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SURVEY OF THE POST-WAR REFUGEE PROBLEM (Conclusion).

There are still in Europe close to half a million so-called Nansen refugees, i.e. refugees placed in the early 'twenties under the protection of that great man, Doctor Fridtjof Nansen, the first League High Commissioner for Refugees. They are people of Russian origin compelled to leave the Soviet Union as a result of revolution and civil war, and Armenians formerly settled either in what is now Soviet Armenia, or in Turkey. These refugees have been living for the last twenty-five years a precarious existence in various European countries. The most important Russian colonies are in Yugoslavia, France, the Baltic States, Czechoslovakia, Germany, but one finds many thousands of them in other countries as well. The Armenians are found in Roumania, Bulgaria, Greece and notably in France. It is most likely that these refugees will remain a long term problem, even after the war, and although a fair measure of assimilation has taken place, they have not been fully absorbed in their countries of adoption, and will still need inter-governmental assistance and protection.

The Group which has been most before the public eye in the last years is the refugee from Germany, Austria, the Saar, Danzig and Sudetenland. Almost ninety per cent. of these people are victims of racial persecution, which has affected equally full confessional Jews and so-called Christian non-aryans. This large group can be roughly classified for our purposes in the following manner:

1. Several hundred thousand of these refugees have been able to reach, before or during the war countries of final settlement outside Europe, notably the U.S.A. or Palestine. While their absorption and rehabilitation is in no way complete, yet they will not constitute a problem for intergovernmental assistance.

2. Another group was accepted as transmigrants in the United Kingdom. Owing to the war the time-limit imparted to them for leaving the country has been suspended indefinitely, and they have been allowed to seek gainful occupation or to enlist in the Armed Forces.

3. Another group has escaped prior or during the war into neutral countries, where they are either maintained by the Government concerned or by voluntary bodies.

As regards Switzerland, a substantial number of those who had been admitted since 1938 were able to re-emigrate in transit through the French Free Zone until German occupation of France was completed in November 1942. However, with the beginning of labour enrolment and deportation in the Low Countries and in Occupied France in the early summer of last year a new stream of refugees began to pour into Switzerland without entrance permits. This influx took such proportions that the Federal Council was compelled to apply fully the Ordinance of October 1939 concerning admission of aliens on Swiss territory, and to close the border.

Notwithstanding difficulties of provisioning, experienced at present, and possible inconvenience of a political nature, Government, Parliament and public opinion showed again at this occasion how deeply they were attached, despite all difficulties, to the humanitarian tradition of granting asylum to victims of perse-

cution, whatever their creed and race. In fact, none of the victims who managed to escape into Switzerland in a clandestine manner were expelled or reconducted to the border. On the contrary, special reception camps were set up for them throughout the country, and they are being maintained out of public funds. Young employable elements are put into labour camps doing road construction and reclaiming work, receiving the same food as a Swiss soldier and a small pay to cover their incidentals and enable them to set money aside for the periods of leave granted at regular intervals. Children were placed in special homes and receive the same schooling as Swiss children. Special attendance is given to the old, the sick and the invalid.

The task incumbent upon the Swiss authorities is obviously a very difficult one. They have to strike a just balance between the over-riding exigencies of public order and safety in war-time, and the great tradition of humanitarian assistance. When one considers that Switzerland had already before the war a permanent alien population of about ten per cent. of the total population, it is readily understood that the main concern for Switzerland is less the difficulty of maintaining and feeding these refugees in war-time than her legitimate anxiety to remove these elements after the war, elements which she is unable to admit for final settlement in view of her demographic and economic structure. The United Nations are aware of the substantial humanitarian contribution made by Switzerland before and during the war, and appreciate her concern for the future. It is confidently hoped that this appreciation of the Allies will find expression in measures calculated to produce tangible results, both in the interests of Switzerland, and of the refugees themselves.

4. More unfortunate were those numerous refugees who went as transmigrants to the Low Countries and France, and who were recaptured by the various German advances into these countries. Thousands had managed to escape from Belgium, Holland, Luxembourg, and Northern France into the French Free Zone in 1940, where many were interned under harsh conditions, or living precariously outside camps. Some were able to re-emigrate between 1940 and November 1942, but even before the German occupation of the Free Zone they had been subjected to new arrests, deported or forcibly enrolled in labour gangs. A similar fate reached those who had escaped in the beginning of the war into the Baltics, Poland and some of the Balkan countries.

All these categories except the first one are genuine long term refugees needing intergovernmental assistance and protection. To them may be added the tens of thousands of persons who were deported from Germany or Axis-occupied countries to the East. These deportees, in so far as they have survived the most horrible forms of oppression and extermination, will present a problem of rehabilitation similar to that of the long term refugees.

