Drafted by Mr. Ward
and agreed by
Miss Gibbons

9 FEB 1946

Ph.

We are very glad to know that you propose referring this matter to the Central Committee and would be glad to learn when Central Committee will be considering your statement.

P.P. 182. NOT FILED

2. Although instructions regarding the admission of Jews were issued to Germany and Czechoslovakia after receipt of your telegram No. 8855, we would not propose to issue instructions for other categories in accordance with your telegram No. 10668 until the Central Committee has expressed its views on your report.

3. The interpretation of the Resolutions on which your instructions are based appears open to serious criticism in that no connection would seem to exist between internal displacement and migration across the frontier after the cessation of hostilities.

This straining of the meaning of the Resolutions may well have been justified in the special case of the Jews, but its application to other categories is much more likely to be disputed.

4. As your directive now stands, any inhabitant of a liberated area who wishes to leave his country for economic or political reasons qualifies for UNRRA care on what appears to us the purely fortuitous circumstance of internal displacement.

5. This leaves the door wide open to political refugees of every kind, which is likely to cause a strong reaction amongst certain member states against the use of UNRRA funds for the support of malcontents and a vigorous challenge to your interpretation of the Resolutions.

6. The dangers of this may be judged from the following :-

(a) We have recently been informed that 60% of the displaced persons in Italy, apart from Jews, have arrived there since the cessation of hostilities.

(b) There is Press criticism in Austria and a likelihood of such criticism in this country from correspondents in Austria concerning the number of political refugees in the displaced persons camps.

Although we are not at present responsible for displaced persons in Austria we soon shall be and shall be faced with these questions in that country. 325

K. A. Dickson
for Dudley Ward



NOTHING TO BE WRITTEN IN THIS MARGIN.

OUTGOING CABLE.

DG.

ORIGINATED BY: OFFICE OF
GENERAL COUNCIL
Mr. Dudley Ward.

LONDON.....TO.....WASHINGTON

No. 1675.

Dated: 9th February, 1946.
D. 1516. hrs.

EN CLAIR.

Post War Political Refugees. Your 10668.

We are very glad to know that you propose referring this matter to the Central Committee and would be glad to learn when Central Committee will be considering your statement.

Although instructions regarding the admission of Jews were issued to Germany and Czechoslovakia after receipt of your telegram No. 8855, we would not propose to issue instructions for other categories in accordance with your telegram No. 10668 until the Central Committee has expressed its views on your report.

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W3h FW/HVC

No 12

P.P 182
(4 copies)

INDEXED

DG16

12

INCOMING CABLE

DG

ACTION COPY

ACTION:

Office of General Counsel.

Mr. Dudley Ward.

WASHINGTON.....TO.....LONDON.

No. 10668
En Clair

DATED: 30th January, 1946.
RECD: 23.04 hours,
30th January, 1946.

Your 49.

DG.

Subject is post hostilities refugees.

P.P.

A. Evidence internal displacement. On reconsideration decision here to drop presumption stated para. 3 our 8855. BP Field Officers should be given discretion to accept such evidence of internal displacement as appears satisfactory to them. Thus oral assurance by individual may be accepted particularly where wartime dislocations in country of nationality indicate high probability of internal displacement.

PP 182
No copies

B. As indicated para. 6 our 8855, we have submitted following statement of policy for information Members Central Committee:

1. UNRRA's authority to aid displaced persons extends only to persons displaced during the war. Displacement after the termination of hostilities does not make one a displaced person under the UNRRA Resolutions.

2. Persons who have been displaced during the war do not lose their right to UNRRA assistance by reason of their movements after the termination of hostilities.

(A) Eligible displaced persons who have been repatriated but have subsequently left their country again are still to be considered as displaced persons for purposes of UNRRA care. In other words, a displaced person's right to UNRRA assistance is not lost by reason of an unsuccessful attempt at repatriation.

(B) Persons who were displaced during the war within their country become eligible displaced persons for UNRRA purposes, and are entitled to assistance even though they have subsequently moved across national frontiers after the termination of hostilities. Accordingly, it is immaterial that the crossing of frontiers occurred after hostilities provided that internal displacement occurred during the war.

/3

Rec'd Ex Reg. 1 FEB 1946

(2)

3. In a liberated recipient country we would anticipate that the Government would provide for displaced persons who are not nationals of that country, and who are eligible for UNRRA assistance according to the above principles. UNRRA would then, if requested, be prepared to provide supplementary supplies in addition to those programmed as that country's requirements, in order to permit equality of treatment for such displaced persons with the general population of the country.

AM/AB

Mentona 8855

ROUTING SLIP

FICHE DE TRANSMISSION

TO:

A:

FROM:

DE:

Room No. - No de bureau

Extension - Poste

Date

FOR ACTION		POUR SUITE A DONNER
FOR APPROVAL		POUR APPROBATION
FOR SIGNATURE		POUR SIGNATURE
FOR COMMENTS		POUR OBSERVATIONS
MAY WE DISCUSS?		POURRIONS-NOUS EN PARLER ?
YOUR ATTENTION		VOTRE ATTENTION
AS DISCUSSED		COMME CONVENU
AS REQUESTED		SUITE A VOTRE DEMANDE
NOTE AND RETURN		NOTER ET RETOURNER
FOR INFORMATION		POUR INFORMATION

D6.

07 du Jan Louis
Dunley Wash

Note for the record:

Cable from Washington, D.C. Hqs. No. 8855 to ERO, London is quoted in PAG-4/2.0.0.0. box 6 file No. DG-16 Vol. I however, there is mentioned "not filed" - I did manage to locate a copy of 8855 in PAG-4/3.0.11.0.0. box 5 - file 013.0 so find a copy herewith.

On the lighter side also see attached a copy of the "NYT New Summary" for this date - it has been a good year so far but not a great year.

jbelwood,
25 Mar. '82

ROUTING SLIP

FICHE DE TRANSMISSION

TO:

A:

FROM:

DE:

Room No. - No de bureau

Extension - Poste

Date

FOR ACTION

POUR SUITE A DONNER

FOR APPROVAL

POUR APPROBATION

FOR SIGNATURE

POUR SIGNATURE

FOR COMMENTS

POUR OBSERVATIONS

MAY WE DISCUSS?

POURRIIONS-NOUS EN PARLER ?

YOUR ATTENTION

VOTRE ATTENTION

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AS REQUESTED

SUITE A VOTRE DEMANDE

NOTE AND RETURN

NOTER ET RETOURNER

FOR INFORMATION

POUR INFORMATION

News Summary

THURSDAY, MARCH 25, 1982

International

A crackdown in Guatemala one day after a coup surprised many people who had expected the new military leaders to form an interim government with civilian politicians and to set speedy elections. The junta of three senior military officers who seized power Tuesday suspended the Constitution and all political activities. [Page A1, Column 6.]

Abuses by Salvadoran security forces appear to be diminishing a bit, but many of the traditional excesses are continuing. Much of the international opposition to the ruling junta arises from its general failure to curb the killing of noncombatants by security forces and the paramilitary death squads linked with them. [A1:4-5.]

A coup in Bangladesh is led by the army chief, who said he had acted to end "corruption in public life and the fight for power" in the governing party. Lieut. Gen. H. M. Ershad, the army chief of staff, announced that he had suspended the Constitution and proclaimed martial law in an effort to "re-establish democracy" through general elections. [A5:1.]

