

those persons transported by air to Venezuela and Canada, a movement operation which began in May 1948 and has since increased in importance.

It is estimated that, during the fiscal year 1948/49, 282,000 persons will have to be moved overseas. Providing that all ship movements work according to schedule, the IRO fleet should offer transportation to a maximum of 230,000 persons, thus leaving a margin of 52,000 to be provided for by other means.

One of the key questions in regard to the acquisition of shipping tonnage is the question of funding. The majority of the ships now under IRO charter are hard-currency commitments. At the present time, figures show approximately that, out of a budget of \$56,775,000, the main expenditure is in dollars while 20 per cent only can be applied in sterling.

It is thus essential that arrangements be made for the procurement of tonnage in currencies other than dollars if the envisaged programme is to be implemented.

During the year under review, there was a shortage of shipping in comparison with the numbers of refugees awaiting transportation because it was not clear what funds would be available to charter tonnage or procure space. As a result, refugees who had been selected by the national selection missions remained in camps for much longer periods than was necessary, thus increasing the Organization's costs for care and maintenance and further reducing the amount of funds which might otherwise have been made available for shipping.

SECTION IX

Legal and Political Protection

Under the Constitution, the legal and political protection of persons coming within the mandate of IRO is one of the Organization's prime functions. It means safeguarding the rights and legitimate interests of eligible persons, especially when they are stateless in law or in fact and therefore do not enjoy the protection given by a national state through its diplomatic representatives. This task bears a political character in so far as it involves relations with governments and inter-governmental agencies.

The legal problems to be dealt with are manifold since the position of persons who are stateless and who have, as a rule, no permanent resi-

dence, is bound to create legal difficulties and conflicts. Moreover, a great many have been persecuted during the war, and the Organization has to help in their rehabilitation, in restitution of property and adjustment of wrongs.

Four of the most important problems in which the IRO was concerned during the year were : Human Rights, Statelessness, Co-ordination of Procedure on Declaration of Death, Travel Documents.

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In December 1947, the Organization submitted to the second session of the Human Rights Commission of the Economic and Social Council of the United Nations a memorandum dealing with the following problems which were considered to be of particular relevance for eligible persons :

- (a) Equality before the law ; prevention of discrimination, protection of minorities ;
- (b) Nationality and statelessness ;
- (c) Emigration, expulsion, asylum.

The meetings of the Sub-Commission on the Prevention of Discrimination and the Protection of Minorities, and of the Commission on Human Rights, were attended by representatives of the Organization in the capacity of observers, and a number of the suggestions contained in the memorandum submitted were adopted by the Commission at its second session and maintained in the Declaration on Human Rights, adopted by the Commission at its third session.

On the basis of the action taken by the Organization, the Commission on Human Rights adopted, at its second session, a Resolution on Statelessness. Following the discussion on the Report of the Commission, the Economic and Social Council of the United Nations adopted at its sixth session, held at Lake Success in February/March 1948, a Resolution on Statelessness. Under the terms of this resolution, a study of the existing situation in regard to the protection of stateless persons was to be undertaken, as well as a study on the desirability of concluding a further convention on the subject.

In accordance with this resolution, the Secretary-General of the United Nations invited the Executive Secretary of the Preparatory Commission to collaborate with the competent organs of the United Nations in the implementation of this resolution. Consequently contact was established between members of the Secretariat of the United

Nations and members of the Secretariat of the IRO at Geneva, who discussed various aspects of the studies referred to above.

In continuing the work initiated by its predecessor organization, the Intergovernmental Committee on Refugees, the IRO has acquired material covering the legislation of thirty-seven countries on the subject of the legal problems created by the disappearance of millions of persons in consequence of the Second World War and of persecution, whose deaths cannot be conclusively established. In recognition of the urgency and importance of the problem, the Preparatory Commission adopted at the sixth part of its first session a resolution directing the Executive Secretary to prepare a survey of it, to transmit that survey to the Secretary-General of the United Nations and to request the latter to place the subject on the agenda of the next session of the Economic and Social Council. The Preparatory Commission expressed the hope that the Economic and Social Council would take all necessary measures with a view to the preparation of a draft international convention on the subject, or to some other form of international solution, in collaboration with the Executive Secretary. The survey was submitted by the Executive Secretary of the Preparatory Commission to the Secretary-General of the United Nations, who placed the item on the agenda of the seventh session of the Economic and Social Council held at Geneva in July/August 1948.¹

Since most of the persons coming within the mandate of the IRO do not enjoy the protection of any government, they are deprived of the possibility of obtaining a national passport and need, therefore, to be able to obtain some form of travel document to serve in its place.