Besides the groups of whose existence we know already, others may emerge in the post-Armistice period. As an illustration it may be pointed out that there are still over 100,000 Republican Spaniards in France or deported for labour into more Eastern parts of Europe, remnants of the Spanish Republican Forces who may become long term refugees unless an Allied victory is accompanied by a change of the present policy of the Spanish Government.

The long term refugee is a man without a country, without a legal and political status, often without the right to earn his living either by entering the labour market, set up in business or exercise his profession. To solve the long term refugee problem is to provide the refugee with a new home, to re-integrate him into a community and by doing so to enable him to live again a normal life. This problem raises a host of difficult questions which have legal, political, social, economic and psychological aspects. In the legal field the League of Nations did pioneer work in international law by providing the long term refugee with a minimum charter of those rights which are generally granted to aliens on the basis of reciprocity. By a system of intergovernmental arrangements and conventions, the long term refugee enjoys in the territories of the Signatory States residence the grant of identity and travel documents, a personal civil status, access to the courts, the benefits of the social and educational services, and under some conditions, the right to seek gainful employment. On the legal side the long term refugee ceases to be a refugee when he can secure naturalisation in his country of adoption, which completes what may be termed "legal absorption."

However, no convention can ensure for a long term refugee the right of admission to residence in a given country. This question raises difficult issues of demographic policy. Some of the Latin American countries, for instance, having a settled immigration policy calculated to increase population and develop their vast natural resources are primarily interested to secure sturdy elements of peasant stock capable of undertaking successfully pioneer work as settlers. Most of the long term refugees from Greater Germany belong to the urban type of population. They are small tradesmen, shop-keepers, clerks, businessmen, or Government servants and intellectuals.

Two widely different views are held as regards the economic repercussions which may be caused by the influx of a large number of involuntary migrants. On the one hand, fear is expressed lest these refugees will take away the bread and butter of the nationals of the state of asylum. This argument is particularly forceful when the country of asylum is afflicted by an unemployment crisis. On the other hand point out how past movements of involuntary migration have enriched the countries of settlement, and reference is made to the considerable industrial and cultural contribution of the French Huguenots who went, after the Revocation of the Edict of Nantes in 1685 to England, Prussia, Russia and South Africa. Similar instances can be adduced as regards the pre-war influx of refugees from Greater Germany into the United Kingdom. New light industries, requiring a tradition, special skill and manufacturing processes, were introduced into Great Britain, and prior to the curtailment of production for civilian consumption it is calculated that some 15,000 British workers had found gainful employment in these new industries. An enlightened national policy of admission of refugees will therefore have to strike a balance between the legitimate concern of protecting the labour market in the interests of nationals, while at the same time seeking to afford opportunities for refugees, especially to those who may make a valuable contribution.

Psychological absorption is the last stage towards the full integration of long term refugees into a national community. In states which have, owing to

their past history and their geographic position a long-standing policy of immigration, like the States in the Western Hemisphere, this problem of psychological absorption can be more easily solved than in European countries. Again, much depends upon the psychological outlook of the refugee groups. The Russians in France, for instance, are mostly aryan, and many of them belong to the higher strata of Russian society. They have a strong and articulate spiritual and national consciousness, and are passionately devoted to the preservation of their national characteristics, and praying for the day to return. Assimilation for such a group means the abandonment of the hope of return, and often "déclassement," as integration into the French community would mean a new start on a low social level. For purely Jewish elements of Central Europe assimilation is easier. There is often no desire whatever to return, and they find much in common with Jews who have already been for a long time nationals of the country of asylum, and who help them to open the doors towards psychological settlement.

The solution of the long term refugee problem in the post-war period can be approached from a different angle. Briefly, there are three major avenues offering a solution, and it may be advisable to examine more closely the prospects offered along these three main roads. The first is return to the country of origin, which would seem the most logical and obvious solution; the second is absorption on the spot in the European countries of temporary asylum, and the third is re-emigration overseas to countries of traditional immigration.

Let us first examine the prospects of return to the country of origin. As regards the Nansen refugees, the Russians and Armenians and notably the former, there is little likelihood of such a substantial change in the political régime of the homeland as would justify high hopes of an early return of people who have lived abroad for a quarter of a century. As regards the refugees from Central Europe, the position is different. Although it would be unfair to organise at present a survey in order to ascertain which of the refugees would be desirous of returning, it is clear that Germans and Austrians of aryan origin having been compelled to leave Germany owing to religious or political persecution are eager to return. Again, Christian non-aryans, especially those who were not conscious of their Jewish origin prior to racial persecution, and who were identified with German political and religious

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movements, show a greater inclination to return than full Jews. The age of the refugee plays also an important rôle, and the fact of his having left close relatives behind him at the time of his departure.