Three more Palestinians were killed in the West Bank and Gaza. In the West Bank, an Israeli Army spokesman said, one Arab was fatally shot after he stabbed and wounded an Israeli border policeman, and a second Palestinian was killed by Jewish settlers whose car had been stoned. The spokesman said the third Arab was killed in a demonstration in the Gaza town of Khan Yunis. [A1:2-4.]

National

A budget compromise appeared more likely as White House officials said that President Reagan, in a shift, had authorized his aides to begin talks with Democratic Congressional lead-

ers. However, the officials cautioned that Mr. Reagan had not authorized his emissaries to offer any concessions in his plans to increase military spending and continue the three-year tax cut enacted last year. But they said the talks could eventually lead to such concessions. [A1:1.]

The Columbia astronauts, beset by fatigue and spells of nausea, reduced their work pace as the space shuttle continued to be troubled with mechanical failures. The problems forced Mission Control officials in Houston to revise yesterday's flight plan, eliminating a test of the lifting ability of the robot arm, and deferring another test until today. [B16:5-6.]

Curbs on the regulatory agencies were approved by the Senate in a vote of 94 to 0. Passage of the bill designed to curb the power of the agencies and to reduce both the number and cost of new regulations reflects a Congressional view that the regulators have often exceeded their mandate and defied the intent of Congress. [A1:2.]

The most advanced prison in the nation, the \$31.8 million Minnesota Correctional Facility 18 miles west of St. Paul, is considered by many experts to be a prototype for the future. The facility is a trapezoidal-shaped, electrically operated complex with 330,000 square feet of concrete, steel and bulletproof glass. [A16:1-6.]

The Minneapolis Star will be merged with its morning competitor, The Minneapolis Tribune, the publisher of the jointly-owned newspapers announced. The Star, like other afternoon papers that concentrate on a base city and nearby communities, has been losing readers to suburban competitors, television and other activities. [A16:1-2.]

No funds to employ the elderly are sought by the Reagan Administration. Despite strong protests in Congress, a

high Labor Department official indicated that the Administration would continue to press for the elimination of a job program for about 55,000 elderly Americans. [A24:1-3.]

Several anecdotal accounts of fraud involving food stamps recounted by President Reagan have not been documented by Agriculture Department officials. Acknowledging the lack of documentation, the officials also said that, despite the President's concern about waste and fraud in Government, they were not yet enforcing some antifraud provisions of laws passed in the last two years. [A20:1.]

Metropolitan

Workers on the Long Island Rail Road may strike, according to a decision by the Supreme Court. In an opinion written by Chief Justice Warren E. Burger, the Court ruled that, despite provisions of New York's Taylor Law forbidding walkouts by public employees, the railroad's employees retained the Federally guaranteed right to strike when the state acquired the carrier in 1966. [A1:3.]

A New York child custody law was declared unconstitutional by the Supreme Court. Voting 5 to 4, the Justices ruled that the New York statute, which permits the state to remove children permanently from the custody of abusive or neglectful parents, failed to provide the parents with due process of law. [A28:1.]

A decrease in reported felonies last year in 30 of New York City's 73 precincts was recorded in the Police Department's annual crime report. The findings contrasted with 1980, when no precinct showed a decline. But over all, the crime total for the city rose relatively slightly last year. [A1:1-2.]

Efforts to guide the homeless from New York City's subways to social service workers waiting aboveground with offers of food and shelter have been accelerated by transit police officers. Previous efforts were on a case-by-case basis. [B3:5-6.]

Mayor Koch wins the Democratic nomination and Lieut. Gov. Mario M. Cuomo is nominated by the Liberal Party. The results of the gubernatorial race determine the order of lines on the voting machine for the next four years.

Senator Roy M. Goodman, the Manhattan Republican chairman, who ran behind Edward I. Koch and Mr. Cuomo in the 1977 mayoral race, is one of the

Tuesday praised Mayor Koch as a potentially good Governor who as Mayor accomplished "what was called so many times an impossible task, and he made it possible — two straight balanced budgets."

The White House press office said yesterday that the President was not endorsing the Mayor and that he would support the eventual Republican nominee.

Bush Terms Fairfield Victory G.O.P. 'Rejection' of Weicker

By RICHARD L. MADDEN

Special to The New York Times

HARTFORD, March 24 — Prescott Bush Jr., who swept all 17 state convention delegates in the town of Fairfield's Republican caucus Tuesday night, said today that his victory was "an overwhelming rejection" of Senator Lowell P. Weicker Jr., the party's two-term incumbent.

"This is the first election that Lowell Weicker has lost," said a jubilant Mr. Bush, the brother of Vice President Bush.

As Mr. Bush, an insurance broker from Greenwich, campaigned in seven cities across the state today, aides of Mr. Weicker acknowledged that they had hoped to do better in the Fairfield balloting. But they sought to discount the long-term significance of Mr. Bush's showing in one Fairfield County town, which is affluent and conservative.

"We knew we were the big underdog and that this was Bush country," said Martin H. Moore, the Senator's press secretary. "We have 168 towns to go, and we are going to get between 70 and 80 percent of the delegates at the convention," he added.

Mr. Bush said he expected to have a majority of the convention delegates.

Republican and Democratic town committees are choosing delegates to the state nominating conventions in July at party caucuses across the state

this week. Fairfield, however, attracted unusual attention from the Republican contenders for Senator and Governor because it was the only town where all enrolled Republicans could vote for candidates or delegates.

Extensive campaigning by the candidates drew a turnout of about 42 percent of eligible Republicans in Fairfield, which will have only 17 of the 933 delegates at the party's state convention.

Mr. Bush's slate of delegates carried all 14 of Fairfield's voting districts, in many cases by a margin of 2 to 1.

Voting in the four-way contest for the Republican gubernatorial nomination was much closer. Lewis B. Rome of Bloomfield, the party's candidate for Lieutenant Governor in 1978, won nine delegates. State Senator Gerald Labriola, a pediatrician from Naugatuck, won eight delegates. Under local party rules, a candidate had to get at least 25 percent of the vote to qualify for delegates.

The vote was 1,429, or 30.4 percent, for Mr. Rome, and 1,284, or 27.4 percent, for Dr. Labriola. State Senator Russell L. Post Jr. of Canton received 1,060 votes, or 22.6 percent, and Richard C. Bozzuto of Watertown, who had sought the Senate nomination in 1980, received 920 votes, or 19.6 percent.

"It has significance because no one expected Lew Rome to win this race," Mr. Rome said of the results.

LOTTERY NUMBERS

March 24, 1982

New York Numbers — 212

New Jersey Pick-It — 105

Connecticut Daily — 765

UPTOWN

1433 York Avenue
(Corner of 76th Street)
737-6666

ekdays

Please return to Mr. Simon

Copy

301

INCOMING CABLE

Action: Miss Gibbons
Mr. Dudley Ward

WASHINGTON TO LONDON

No. 8855

Dated: 28th Dec., 1945.

Rec'd: 18.19 hours 28th Dec., 1945.

Your 7382M.

