

COUNCIL OF EUROPE CONSEIL DE L'EUROPE

Strasbourg, 10 January 1969

Restricted
AS/PR (20) PV 5

CONSULTATIVE ASSEMBLY

COMMITTEE ON POPULATION AND REFUGEES



MINUTES

of the meeting held at 10 a.m.
on Tuesday 17 December 1968 at the Paris
Office of the Council of Europe

Members present:

Mr. MARGUE, Chairman	Luxembourg
Mrs. FIRNBERG, Vice-Chairman	Austria
MM. AKYUREK	Turkey
BEGHIN	Belgium
CLUSKEY	Ireland
St. JOHN STEVAS (for Sir Myer Galpern)	United Kingdom
Mrs. HUNKEBYE	Norway
Mr. POHLER	Fed. Rep. of Germany
Mrs. PLOUX	France

Also present:

Mr. GABRIELE	Austria
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Observers:

MM. ASSCHER	Office of the United Nations High Commissioner for Refugees
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MM. COURSIER	Association for the Study of the World Refugees Problems
DERIINE	International Confederation of Free Trade Unions
Miss des GACHONS	World Union of Catholic Women's Organisations
Mrs. JADOT	European Centre of the Inter- national Council of Women
Mrs. van MIERLO-MUTSAERS	European Union of Women
Mr. RODIE	Intergovernmental Committee for European Migration
Mgr. ROCHCAU	International Catholic Migration Commission
Miss TRILLAT	International Social Service
Mr. WARBURG	B'Nai B'Rith "International Council"
Apologised for absence:	
MM. MONTINI	Italy
FORSBERG	Sweden
FRANZONI	Switzerland
GOEDHART	Netherlands
HANSEN J.P.	Denmark
KRISTJANSSON	Iceland

The Chairman opened the meeting at 10 a.m.

The Chairman informed the Committee of the following changes in its constitution.

Mr. Zussy (member, France) will be replaced by Mrs. Ploux.

Mr. Emile Schaus (Alternate, Luxembourg) will be replaced provisionally by Mr. Spautz.

1. Agenda

The Agenda was adopted

AS/PR (20) OJ 57

2. Minutes

The minutes of the meeting held on 10 and 23 September 1968 in Strasbourg were approved.

AS/PR (20) PV 3 and 47

3. Programme of the Committee's activities

The Committee approved its programme of activities as contained in document AS/PR (20) 19.

4. Position of the refugees from Czechoslovakia

The Chairman thanked Mr. Rodié and Mr. Asscher for the preparation of information documents on the situation of refugees from Czechoslovakia.

Mr. Rodié referred the Committee to document AS/PR (20) 21 for information on the Czechoslovakian nationals who had left their country until 28 November 1968. Since that date the numbers of Czechoslovakians crossing the border had been decreasing. An estimate made on 3 December 1968 revealed that about 10,000 persons had asked for refugee status. Up to 6 December 1968 about 13,000 refugees had asked to profit from the United States Refugees Assistance Programme.

Up to 4 December 1968 ICEM had helped 4,100 persons to emigrate to various countries. Mr. Rodié said that in Belgium a programme had been set up for students who wished to continue their studies in this country.

Various voluntary relief organisations had given a substantial aid to the Czechoslovakian refugees.

In order to enable these organisations to continue their programmes, ICEM, in agreement with the Chairman of the Resettlement Fund, had requested the Administrative Council of the Fund to grant them subsidies.

AS/PR (20) 16
AS/PR (20) 21
AS/PR (20) 227

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Mr. Asscher informed the Committee that the French version of document AS/PR (20) 22 should be amended as follows:

In paragraph 5, fifth line; insert between the words "autres" and "ont" the word "qui" and delete the word "et".