It can now be regarded as a settled policy between the United Nations that an abrogation of all laws and administrative practices based upon racial discrimination will be enforced in the event of a defeat of the present Axis régimes. It is to be hoped that the United Nations will also enforce a fair measure of restitution in respect of all acts of spoliation and dispossession inflicted, even before the war, upon the Jews and other opponents. Such a restitution would be in line with the Declaration of the United Nations made in London on January 5th, 1943, in respect of similar acts of spoliation and dispossession carried out by the Axis Powers in Occupied territories. Such restitution would not merely be in accordance with the general principles enunciated by the Allies, but would also constitute a possible incentive to encourage the refugees to return home.

However, it would be shortsighted to overlook the psychological factor. The people in Axis lands have been subject to a relentless anti-semitic propaganda, and it is to be expected that the psychological effects of such an agitation will be felt for a long time to come. Added to this, one has to visualise the bitterness of a defeated country having to receive back former German nationals, some of them having lived during the war in belligerent countries opposed to Germany where they were closely associated with the war effort.

While it would be unfair to ask neutral or belligerent governments at war with Germany to give assurances at this early stage, it is to be hoped that they will, in accordance with their tradition and principles, avoid resorting to compulsion in repatriating refugees to whom they have generously granted asylum.

The second possible solution is absorption on the spot. Small countries like Switzerland are obviously unable to make any substantial contribution in this connection, while other countries offer better prospects. Although there have been no Governmental pronouncements to this effect, it is permissible to assume that a fair number of the refugees admitted into the United Kingdom as transmigrants will be able to stay. This applies especially to the thousands of refugees who have served faithfully in the British Forces during the war. Should such a policy be adopted it is fervently to be hoped that speedy naturalisation of those admitted in a permanent way will follow.

As regards the third avenue towards a solution of the long term refugee problem, i.e. re-emigration overseas, neither undue optimism or pessimism is advisable. Generally speaking, it may be anticipated that migratory movements will be resumed as soon as shipping facilities become available. However, countries overseas, especially those which were at war, will also be confronted with a tremendous problem of readjusting production from war to peacetime consumption, while at the same time jobs will have to be found for millions of demobilised men. It may be true that the continuation of the war in the Pacific after the cessation of hostilities in the West, and the need to keep huge occupation armies in the field during the Armistice period will make the change-over a more gradual one. Nevertheless, it is reasonable to assume that

stringent war-time restrictions of immigration will be kept in force as long as the Governments concerned are not satisfied that resumption of immigration will not have detrimental effects upon the national economy.

According to past experience, the United States take the first place amongst countries of final establishment for refugees from Central Europe, while Palestine is second on the list. The present scheduled system for grant of Palestine immigration certificates expires on March 31st, 1944, and according to the Malcolm Macdonald White Paper of 1939, further immigration of Jews into Palestine after that date can only take place with the consent of the Palestinian Arabs. The continuation of Palestine immigration raises issues of British imperial policy of the highest importance, beyond the scope of this survey.

Experts distinguish between so-called infiltration immigration and large scale immigration, or colonisation. Before the war a survey was made of all territories overseas which might give facilities for large scale settlement. Some plans were fairly well advanced in 1939 but had to be abandoned owing to the outbreak of hostilities. It is fair to say that except for Palestine, which can be regarded as a large scale settlement scheme, the most substantial contribution to final establishment by immigration overseas was made by infiltration. The Jews have an extraordinary sense of family solidarity, and it is that solidarity coming into play which has enabled thousands of long term refugees to find a new home in the Western Hemisphere. It may also be noted that infiltration immigration is the least costly form of establishment overseas, and one which is best suited to the type of refugees now in need of assistance. Moreover, at the end of this war, it will be more difficult than ever to make available the huge capital necessary for large scale plans.

From this brief survey of the three major avenues leading to a final solution of the long term refugee problem one will readily gather that it is only through the inter-play of all the three methods that the problem is capable of a satisfactory solution.

The refugee problem is an international problem par excellence and it is clear from the few observations which have been made that it is a problem which can not be solved by private bodies alone. The Governments realised this in the early 'twenties when they entrusted the task to Dr. Nansen. In 1938 President Roosevelt was anxious to associate the non-Member States of the League in this work and to negotiate with Germany an orderly exodus of the Jews. For this purpose a Conference of Government Delegates was held in Evian, and an Intergovernmental Committee set up, comprising 32 States. By combining the functions of League High Commissioner for Refugees with those of Honorary Director of the Intergovernmental Committee, Sir Herbert Emerson has made possible the closest possible co-operation between the two existing official international agencies. At the Anglo-American Conference recently held in Bermuda a re-organisation of the Intergovernmental Committee was suggested for the purpose of making it an efficient and well-equipped instrument to deal with the long term refugee problem after the war. This agency would work alongside the UNRRA, and undertake those tasks arising out of the problem of the long term refugees and which are outside the scope of the new relief organisation.