In handling question of post-war refugees and Displaced Persons coming from Poland following general principles should be applied:

1. Displaced Persons who have been repatriated but have subsequently left their country again. Obviously we do not wish to encourage further displacement after repatriation, nevertheless a Displaced Person has a right to UNRRA assistance and this right is not lost by reason of an unsuccessful attempt at repatriation.
2. Post-war refugees (as distinct from persons referred to in para 1.). If they were displaced from their home during the war they are entitled to UNRRA assistance. In other words, if their internal displacement (i.e. displacement from their homes) occurred during the war it is immaterial that their external displacement (i.e. displacement across national frontiers) only occurred post-war.
3. Presumption of displacement. In the absence of proof to the contrary, we are prepared to assume that all persons falling within categories known to have been the object of Nazi persecution of discriminatory legislation (for example Jews) were displaced from their homes during the war and are therefore eligible for UNRRA assistance. For other persons, evidence of displacement should be required.
4. Above principles should determine eligibility for UNRRA assistance in Germany.
5. In Czechoslovakia we would hope that the Government would provide for Displaced Persons and post-war refugees who are eligible for UNRRA assistance according to the above principles. UNRRA would then, if requested, be prepared to provide supplementary supplies in addition to those programmed as Czech requirements, in order to permit equality of treatment for Displaced Persons with Czech population. This would follow principle stated in supplementary agreement with Czech No. 6.
6. We feel that approach to Governments or Central Committee as suggested in your telegram would involve too great delays in view of urgent practical nature of the problem. However, we propose to communicate the sense of this telegram to the Central Committee as a statement of policy for their information and to consult with the governments concerned in accordance with Resolution 71. In any event our Displaced Persons Operations under Resolution 71 are due for review by Council or Central Committee before long.
7. We appreciate practical difficulties in distinguishing between categories referred to above but we feel that there is an obligation on UNRRA to do what it can to assist and that the above principles are the

/ furtherest

furtherest we can go in relation to the Resolutions.

8. The expression post-war in this telegram means since the end of hostilities in Europe.

9. We are preparing another telegram about similar questions in Italy and the Balkans.

* Personal Presiding No. 102.

DISTRIBUTION:

P.R.D.G.
Mr. Adair
Dudley Ward
Mr. Feenov
Miss Gibbons
Mr. Herbert
General Lewis
Dr. Topping
Mr. Woodbridge
Mr. Wyndham-White

VB/IC

*Copy*COPY.INCOMING CABLE.

Action: Miss Gibbons.
Mr. Dudley Ward.

WASHINGTON.....TO.....LONDON.

No. 9855.

dated: 26th Dec., 1945.

recd: 18.19 hours 26th Dec., 1945.

Your 7582a

In handling question of post-war refugees and Displaced Persons coming from Poland following general principles should be applied:

1. Displaced Persons who have been repatriated but have subsequently left their country again. Obviously we do not wish to encourage further displacement after repatriation, nevertheless a Displaced Person has a right to UNRRA assistance and this right is not lost by reason of an unsuccessful attempt at repatriation.
2. Post-war refugees (as distinct from persons referred to in para.1.). If they were displaced from their home during the war they are entitled to UNRRA assistance. In other words, if their internal displacement (i.e. displacement from their homes) occurred during the war it is immaterial that their external displacement (i.e. displacement across national frontiers) only occurred post-war.
3. Presumption of displacement. In the absence of proof to the contrary, we are prepared to assume that all persons falling within categories known to have been the object of Nazi persecution or discriminatory legislation (for example Jews) were displaced from their homes during the war and are therefore eligible for UNRRA assistance. For other persons, evidence of displacement should be required.
4. Above principles should determine eligibility for UNRRA assistance in Germany.
5. In Czechoslovakia we would hope that the Government would provide for Displaced Persons and post-war refugees who are eligible for UNRRA assistance according to the above principles. UNRRA would then, if requested, be prepared to provide supplementary supplies in addition to those programmed as Czech requirements, in order to permit equality of treatment for Displaced Persons with Czech population. This would follow principle stated in supplementary agreement with Czech No. 6.

6. We feel that approach to Governments or Central Committee as suggested in your telegram would involve too great delays in view of urgent practical nature of the problem. However, we propose to communicate the sense of this telegram to the Central Committee as a statement of policy for their information and to consult with the governments concerned in accordance with Resolution 71. In any event our Displaced Persons Operations under Regulation 71 are due for review by Council or Central Committee before long.

7. We appreciate practical difficulties in distinguishing between categories referred to above but we feel that there is an obligation on UNRRA to do what it can to assist and that the above principles are the furthestest we can go in relation to the Resolutions.

8. The expression post-war in this telegram means since the end of hostilities in Europe.

9. We are preparing another telegram about similar questions in Italy and the Balkans.

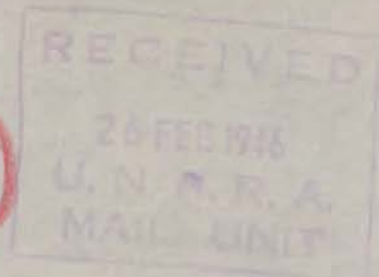
z Personal Presiding No. 182.

DISTRIBUTION:

F.R.D.G.
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Dudley Ward.
Mr. Feonov
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Mr. Wyndham - White.

VB/IC

Central Committee



Da 102
copy for Da 16.
RESTRICTED

CC(46)7
26 January 1946

UNITED NATIONS RELIEF AND REHABILITATION ADMINISTRATION

THE CENTRAL COMMITTEE OF THE COUNCIL

TO: Members of the Central Committee

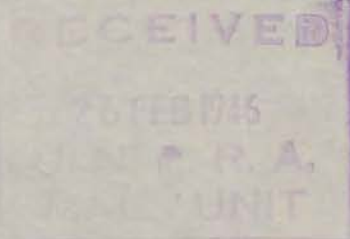
FROM: The Director General

SUBJECT: UNRRA Policy with respect to Post-hostilities Refugees

The Administration has recently been called upon to interpret the Council Resolutions with respect to UNRRA's authority to assist certain classes of refugees who have left their countries of nationality since the termination of hostilities and are now located either in Germany or in liberated recipient countries. In view of the importance of this question I wish to advise the members of the Central Committee of the principles which the Administration has adopted with respect to this problem.

1. UNRRA's authority to aid displaced persons extends only to persons displaced during the war. Displacement after the termination of hostilities does not make one a displaced person under the UNRRA Resolutions.
2. Persons who have been displaced during the war do not lose their right to UNRRA assistance by reason of their movements after the termination of hostilities.
 - (a) Eligible displaced persons who have been repatriated but have subsequently left their country again are still to be considered as displaced persons for purposes of UNRRA care. In other words, a displaced person's right to UNRRA assistance is not lost by reason of an unsuccessful attempt at repatriation.
 - (b) Persons who were displaced during the war within their country become eligible displaced persons for UNRRA purposes and are entitled to assistance even though they have subsequently moved across national frontiers after the termination of hostilities. Accordingly, it is immaterial that the crossing of frontiers occurred after hostilities provided that internal displacement occurred during the war.
3. In a liberated recipient country we would anticipate that the government would provide for displaced persons who are not nationals of that country and who are eligible for UNRRA assistance according to the above principles. UNRRA

Central Committee



R E S T R I C T E D

CC(46)7

26 January 1946

- 2 -

would then, if requested, be prepared to provide supplement-
ary supplies in addition to those programmed as that country's
requirements, in order to permit equality of treatment for
such displaced persons with the general population of the
country.

U.N.R.R.A. Italian Mission.

- - - - -

To: A.H.Robertson.

From: M.Franklin.

8 January, 1946

Subject: Right to UNRRA Care by Self-Displaced Post-Hostilities
United Nations Nationals.