He explained that the majority of the Czechoslovakians who had left their country had not asked for refugee status. For this reason the number of Czechoslovakians who had asked the United Nations High Commissioner for Refugees for assistance was relatively small. He estimated their number at 8,000 to 10,000. 50,000 dollars had been spent on the resettlement of those refugees who had left Austria for other countries. He expected that the situation of the Czechoslovakian refugees could be better evaluated at the beginning of 1969.

Mr. Rochau drew attention to the fact that in Switzerland, Czechoslovakian refugees had according to Swiss American government regulations no possibility to leave this country for the USA. For this reason many Czechoslovakian refugees were leaving Switzerland for Austria.

Mrs. Firnberg said that in Austria many Czechoslovakian refugees were awaiting an improvement of the situation in their home country and could not decide whether to ask for refugee status.

Because of the increasing number of Czechoslovakian refugees the Austrian Government was in urgent need of more financial aid from relief organisations.

The Chairman proposed that the Committee continue to consider the situation of the Czechoslovakian refugees, although this question had not been referred to the Committee.

5. Position of the victims of the Nigerian civil war

The Chairman informed the Committee that he expected the Committee of Ministers' reply to the recommendation on the victims of the civil war in Nigeria at the beginning of January 1969.

The Chairman read out a list of gifts already given by the Council of Europe member states to the International Committee of the Red Cross (ICRC).

He informed the Committee that Mr. Pierre Gaillard Chairman of ICRC had recently declared to the press that his organisation would need nine million Swiss francs for the continuation of its relief actions until 15 December 1968.

Mgr. Rochgau gave a short account of the relief actions carried out by the various international organisations. In Biafra aid was given by ICRC and in Nigeria by the International League of Red Cross societies. Both actions were co-ordinated by Ambassador Lindt, ICRC General Commissioner for relief action in Nigeria. Caritas Internationalis worked closely together with the Red Cross organisations. The greatest problem was the transport of food and medical supplies. Notably in the South of Nigeria road transport had become extremely difficult and most transport went by helicopter.

He feared that there was an epidemic of measles at hand in the ravaged areas which would cost the lives of many children. Therefore he urged that sufficient vaccines be sent there as soon as possible. He expected crops to diminish substantially at the beginning of 1969 causing a great shortage of food. As food supplies could not be transported to the victims of the war in sufficient quantities a real human catastrophe had to be expected.

Mr. Asscher drew attention to the difficult position of the Biafran refugees staying in the Western African states. These countries were not sufficiently equipped to provide these refugees with the aid they needed. At a future meeting of the Committee he would present more details on this question.

6. Position of the refugees in the Middle East

The Chairman informed the Committee that the situation of the refugees in the Middle East remained precarious and the presence there of UNRWA was still indispensable. He referred to document AS/PR (20) 20 prepared by UNRWA, containing a report presented by the Director of UNRWA in Europe, Mr. Courvoisier, to the Commissioner General of this organisation. Mr. Courvoisier, who was unable to attend the meeting, would present a statement on this matter at a future meeting of the Committee.

The Chairman proposed that the Committee discuss this subject again at one of the Committee's future meetings.

This was agreed.

AS/PR (19) 18
Rec. 520
AS/PR (20) 207

7. Position of the Greek refugees

/Doc. 2467/

The Chairman referred to Order No. 279 in which the Assembly had charged the Committee to report on the situation of the Greek refugees.

The Secretariat had already contacted various organisations in order to obtain more detailed information on this matter. He proposed the appointment of Mr. Pöhler as Rapporteur.

This was agreed.

Mr. Pöhler said that he was specially worried about the problems of the Greek migrant workers in Western European countries and notably in the Federal Republic of Germany who had shown their hostility towards the Greek regime. Although they could not be considered as refugees many among them would prefer to have refugee status.

At the suggestion of Mr. Pöhler the Committee agreed that the report prepared on the initiative of Professor Siotis on the Greek refugees be reproduced as a Committee document.

8. Birth Control

/AS/Inf (68) 257/

Mr. St. John Stevas read out a preliminary report he had prepared on the Encyclical "Humanae Vitae". In this report he considered the Encyclical in four points: the status of the Encyclical, its practical weight and worth, its theological value and a criticism of it based on various grounds.