As a result of considerable work undertaken by the Intergovernmental Committee on Refugees, an international Agreement was adopted in London on 15 October 1946 concerning the issue of a travel document to refugees and displaced persons who would come within the mandate of the IRO when that Organization was established. At the same time the form of the travel document to be issued was established, and it is now commonly known as the "London document" or the "IRO travel document".

¹ At the moment of issuing this Report, it can be stated that the Economic and Social Council accordingly resolved that a draft convention be prepared on the subject by the Secretariat of the United Nations in collaboration with the International Refugee Organization and other organizations concerned, and that this draft be submitted to Governments Members of the United Nations for their comments, not later than 20 October 1948 and be presented to the Economic and Social Council at its eighth session together with these comments.

In May 1948, the Preparatory Commission added to the mandate of the ITS the search for children kidnapped by the Nazis in support of their Germanization programme, the determination of their nationality and their return to their families where possible.

In many cases the ITS has uncovered evidence leading to the conclusion that missing persons are dead. Although it has lacked the authority to issue official death certificates in such cases, its findings have frequently served as a basis upon which the heirs of the deceased person can obtain such official determination of death from the proper authorities.

Inquiries concerning missing persons are received at the central headquarters at Arolsen. If the headquarters has no information on the individual concerned, the inquiry is referred to the zonal bureaux. Lists of missing persons are published in displaced persons' camps and in the Press and are broadcast both over German radio stations and over the transmitters of the International Red Cross at Geneva and the Vatican at Rome.

The ITS maintains close relationships with the various national tracing bureaux. The national tracing bureaux of France, Belgium, the Netherlands, and Luxemburg maintain liaison officers at the ITS headquarters to facilitate exchange of information. Liaison with Italy, Poland, Czechoslovakia and Yugoslavia is maintained through the National Red Cross Societies.

Today, more than three years after the end of hostilities, requests for information concerning missing persons are still received in large numbers. Between 1 October 1947 and 30 June 1948, the ITS received 50,000 such demands, most of them from displaced persons still in Europe or resettled elsewhere. The ITS was able to give some information in response to 32,618 of these inquiries, and in 14,631 of these cases it was able to find the individual or to establish proof of his death. The central index, containing information on approximately 2,500,000 individuals, constitutes the most important source of information.

The tracing of children has proved to be difficult. Nevertheless, the ITS, on its own initiative, has discovered 641 children who had been placed in German homes during the war. In addition, 680 children have been traced and for the most part returned to their families on specific requests received by the Service. The Service has received a total of 42,631 such requests.)

It has two main advantages : it indicates that the holder is the concern of the IRO, a fact which gives it a certain protective value, and it contains a clause authorizing the holder's return, during a certain period, to the country of issue, which makes it more readily acceptable to governments of countries of resettlement.

As successor agency under the original Agreement, the IRO has followed closely all developments in connexion with that Agreement. Appropriate representations have been made to governments concerning changes in the manner of implementation of the Agreement which have appeared necessary or desirable. To those governments which require it, IRO representatives in the field have issued certificates stating that an applicant does in fact come within the mandate of IRO. Other governments issue the travel document upon direct application by the refugee and consult the IRO only in difficult or doubtful cases.

Negotiations have been conducted with governments with a view to their signing the London Agreement. Signature involves an undertaking both to issue the travel document and to recognize it when issued by other signatories. The total number of signatories is now eighteen, and thirteen British colonial governments have undertaken to extend application of the Agreement to their territories. Moreover, seven non-signatory governments and fourteen British colonial governments have undertaken to recognize the travel document.

The IRO also carried on negotiations with a view to obtaining issue of the travel document in the Western Zones of Germany and Austria. The British and French occupation authorities in Germany have indicated their willingness to issue it in their respective Zones, provided it be also issued in the United States Zone. A decision is still awaited from the United States authorities. In the British Zone of Austria, the travel document has been issued for some time. It is considered that the question of its issue in the French and United States Zones of Austria will depend upon the decision reached with regard to Germany.

SECTION X

Reparations

Under Article 8 of Part I of the Final Act of the Paris Conference on Reparations adopted by eighteen Allied Powers in December 1945, and under the Five-Power Agreement of 14 June 1946, certain assets were to be made available for non-repatriable victims of Nazi perse-