In paragraph 7 of your letter concerning the eligibility or competence of certain persons for UNRRA care, you have made the following formulation:

" . . . a person who was internally displaced during the war and subsequently displaced externally should be regarded as eligible for UNRRA assistance, even though their external displacement was post-war. "

This text is designed to justify the care of United Nations nationals who voluntarily have displaced themselves abroad in the post-war period, that is, since V-E Day, by relating their external displacement back to an internal displacement which occurred during the war. You maintain this position in part under Resolution 71, which says that UNRRA may

" . . . carry out operations in enemy or ex-enemy areas for the care and, in agreement with the Government of which they are nationals, repatriation or return of displaced persons as contemplated by Resolution No.10 . . . "

However, such UNRRA care, given without the consent of the United Nation concerned, should only be justified if it is the stage in the process leading to repatriation or return. That is, UNRRA operations are to be " for the care of . . . and repatriation of displaced persons as contemplated by Resolution No.10. " (Emphasis inserted.) Resolution No.10 consecrates the principle

"that UNRRA should in particular regard itself as responsible for assisting in the repatriation to their country of origin of those nationals of the United Nations who have been obliged to leave their homes by reason of the war and are found in liberated or conquered territory. . . . "

(Report of Council I, Committee IV, Sub-Committee 4, paragraph 5a).

Moreover, Resolution 71 2.b reiterates the relationship between care and repatriation by saying that

"Pending such repatriation the Administration is authorized to carry out operations on a purely temporary basis for the care and maintenance of these displaced persons. "

These texts seem to me to establish different criteria from those set out in your formulation, for they permit provisional and temporary UNRRA care only (a) if there has been "displacement by reason of the war" and (b), if the provisional care is given only "pending repatriation." But in the problem under consideration the external self-displacement took place only after the hostilities ceased. Such self imposed post-hostilities displacement seems to connote that the external displacement was not "by reason of the war", but by reason of the political antagonism of the displaced persons to the legitimate United Nation Government concerned, or even by reason of the criminality of the displaced person. There is no proximate relationship between the assumed internal displacement by reason of the war, and the subsequent post-hostilities self-displacement. It seems to me that the theory of continuous or permanent displacement, justifying UNRRA care, is not justified unless the successive displacements were all "by reason of the war." This in itself should be decisive against claims to temporary and provisional UNRRA care by United Nations nationals externally displaced after the closing of hostilities.

However, the self imposed post-war displacement (as in the case of the Yugoslavs) seems to establish that repatriation, which in UNRRA thinking requires the consent both of the self-displaced person and of the United Nation Government concerned (see Resolution 71,1), is definitely impossible, because the will of the self-displaced person is, by virtue of self-displacement, conclusively opposed to repatriation. Provisional UNRRA care, which can only be justified as a stage prior to and leading to repatriation, should not be given, because the pre-suppositions on which provisional care is to be based under Resolution 71 do not exist. For the same reason, persons assumedly displaced externally by reason of the war (presumably the Polish Corps) who evidently have finally elected not to be repatriated, seem to me no longer competent to receive provisional UNRRA care under Resolution 71.

The effect of this reasoning is that under Resolution 71 provisional UNRRA care can be given, without the consent of the United Nations Government concerned, to a person displaced abroad by reason of the war, with the significant exception of detained collaborators, only until the displaced person rejects repatriation either by explicit declaration of will or by conduct legitimately connoting such a declaration of will, as, for instance, voluntary exile after the cessation of hostilities.

Nevertheless, Resolution 71 provides special solutions regarding the UNRRA care of Jews. As you have told me, their right to UNRRA care is controlled by that part of Resolution 71 which deals with persons displaced "by action of the enemy, because of race, religion or activities in favour of the United Nations." In this situation the right to UNRRA care is not lost by the refusal of the displaced person to accept repatriation or by abortive repatriation which reflects the consequences of prior or present racial or religious persecution or discrimination. Here the displaced person, without losing his right to UNRRA care, may decline or repudiate his repatriation if the conditions of existence in the State concerned do not satisfy him because of its history of racial or religious persecution or discrimination.

Finally, soldiers demobilized abroad or in organised formations do not seem entitled to provisional and temporary UNRRA care. The furthest that the UNRRA resolutions have ventured up to the present has been to contemplate assisting "prisoners of war" whose status has

" .. been to a large extent obscured by subsequent action of the enemy authorities in illegally demobilising them . . . "

In making this suggestion the UNRRA Committee said that

" . . . it trusts it will not be regarded as having exceeded its powers in making a recommendation on this point."

(Council I, Committee IV, Sub-Committee 4.)

Such doubt seems to be well founded, as there is a fundamental distinction between displaced persons and those entitled to treatment as prisoners of war because they belong to, or are followers of the armed forces within the meaning of the Hague and subsequent conventions. Hence it seems that formations of Yugoslav soldiers or members of the Polish Corps, even if they are demobilised in Italy should not receive provisional and temporary UNRRA care.

It should be noted that there may be as many as 150,000 members of the Polish Corps, and that it costs about 75 cents a day to feed each displaced person. This means that 41 million dollars a year, or more than 1/10th of the probable UNRRA budget for 40 million Italians would be dedicated to the Polish Corps. Further, I have the impression that the proposed UNRRA budget for the Italian Mission has not been prepared on the assumption that this charge of about 40 million dollars will be imposed on it.

AHRobertson/jq.

cc: Sorieri
Contini

File Copy

106

DP 105

Copy for DG 16

on DG 11/10

DP/05

OUTGOING CABLE

Originated by:-

R.S. Dept.,

D.P. Division

Miss R. Radin.

Copy for DG 16
@ DG 11/10

LONDON.....TO.....FRANKFURT

No. 46
(En Clair)

D. 4th January, 1946
18.17 hrs.

1. The following policy received from Washington to be effective immediately.

- (a) A displaced person does not, repeat not, lose his right to UNRRA assistance by reason of an unsuccessful attempt to repatriation.
- (b) In the absence of proof to the contrary UNRRA is prepared to assume that all persons falling within categories known to have been the object of Nazi persecution or discriminatory legislation (for example Jews) were displaced from their homes during the war and are therefore eligible for UNRRA assistance.

2. All displaced persons who were originally eligible for assistance from UNRRA are therefore still eligible for UNRRA care if they return to Germany after having been repatriated.

3. Also all "persecuted" persons are eligible for care from UNRRA in Germany irrespective of the date they left their country of previous residence.

4. Further instructions will be issued regarding other persons who were externally displaced only after cessation of hostilities.

AM/NE

to gpc

Miss Ladin -

See float attached

for Mr. Dickey's cable

to Washington.

to

ESP.

RC

Dr. Langrod

In your sphere.

21/1

Mc

INDEXED

DG-16

9

ACTION COPY

DG

INCOMING CABLE.

M. Radu

ACTION: OFFICE OF P.R.D.G.
GENERAL COUNSEL.
Mr. Licken.

WASHINGTON.....TO.....LONDON.

No. 9073. (En clair)

Dated: 3rd. Jan. 1946.

Rec'd: 23.55.hrs.

3rd. Jan. 1946.

DG-16
No 4

Your 7881. Agree your ruling that United Nations
nationals refer only to National Member Governments. Suggest
you inquiring Robertson in Italy whether Turks present serious
problem of need.

KP/IH.

Ex

(9)

DP105

Copy for
Dg 16

OUTGOING CABLE

DP105
DP36/18
DP4/6/1
WE150/44

Originated by:-
R.S. Dept.
D.P. Division.
Miss Radin.