Mrs. Firnberg and Mr. Pöhler wondered whether it fell within the Committee's competence to examine theological and moral questions as contained in the Encyclical.

Mr. St. John Stevas thought that the Encyclical could exert an influence on legislation in Catholic countries. In this sense the Encyclical could have political relevance. This would also be the case if Catholics had to consider aid to developing countries in the field of family planning.

Various members proposed that, in view of its importance, Mr. St. John Stevas' report be reproduced as a Committee document.

This was agreed.

The Chairman proposed that the Committee's next step be a debate on Mr. St. John Stevas' report at a future meeting, it being understood that the Committee would not take a position on the moral and religious aspects of the Encyclical.

Miss des Gachons suggested that the Committee, in examining the question of birth control, take into consideration the points of view on this question of women's organisations.

9. Naturalisation of refugees in the Council of Europe member states

[AS/PR (20) 18, 23 and 24]

The Chairman informed the Committee that Mr. Goodhart had asked to be discharged from his function as Rapporteur on the naturalisation of refugees in the Council of Europe member states.

Mr. Asscher said that the best help which could be given to refugees were measures ensuring their full integration in their new home countries. At present there were still 600,000 to 700,000 refugees in the Council of Europe member states waiting for naturalisation. The most effective way to facilitate their integration was by promoting their acquisition of a new nationality. Additional measures such as facilitating naturalisation through marriage or to enable refugee children to opt for the nationality of their country of residence, could considerably reduce the number of people having refugee status or being stateless.

He referred to document AS/Soc (20) 28, submitted by the United Nations High Commissioner for Refugees, containing a number of proposals on the solution of the refugee problem.

Mrs. van Mierlo informed the Committee that the President of the European Union of Women had asked all the Union's committees to study the problem of the acquisition by refugees and stateless persons of the nationalities of their country of residence. She drew attention to the great differences in the legislation on this matter in the Council of Europe member states.

Mr. Warburg informed the Committee that B'Nai B'Rith had examined the position of men, having refugee status or being stateless, who wished to acquire the nationality of their country of residence through marriage. In the majority of the Council of Europe member states this was impossible. B'Nai B'Rith prepared a document on this matter which it would submit to the Committee. He expressed the hope that this question become the subject of an Assembly recommendation.

Mgr. Rochcau stressed the importance of promoting the integration of refugee and stateless children notably by facilitating their acquisition of a new nationality.

The Committee decided to appoint the Chairman as Rapporteur on the naturalisation of refugees in the Council of Europe member states.

10. "Europa Centres"

AS/PR (20) 257

The Committee decided to appoint Mr. Pöhler as Rapporteur on the establishment of "Europa Centres" for migrant and indigenous workers.

11. Report of the meeting of the Advisory Committee of the Council of Europe Special Representative for national refugees and over-population

Mr. Pöhler gave a short account of the meeting of the Advisory Committee of the Council of Europe Special Representative for national refugees and over-population from 9 to 11 December 1968 in Paris.

He informed the Committee that the Special Representative had expressed his disappointment of the progress made by the Joint Committee on a European statute for the migrant worker in the adoption of a convention on this statute.

Because of a procedural question raised by the experts during the discussion on the draft convention at the Committee's fourth meeting, he had been led to consider the possibility of submitting his resignation to the Committee of Ministers. However, at the request of the Joint Committee and the Secretary General, he had agreed to reconsider his attitude in this matter.

Other points discussed at the Special Representative Advisory Committee's meeting were migrant workers' maintenance obligations towards their families at home, school education for migrant workers' children, the present situation of over-population in certain regions of Council of Europe member states, vocational training of migrant workers, safety at work for migrant workers, the teaching of languages to migrant workers and the representation of migrant workers on staff councils.