LONDON.....TO.....PRAGUE

No. 5
En Clair

D. 2nd January 1946
1015 hrs.

Restricted
Dr Topp

DP36/18
DP4/6/1

Further reference your cables 653, 668, 701 and our 513, 672:

1. This cancels and supersedes policy as stated in our 513, para.2.
2. New policy authorised by Washington states:
 - (a) A Displaced Person has a right to UNRRA assistance and this right is not lost by reason of an unsuccessful attempt at repatriation.
 - (b) In the absence of proof to the contrary UNRRA is prepared to assume that all persons falling within categories known to have been the object of Nazi persecution or discriminatory legislation (for example Jews) were displaced from their homes during the war and are therefore eligible for UNRRA assistance.
3. Accordingly UNRRA if requested is prepared to provide CSR Government with supplementary supplies to enable them to care for D.P.s. mentioned in your 653 and 668 if eligible as above, according to Supplementary Agreement No.6 with CSR Government.
4. E.R.O. learns informally from Viteles of J.D.C. that J.D.C. probably willing to provide any personnel involved if UNRRA provides supplies.
5. UNRRA policy enumerated in 2 refers to eligibility for care. UNRRA assumes responsibility only for repatriation or return to place of former residence. Therefore UNRRA can give no guarantee of eventual removal of these D.P.s. from C.S.R.

M/IGT.

NOTHING TO BE WRITTEN IN THIS MARGIN.

Registry
No.

Draft.

Telegram.

WASHINGTON

No.

Drafted by

Mr. Dudley Ward

2nd January 1945.

- 2 JAN 1946

Immediate.

Your No. 8855

Despatched

Copy DG 2518

1. We note the ruling laid down in your para. 1 and also the concessions in favour of "persecuted" displaced persons contained in paras. two and three, although we agree that these principles put a heavy strain on the present Resolutions.

2. However in the application of paras. two and three to other categories, for which evidence of internal displacement is to be required, we are convinced, and in this we are confirmed by Field officers at present on visit to ERO, that your general principle cannot be promulgated without more precise practical direction.

3. If other than assurance by the individual of internal displacement is required your ruling would for all practical purposes preclude the admission for UNRRA care of these categories, since few if any refugees arrive with corroborating evidence of any kind. It may well be your intention to restrict the admission of post hostilities refugees in this way. But a ruling which requires other than oral evidence will add immensely to the already heavy difficulties of camp directors and may expose UNRRA to the criticism of discrimination in favour of ~~Jewish refugees~~ *special groups of refugees*.

4. It might therefore be necessary to accept oral evidence alone as sufficient. As, however, almost everyone in Poland and Jugoslavia, to take only these two countries, has been internally displaced at one time or another during the war, or could assert that they had been so displaced with little likelihood of rebuttal, the door would at once open to the wholesale admission of post hostilities refugees, whether they have now left their countries for political or other reasons.

5. We do not ourselves see a middle course between these two alternatives on which we could base workable instructions for the field and we should be grateful for a more precise elaboration of your general principle.

6. The more workable principle for the field would be the acceptance of an oral assurance of internal displacement. We do not know, however, how far you are prepared to face the criticism of member states involved that UNRRA funds were being used in support of political refugees from their countries, or how effective the argument of internal displacement during the war would seem to you as a cover under which to defend yourself from such a charge.

7. Your introductory sentence, together with paras. 4 and 9 would seem to limit the application of the principles set out to people coming from Poland to Germany. We assume however that any such principles are to apply generally.

D. Ward

8

OUT FILE

DG 16

Copies

2925/8

2925/28

Copy to DP.

OUTGOING CABLE

DG

ORIGINATED BY: OFFICE OF THE GENERAL
COUNSEL
MR. DUDLEY WARD

LONDON.....TO.....WASHINGTON

No. 49

D. 2nd January 1946
15.35 hrs.

(en clair)

IMMEDIATE

Your No. 8855.

1. We note the ruling laid down in your para. 1 and also the concessions in favour of "persecuted" displaced persons contained in paras. two and three, although we agree that these principles put a heavy strain on the present resolutions.
2. However in the application of paras. two and three to other categories, for which evidence of internal displacement is to be required, we are convinced, and in this we are confirmed by Field Officers at present on visit to ERO, that your general principle cannot be promulgated without more precise practical direction.
3. If other than assurance by the individual of internal displacement is required your ruling would for all practical purposes preclude the admission for UNRRA care of these categories, since few, if any, refugees arrive with corroborating evidence of any kind. It may well be your intention to restrict the admission of post hostilities refugees in this way. But a ruling which requires other than oral evidence will add immensely to the already heavy difficulties of Camp Directors and may expose UNRRA to the criticism of discrimination in favour of special groups of refugees.
4. It might therefore be necessary to accept oral evidence alone as sufficient. As, however, almost everyone in Poland and Yugoslavia, to take only these two countries, has been internally displaced at one time or another during the war, or could assert that they had been so displaced with little likelihood of rebuttal, the door would at once open to the wholesale admission of post hostilities refugees, whether they have now left their countries for political or other reasons.
5. We do not ourselves see a middle course between these two alternatives on which we could base workable instructions for the field and we should be grateful for a more precise elaboration of your general principle.
6. The more workable principle for the field would be the acceptance of an oral assurance of internal displacement. We do not know, however, how far you are prepared to face the criticism of member states involved that UNRRA funds were being used in support of political refugees from their countries, or how effective the argument of internal displacement during the war would seem to you as a cover under which to defend yourself from such a charge.
7. Your introductory sentence, together with paras. 4 and 9 would seem to limit the application of the principles set out to people coming from Poland to Germany. We assume however that any such principles are to apply generally.

M/ID

OUTGOING CABLE

Originated by:
Relief Services Dept.
D.P. Div.
A. Delierneux.

LONDON.....TO.....ROME

No. 1072.
En clair.

D. 1050 31 Dec. 45.

Re your 1212 subject eligibility certain categories D.P.s in Italy.

1. If Jews referred to are United Nations D.Ps. or ex-enemy victims of persecution they can be accepted for care in UNRRA camps. If possible you should exclude those who have already been returned to their homes.
2. Yugoslav political refugees should not repeat not be accepted.
3. Will send you final ruling on ex-soldiers within a few days.
4. We cannot, repeat not, staff and operate camps for ineligible German civilians. You may wish to suggest that voluntary teams might take on this work as a non-UNRRA operation.

PW/BSS

6
OUT FILE

D & 16

DGL

(Dep No
1648)

29th December 1945

Dear Davidson,

No 16

With reference to Hawes' letter of 24th November dealing with the Directives on D.P. operations and the statement of UNRRA's authority to care for those displaced persons who do not wish to be repatriated, we agree that UNRRA's authority on the point should be clearly stated. However, E.R.O. has now issued two further directives, Nos. 4 and 5, copies of which are attached for your information, and I think you will find that the point raised by Hawes is now covered by the last two paragraphs of Directive No. 4.

Yours sincerely,

K.A. Aickin

A.E. Davidson, Esq.,
UNRRA,
Dupont Circle Building,
Dupont Circle,
Washington, 25, D.C.,
U. S. A.

Registry
No.

Draft.

Telegram.

WASHINGTON

28.12.45

En Clair

NOTHING TO BE WRITTEN IN THIS MARGIN.

28 DEC 1945

Original
Office of General Counsel
D 1753/28
DG 16
Copy DG 11/13
Copy DP.

Despatched

M.

Pass immediately to Davison from Ward. Further to telephone conversation with Jackson.

Following are outstanding D.P. problems :-

1. Balts and Volksdeutsch. (See memorandum taken to Washington by Van Hynning).
2. Jewish refugees. (See our telegram 7382).
3. Ex-prisoners of war. We are awaiting any comments you may wish to make on ruling which we gave to Frankfurt that UNRRA may care for ex-prisoners.
4. Discharged Allied Soldiers (See your telegram 4572). We can see no justification for distinction drawn by you and think that fact that a D.P. is a discharged soldier is irrelevant to his status as a displaced person. We, therefore, suggest a general ruling on the following lines. That where it is impracticable to shift the burden on to the Government controlling the forces from which they are discharged, UNRRA care for discharged members of the Allied forces is authorised on the same conditions as for other displaced persons.
5. Jewish refugees coming into Italy from the North. We are instructing Rome that if the Jewish refugees referred to are United Nations Displaced Persons or enemy victims of persecution, they should be accepted for care in UNRRA camps, but if possible, the mission should exclude those who have already been returned to their homes.
6. We are continuing to refuse authority to care for political refugees reaching Greece and Italy after cessation of hostilities. In this connection may we have your views on question raised in our telegram 7689.
7. We should be grateful for most urgent comments on all the above points.

T. Ward

6c

DG 16

Copy DG 11/13 ✓

Copy DP. ✓

Copy D/G 25/28

D.G.

OUTGOING CABLE.

ORIGINATED BY:-

Office of General Council,
Mr. Dudley Ward.

LONDON.....TO.....WASHINGTON.

No. 7896
En Clair

28th. December 1945.
17.3. hrs.

Pass immediately to Davison from Ward. Further to telephone conversation with Jackson.

Following are outstanding D.P. problems:-

1. Balts and Volksdeutsch. (See Memorandum taken to Washington by Van Hyning).
2. Jewish refugees. (See our telegram 7382). ^{PP}
(No copies)
3. Ex-prisoners of war. We are awaiting any comments you may wish to make on ruling which we gave to Frankfurt that UNRRA may care for ex-prisoners.
4. Discharged Allied Soldiers (See your telegram 4572). We can see no justification for distinction drawn by you and think that fact that a D.P. is a discharged soldier is irrelevant to his status as a displaced person. We, therefore, suggest a general ruling on the following lines. That where it is impracticable to shift the burden on to the Government controlling the forces from which they are discharged, UNRRA care for discharged members of the Allied forces is authorised on the same conditions as for other displaced persons.
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6. We are continuing to refuse authority to care for political refugees reaching Greece and Italy after cessation of hostilities. In this connection may we have your views on question raised in our telegram 7689.
7. We should be grateful for most urgent comments on all the above points.

PW/LR

DG

OUTGOING CABLE.

Originated by:-
K.A. Aickin
Office of the General Counsel.

LONDON ,..... TO WASHINGTON.

No. 7881 En Clair

D. 28th December 1945
16.40 hrs.

Repeated Paris Savingram No. 3.

Definition of United Nations' national

1. Question has arisen as to whether this term is confined to nationals of member-governments or includes nationals of other United Nations.
2. We understand from Foreign Office that Lebanon, Syria and Turkey have subsequently adhered to the original United Nations declaration of 1st January 1942 and are also signatories of United Nations Charter. In addition, Argentina and Denmark have signed the charter, but have not adhered to declaration. Of these nations, Denmark is a member of UNRRA and others are eligible for membership under Resolution 64.
3. This is practical problem in Italy with regard to Turks. We have for the present given ruling that we are authorized assist only nationals of member governments.
4. May we have your views.

PN/IGT

OUT FILE

66

DG 11/10x
copy for DG 16

DG

OUTGOING CABLE

Originated by:-
K.A. Aickin
Office of the General
Council.

LONDON.....TO.....WASHINGTON

No. 7881 En clair

D. 28th December, 1945
16.40 hrs.

Rep'd Paris Telegram No 3.

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3. This is practical problem in Italy with regard to Turks. We have for the present given ruling that we are authorized assist only nationals of member governments.
4. May we have your views.

PW/CN

File copy

(6)

DP 105
Copy for DG 16
" on DG 11/11

DP 105

OUTGOING CABLE

Originated by:-
Office of General
Counsel
Mr. Dudley Ward.

Copy for DG 16
a DG 11/11

LONDON.....TO.....WASHINGTON

No. 7689
(En Clair)

DATED: 20th December, 1945
18.19 hrs.

Date of Displacement of Displaced Persons.

1. Problem is arising as to final date of displacement which qualifies persons as D.P. for UNRRA purposes. This is connected with the problem of political refugees in Greece and Italy and also with the returning Poles referred to in our 7382. *SS.*
2. Greek Mission has already asked specifically for ruling on this point.
3. Our view is that we should take cessation of hostilities in Europe, namely 8th May, as the final date before which persons must have been displaced from their homes to qualify as D.P's. This refers to displacement from their homes and not to date of leaving country of origin or arrival in country of refuge or at UNRRA camp.
4. There may be a small number of exceptions whose displacement was caused by the movement of the Allied Armies after the cessation of hostilities in the course of the final occupation of enemy territory and the adjustment of military zones of occupation. Persons otherwise qualifying, who were displaced after May 8th in such circumstances should be regarded as displaced "as a result of the war".
5. If you concur, we will instruct all Missions that persons displaced from their homes after 8th May do not, save in exceptional cases referred to, qualify as displaced persons.
6. Glad of your views urgently.

FW/NE

Orig: DP 105
Copy for DG 16

INDEXED
(S)
INCOMING CABLE

DP. 105

Action: R.S. Dept.
D.P. Division
Miss Radin

Copy DG 16

ROME.....TO.....LONDON

No. 1212
En Clair

D. 19th Dec. 1945
R. 17.50 hrs. 19th Dec. 1945

Re. your 1007. G-5 AFHQ today informs us that in recent weeks there has been considerable influx illegally entered Yugoslav Political Refugees into Italy. A greater number of Jews amounting probably to several hundreds a week also illegally entering Italy from North. AFHQ requests information re. UNRRA attitude regarding acceptance these persons into UNRRA operated camps in Italy. Regret necessity press you but your policy these group and ex-soldiers and sailors is probably most urgent. Single item re. DPS. AFHQ also requests we staff and operate at their expense the 3 or 4 camps for ineligible German civilians in North Eastern Italy. What is our policy?

KP/EFH

135 To Stockholm.
R.S.

615 from Warsaw: S.

699 from Warsaw. }
Warsaw to Prague No 12. }

545 to Warsaw P.

Louis

Would you have a look
at these two points and
then discuss with me at
some convenient moment

K. A. Dick

3/21

58 A → DG16 A5348

UNITED NATIONS
RELIEF AND REHABILITATION ADMINISTRATION

1344 CONNECTICUT AVENUE
WASHINGTON 25, D. C.

VIA AIR MAIL

Mr. A. H. Robertson
Mr. A. H. Robertson *to you -*
Office of the General Counsel *Ad.*
U. N. R. R. A.
11 Portland Place
London W-1, England

RECEIVED

30 NOV 1945
U. N. R. R. A.
MAIL UNIT

24 NOV 1945

Dear Bill:

I have gone over the directives on displaced persons operations which you referred to in your letter to Abe of 7 November. It seems to me that these will be very useful and that they fill a real need. Of course, I have managed to find one or two fly specks which I would like to call to your attention!