Following Mr. Pöhler's statement the Committee decided to discuss the conclusions of the meeting of the Special Representative Advisory Committee from 9 to 11 December 1968 at its next meeting on 30 January 1969.

12. Organisation for Economic Co-operation and Development

The Chairman informed the Committee that the third special meeting of the Council of Europe - OECD Liaison committees concerned with social questions would take place on 18 March 1969 in Paris at the Château de la Muette in the afternoon.

Mr. Sand asked the members of the Committee, in view of the preparation of the third meeting of the Council of Europe - OECD liaison committees in March 1969, to inform him of the points they would like to discuss at this meeting.

13. Decision of the Committee of Ministers with regard to the right of asylum

The Chairman informed the Committee that the Committee of Ministers, in pursuance of Recommendation 293 on the Right to Asylum had adopted in June 1967 a resolution on "Asylum to persons in danger of persecution".

He invited the members of the Committee to keep him informed of the implementation of this resolution in the Council of Europe member states.

Mr. Coursier informed the Committee that the board of curators of the Association for the Study of the World Refugees Problems in Valuz (Liechtenstein) had stressed the need for a multilateral universal convention on the right to asylum following the same principles as the Red Cross conventions of 1949.

14. Measures to enable the Council of Europe in forward looking activities

The Chairman informed the Committee that the Chairman of the Committee of Ministers had agreed that the Council of Europe engage itself in forward looking activities.

At the suggestion of the Chairman the Committee decided to consider at its future meeting the inclusion in its programme of activities a number of subjects related to forward looking activities.

[Doc. 2401 and AS/Inf (68) 457]

15. Other business

Mr. Coursier drew attention to three requests which had recently been formulated by the Association for the Study of the World Refugees Problems.

- (a) Recognition for refugees of the years of service in their home country. The member states of the Council of Europe should recognise rights accrued to refugees under social security plans in their home country as it was a great hardship for them if they could not receive payments under such plans in the country of reception.
- (b) Prolongation of travelling documents for refugees. There were a great number of refugees, who were in possession of a travelling document issued by one country but who worked in another country. It would be of great advantage to such refugees if in such cases the prolongation of the travel document could take place in the country in which the refugee works, or if such country would accept them as its own refugees.
- (c) Lifting of visa requirement. On 20 April 1959, the Committee of Ministers decided to set up an agreement on the abolition of visas for refugees, which was put into force on 3 September 1960. However, a number of Council of Europe member states had not yet ratified it. It would be of special importance if Austria and Great Britain would effect the ratification.

16. Date and place of next meetings

The next meetings will be held on Thursday 30 January 1969 at 8 a.m. in Strasbourg and on Tuesday 18 March 1969 in Paris in the morning.

List of decisions taken

The Committee,

- adopted the minutes of its meetings on 10 and 23 September 1968 in Strasbourg;
- adopted its programme of activities as contained in document AS/PR (20) 19;
- heard statements by Mr. Rođié, representative of ICEM, and Mr. Asscher, representative of UNHCR, on the position of Czechoslovakian citizens who had left their country;
- heard a statement by Mr. Rocheau, representative of the International Catholic Migration Commission, on the position of the victims of the Nigerian civil war;
- heard a statement by Mr. St. John Stevas on the Encyclical "Humanae Vitae";
- heard statements by Mr. Asscher, representative of UNHCR, and by Mr. Warburg, representative of B'Nai B'Rith International Council, on the naturalisation of refugees in the Council of Europe member states;
- appointed its Chairman Rapporteur on the naturalisation of refugees in the Council of Europe member states;
- appointed Mr. Pöhler as Rapporteur on the establishment of "Europa Centres" for migrant and indigenous workers;
- heard an account of Mr. Pöhler of the meeting of the Advisory Committee of the Council of Europe Special Representative for national refugees and over-population from 9 to 11 December 1968;
- decided to hold its next meetings on Thursday 30 January 1969 at 8 a.m. in Strasbourg and on Tuesday 18 March 1969 in Paris in the morning.