In Directive No. 1, Part I, B-3, the phrase "and can be repatriated thereto" which I believe came from the previous statement by the Committee has always, in my opinion, been a mistake. It is not important so far as Part I is concerned itself, since you have limited that part to a statement of persons with respect to whose repatriation UNRRA is authorized to deal. It is important, however, in view of Part II (1), stating UNRRA's authority to care for displaced persons. In my opinion, even before Resolution 57 was originally passed, we had authority to care for stateless persons who could not be repatriated. In fact, it was particularly this group which was the subject of the much-disputed language contained in paragraph 10 of the report of subcommittee 4 of Committee IV at Atlantic City. This is not unimportant, because, as you know, Resolutions 57 and 60 are limited in territorial extent, and unless aid is extended to non-repatriable stateless persons as such, they can be given care only if found in liberated or enemy territory.

I think also that there should be a clear and positive statement that UNRRA is authorized to care for displaced persons who cannot or do not wish to be repatriated. I realize that it is impossible to give a specific citation for this authority. However, the directive does not and need not confine itself to statements for which citations can be given. For example, the first sentence of Part II, paragraph 2, is not based on any resolution. Without such a statement as I have suggested, however, it is not clear that non-repatriable United Nations nationals can be cared for in liberated territory.

Very truly yours,

Alexander B. Hawes
Alexander B. Hawes

DG116

OUT FILE

Reg.
Jg

DG116

7th November, 1945

Dear Feller:

We have recently worked out with the Displaced Persons Division certain directives on displaced persons operations. The first three relate to:

1. The activities of displaced persons with whom UNHRA is at present authorised to deal. This documents represents the revision of the statement previously worked out by the Standing Technical Committee in Washington and the Standing Technical Sub-Committee in London; we have revised it in order to make the changes necessitated by the resolutions at the Third Session of the Council.

There has been discussion in ERO about the production of revised statement of categories by the Standing Technical Committee in Washington, and I believe that the Displaced Persons Division have written, or will be writing to Washington about this. If the matter is laid before the Committee it may be that you will wish to use our statement as a draft. We went ahead with the production of a statement in London because it was necessary to issue a guidance for UNHRA officials operating in Missions or in Germany without incurring the delay (which might be considerable) involved in the production of a statement by the Committee. The issue of our statement to Missions in Europe seems clearly to fall within the administrative responsibility of ERO, provided that we recognize (as we do) that this is not a Committee document with the same authority as the earlier drafts.

2. Various matters arising within the interpretation of the Resolutions relating to displaced persons.

This is a document which I previously sent you in draft

/over

and with which you telegraphed your agreement subject to a few alterations which I think I have taken care of.

3. Payment of costs of repatriation.

We have in mind to prepare further directive on other questions about which we feel officers require guidance. This will probably include statelessness and internal displacement. I will send you copies of further productions as and when they are produced.

Yours sincerely,

A.H. ROBERTSON

A.H. Feller, Esq.,
UNRRA,
1344 Connecticut Avenue, N.W.,
Washington 25, D.C.

ACTION COPY

MA 13/11
Copy 15 D.P.

DG 16

ACTION COPY

INCOMING CABLE

INDEXED

Mr. Robertson

MA 13/11

Action: Mr. D. Ward

ROME.....TO.....LONDON

No. 686

[EN CLAIR]

D: 10th Oct. 1945

R: 10th Oct. 1945

No 2

Re your 508.

- Pertinence Yalta Agreement. This problem not clear to us. Problem of identification important in cases assisted outside camps otherwise determination eligibility not possible. Not clear what would constitute prima facie evidence particularly since many refugees applying without documents. Further problems created regarding persons displaced after end of war. How far does definition of displacement as result war extend.
1. prima facie evidence particularly since many refugees applying without documents. Further problems created regarding persons displaced after end of war. How far does definition of displacement as result war extend.

2. Application amendment Resolution 57 peculiarly difficult in Italy since we directly administering assistance to individuals outside of camps. This requires specific identification as well as detailed application UNRRA resolutions as opposed to group acceptance of refugees in camps in liberated areas.

3. Because of technical problems involved we doubt continued exchange of cables will develop satisfactory solution, and we anxious fully implement amendment by 1st November. Suggest we come London for decisive conference or preferably you send soonest representative fully informed our correspondence these problems and with full authority to reach decision here with us. Cable us your decision.

JS/RLW

COPY

OUT FILE

5th October, 1945.

TO:- Chief of Rome Mission

(3)

DA 16.

FROM:- A. Delierneux,
Chief, DP Programmes Officer.

Dear Mr. Keeney,

No (2)

I received your bulletin No. 7, and we have already cabled you about it (our cable No. 508). This is to implement what we said in paragraph 9 of the said cable.

I think that we should not delay our giving assistance to any D.P. by waiting for a check-up to be done by the Government concerned. We should on the contrary start giving that assistance on prima facie evidence that the D.P. is either a United Nation national, or a stateless, or comes within the categories set out in Resolution No. 57.

We should then send to the representatives of each national government concerned a nominal roll of the nationals of his country to whom UNRRA gives assistance. It will then be up to them to take any steps they think fit.

Yours sincerely,

A. Delierneux,
Chief, D.P. Programmes Officer.

OUT FILE

DG 16

2
OUTGOING CABLE

M.A. 13/11

Originator: Mr. A.H. Robertson

Copy D.P.

LONDON.....to..... ROME

No. 508
En Clair

D. 19.16 hrs. 1st Oct., 1945

Reference draft notification and Bulletin about displaced persons.

1. We consider it inadvisable to send notifications in accordance with either of your suggestions to any representatives of Member Governments. They were all represented at Council Meeting and we fear that separate notification by each UNRRA Mission would lead to unnecessary negotiations and confusion.
2. Referring your Bulletin seven paragraph 1. You may assist nationals of all of the United Nations, though if any nationals of the U.S.S.R. apply for assistance, you should notify the military authorities with a view to their taking them over in accordance with the provisions of the Yalta Agreement.
3. We agree with inclusion of your paragraph 11 referring to persons other than United Nations nationals.
4. Referring your Bulletin seven page 2 paragraph 3. We cannot understand the need for your proposal for requiring identification of nationals of certain United Nations by representatives of their Governments. We are writing about the question of informing Member Governments about their nationals receiving UNRRA assistance but suggest that you should provide assistance in the meantime without requiring this formality. You may act on prima facie evidence that displaced persons are of United Nations nationality or stateless or come within the other categories set out in Resolution 57.

JS/EPH

①

13/11
DG16

D. PROBLEMS REGARDING ELIGIBILITY

1. Unauthorized movement of Jews from Austria

Situation: 7,000 to 8,000 Jews were moved or moved without authorisation from Austria into Italy. On learning of this movement ERO communicated by memorandum with Salzburg asking our Mission to use its good offices with the military authorities with a view to preventing future unauthorised movements. Nationality composition of this group is unclear but it is understood that they intended to migrate to UNRRA camps in Italy with a view to proceeding to Palestine. These people have approached UNRRA assistance offices in Rome, Florence, Bari, etc. and emergency assistance problem is being given. It was hoped to admit them to UNRRA camps by about the end of September.

Problem for decision: Since these persons moved to Italy without authorisation, do they cease to be eligible for UNRRA care? It is not possible to determine unequivocally from the Council Resolutions whether or not this unauthorised act disqualifies them for UNRRA's help. It is therefore a high level policy question. The principle concern of UNRRA is to prevent a repetition of unauthorised movements. This may be accomplished in the following ways:

- (a) UNRRA continues care of these groups but issues a warning in camps in Austria and Germany that future instances of unauthorised movement will disqualify.
- (b) UNRRA refuses to care for this group and any future groups moving without authorisation. Notice of this decision is given in all UNRRA camps in Germany and Austria.

What is the correct method of handling?

2. Turks in UNRRA camps

Situation: Italian Mission report dated August, 1945 states that there are 300 Turks in UNRRA camps. Since Turkey is a non-member country, Turkish nationals are only eligible for UNRRA care under Resolutions 57 and 60, as: "other persons who have been obliged to leave their country or place of origin or former residence or who have been deported therefrom, by the action of the enemy, because of race, religion or activities in favour of the United Nations".

Problem for decision: Since it is understood that Turkey is about to apply for membership of UNRRA it would seem reasonable for UNRRA to care for these people, if ineligible under Resolutions 57 and 60, against future reimbursement by the Turkish Government. This suggestion has been approved by Mr. Dudley Ward and Mr. Robertson and would require the agreement of Washington.

3. Roumanians

Situation: 169 are reported to be receiving UNRRA assistance outside camps. These would only be eligible for UNRRA care under Resolutions 57 and 60 as "other persons".

Problem for decision: What are the grounds of eligibility in this case? Does Rome Mission desire ERO to contact ACC Roumania about this group?

4. Stateless

Situation: About 4,000 stateless are in UNRRA camps and about 2,290 are receiving assistance outside UNRRA camps.

Problems for decision: Does this group consist entirely of persons stateless before the war, or does it include any other categories? For instance, persons refusing repatriation. What was their original nationality? What discussions have taken place in Italy with the IGCR in regard to stateless persons?

17th October, 1945.

5. Prima facie evidence of eligibility

Situation: Rome Mission has been issuing to their field officers a directive requiring them to determine the nationality of applicants by referring cases, prior to relief being given, to local representatives of the member governments. ERO explained that they should accept persons for care on prima facie evidence of eligibility and without consultation with the government representatives concerned, in order that Resolution 71 may be fulfilled. Rome replied that they did not understand what would constitute prima facie evidence and claimed that consultation with government representatives was an operational necessity. This would seem to have been answered by Mr. Delierneux's letter to Rome, copy attached.

Problem for decision: Does Rome fully understand implications of Resolution 71? Are Rome's problems on prima facie evidence adequately dealt with by Mr. Delierneux's letter.

17th October, 1945.

DG 16
Pouch 4/1

UNITED NATIONS
RELIEF AND REHABILITATION ADMINISTRATION
ITALIAN MISSION

Dudley Ward, Esq.,
European Regional Office,
11, Portland Place,
London, W.1.,

(10)

DG.

Ref No.

January 8th 1946

INDEXED

Dear Dudley,

1. Sorieri, Contini, Franklin and I have been discussing various telegrams which have recently been exchanged between Rome and London about Displaced Persons problems. We have despatched a telegram on the wider question of transfer of responsibility for the Displaced Persons camps in Italy. The object of this letter is to deal with certain questions of eligibility.

2. These questions of eligibility in Italy are much the same as those which have recently arisen in Germany and Czechoslovakia with reference to refugees from Poland; they have also arisen to a lesser extent in Greece with reference to Yugoslavs. Van Hyning and I discussed this last month in Washington. Unfortunately, agreement was not reached there before I left, but we hoped that it would be before Van Hyning returned to E.R.O.,

Jewish Refugees.

3. You have agreed in your telegram No.1072 that Jewish United Nations Displaced Persons or ex-enemy victims of persecution are eligible for care in UNRRA camps, and so presumably for UNRRA assistance generally. (The intention is to assist them in camps rather than outside.) We understood that this applied equally to post-war refugees who are Jewish. (In this letter I use "post-war" to mean after the end of hostilities in Europe). Our reasoning was that one can safely assume, in default of evidence to the contrary, that Jews in Germany, Austria or Eastern Europe were internally displaced during the war, and were, therefore, eligible for UNRRA assistance, even though their external displacement across national frontiers might only have occurred after the war. We were proposing to write asking for your confirmation of this view when your telegram No.21 arrived. We are taking that as confirmation.

RECEIVED

25 JAN 1946

U. N. R. R. A.
MAIL UNIT

Other Post-War Refugees.

4. Rome telegram No.1212 specifically raised the question of Yugoslav political refugees and paragraph 2 of your telegram No.1072 consequently dealt with this particular category. I take it, however, that the ruling would apply to non-Jewish post-war refugees generally, whether or not the reasons for their departure are political. In other words, Yugoslavs in Italy are in the same position as Poles in Germany.

5. If this ruling is intended to be of general application, the practical difficulty is that, according to Sorieri's rough estimate, about 80% of the D.P's in Italy are post-war refugees, of whom only about 25% are Jews. It has always been contemplated both by the military authorities and by UNRRA that we would take over the handling of D.P's in Italy from the military. As you know, arrangements to that end are already far advanced; indeed we have already taken over the administration of the great majority of the camps. To refuse responsibility at this stage for more than half the population of the camps would create a very difficult situation.

6. It seems to me that the only way out of this difficulty should be on the same basis as the rule I have suggested above; namely, that a person who are internally displaced during the war and subsequently displaced externally should be regarded as eligible for UNRRA assistance, even though their external displacement was post-war. On this basis Sorieri is of opinion that the majority of Yugoslavs in Italy would qualify for UNRRA assistance, and our arrangements with the military for their transfer of responsibility to UNRRA could go ahead. It is true that this would involve taking care of a certain number of Yugoslav political refugees; but there is, in my opinion no reason to anticipate any greater difficulty on that account than already arises from the implementation of Resolution 71.

7. Another reason which could be given to justify assisting these post-war refugees is that the resolutions refer to displacement "by reason of the war" apart from the fact that technically speaking the war has not ended; displacement "by reason of the war" can reasonably be taken to include not only displacement by reason of the fighting, but also displacement by reason of the general upheavals consequent on the fighting and prior to the conclusion of the peace.

Ex-Soldiers.

8. As mentioned in our telegram, we are still awaiting your decision on discharged soldiers. I heard from Van Hynning in Washington that suggestions had been made that the Polish Corps in Italy should be demobilised and entrusted to UNRRA as a collection of Displaced Persons. As there are more than one hundred thousand of them, the Mission is naturally most anxious to learn whether any further developments have taken place in this respect.

German Civilians.

9. The Mission quite understands the ruling in your telegram No.1072 that they should not undertake the care of ineligible German civilians, even though the military would hold themselves responsible for the financial commitments involved. AFHQ made this suggestion because they were anxious to withdraw their own personnel and knew that in Germany and Austria UNRRA personnel had undertaken, when acting under military orders, to care for certain types of D.P.'s ineligible for UNRRA assistance according to the resolutions. I have explained, however, that this occurred as a result of military directions and not of UNRRA policy, further that our new agreements in Germany specifically guard against this type of occurrence. I think that the Mission may suggest to AFHQ quite informally that if the American and British Governments want UNRRA to take on such a job because Allied Forces are withdrawing from Italy, the proper course would be for the Governments to raise the matter in Central Committee.

10. I have written at some length in order to give you a clearer indication of our thinking than one could do in a telegram. It, would, however, be helpful if you could reply by telegram to the following question :

Do you agree that the Italian Mission should assist post-war refugees who were internally displaced during the war and subsequently displaced externally as suggested in paragraphs Nos 6 and 7 ?

I am sending this letter in duplicate in order that you should have a copy available for Van Hynning.

Yours sincerely,

A.H. Robertson

A.H. Robertson,
Legal Adviser.

P.S. I should add that this letter has been read in draft by Sorieri, Contini and Franklin. The first two have agreed with it. Franklin has expressed his comments in a note of which I attach a copy hereto.

cc: ERO.
Sorieri
Contini
Franklin: Registry.