

Agreement Concerning the Care and Repatriation of Displaced Persons (February 1945)

Caption: On 13 February 1945 in London, the United Nations Relief and Rehabilitation Administration (UNRRA) and representatives of the seven European Allied Governments sign an Agreement Concerning the Care and Repatriation of Displaced Persons.

Source: Archives Nationales du Luxembourg, Luxembourg. Ministère des Affaires étrangères. Relations internationales. UNRRA, AE 8089.

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URL: http://www.cvce.eu/obj/agreement_concerning_the_care_and_repatriation_of_displaced_persons_february_1945-en-0a3b5025-c72a-44a0-9992-45974519e2b6.html

Publication date: 26/09/2012



Agreement Concerning the Care and Repatriation of Displaced Persons

Protocol of Signature.....

The Government of Belgium, the Provisional Government of France, and the Governments of Luxemburg, the Netherlands, Norway, Poland and Yugoslavia; being desirous of ensuring that the problem of the return to their homes of displaced persons who are nationals of the United Nations may be effectively and expeditiously dealt with on a well coordinated plan, and in accordance with the intentions of the Agreement of the 9 November, 1913, for the establishment of the United Nations Relief and Rehabilitation Administration (hereinafter referred to as the Administration) and of Resolution No. 10 adopted by the Council of the Administration at its First Session held at Atlantic City; have agreed as follows: –

Article 1

For the purposes of the present Agreement the expression 'displaced persons' means all nationals of the United Nations signatory to the aforesaid Agreement for the establishment of the Administration who come within the definition of displaced persons contained in paragraph 3 of the aforesaid Resolution No. 10.

Article 2

The contracting parties recognise that, as soon as the military authorities agree, the Administration will operate as the central international organ for coordinating the work of repatriating displaced persons in Europe and for regulating by agreement between the Governments concerned the general conditions under which it shall be carried out. While each contracting party will retain full control over displaced persons in its own territory, it will nevertheless give the Administration all possible assistance to enable it to carry out its task, and will consult with the Administration on matters involving international aspects of the problem.

Article 3

Each contracting party undertakes, on assuming responsibility for the administration of its territory or any part thereof, to take the following measures with reference to displaced persons who are nationals of another of the United Nations and who are found in the territory: –

(a) After consultation with the military authorities and in collaboration with the other Governments concerned, to urge the displaced persons, by radio and all other suitable means, to refrain from attempting to make their own way back to their countries but to stay where they are and co operate with the measures to be taken for organising their return home;

(b) To announce at the same time that, as part of the agreed policy of all the United Nations concerned, it will apply to the displaced persons the principle of equality of treatment with its own nationals and will provide for their orderly and speedy repatriation;

(c) To take without delay all practicable measures to have information collected concerning the location, nationalities, numbers, general condition and movements of the displaced persons, and to make such information available at the earliest possible moment to the other Governments concerned and to the Administration;

(d) To treat the displaced persons on a basis of equality with its own nationals in regard to the provision of food, the application of its public medical, relief and welfare services, and the application of restrictive health measures;

(e) So far as available supplies permit, to provide displaced persons who are awaiting repatriation and are in need with clothing sufficient to make up the minimum necessary for health and decency until they leave the territory;

(f) To provide adequate shelter for the displaced persons and, where necessary, to organise assembly centres

for collecting together those whose return to their own countries is being arranged;

(g) To lend its good offices for organising the individual registration of the displaced persons and to see that use is made of the international forms which have been prepared in consultation with the Administration;

(h) To ensure as far as possible that before they leave the territory for their own countries the displaced persons are furnished with any personal identity papers or other individual documents (e.g., employment books, wage books, social insurance books) which are in the custody of local authorities, employers or other agencies;

(i) In the case of displaced persons whose return to their own countries is likely to take some substantial time to arrange, to permit them to take up any temporary employment which may be available for them, in order that they may be as self supporting as possible, provided that the authorities of their own country concur and that the terms and conditions of the employment do not put them in an unfavourable position on the whole as compared with nationals of the territory; and

(j) To admit to its territory, if requested to do so by the Government of another of the United Nations, an approved Mission consisting of one or more officials, for the purpose of –

(i) Identifying and establishing the national status of displaced persons claiming to be nationals of the United Nation concerned;

(ii) Issuing visas for their repatriation; and

(iii) Advising and assisting the authorities of the territory in providing for their care and maintenance and arranging for their repatriation.

Any such national Mission shall be granted a status and privileges similar to those granted to the Mission from the Administration referred to in Article 7.

Article 4

Each contracting party undertakes: –

(a) In the case of displaced nationals of another of the United Nations who seek temporary refuge in its territory or who pass into the territory on their way to, and making their own efforts to reach, their own countries; to deal with them as far as possible on the same footing as displaced nationals of other United Nations who are found in the territory at the time the Government assumes administrative responsibility for it, and to give all practicable assistance for facilitating their return to their own countries; and

(b) In the case of officially organised convoys of displaced nationals of another of the United Nations passing through the territory on their return to their own countries; to grant them freedom of transit, provided the authorities of the territory have been officially notified in advance of the origin and destination of the convoy and the time and route of its transit through the territory.

Article 5

In the case of adjoining territories of two or more of the United Nations, the respective Governments undertake to confer on the steps to be taken at the common frontier between the territories in order to canalise and regulate unorganised movements of displaced persons seeking to return to their own countries, with a view to providing for carrying out the necessary measures in regard to them.

Article 6

As regards displaced persons who are nationals of the United Nations, but whose place of settled residence before their displacement was in the territory of one of the United Nations other than that of which they are nationals, the contracting parties, while they can give no absolute or general guarantee to readmit all such persons into their territory, undertake to meet any requests they may receive for their readmission in a spirit of wide humanity as contemplated in paragraph (8) of the Report of Sub Committee 4 of Committee IV of the First Session of the Council of the Administration held at Atlantic City.

Article 7

Each contracting party undertakes to admit to its territory an approved Mission or Delegate for displaced persons from the Administration and: –

- (a) To keep the Mission or Delegate fully informed of the measures being taken in its territory in respect of displaced persons who are nationals of another of the United Nations;
- (b) To give the Mission or Delegate facilities for visiting centres where such displaced persons are located and for becoming acquainted with the arrangements made on their behalf;
- (c) To consult the Mission or Delegate on matters affecting coordination of the movement of the displaced persons back to their respective countries; and
- (d) To afford the Mission or Delegate facilities for enabling the Administration to discharge its responsibility in respect of nationals of any United Nation whose Government has asked the Administration to assist in providing for their care and maintenance and arranging for their repatriation.

Article 8

It is understood that: –

- (a) In cases where the Administration assumes responsibility for dealing with any group of displaced persons, in pursuance of Article 7, paragraph (d), the Administration will ensure that, so far as circumstances permit, the group will be dealt with by persons of the same nationality as the displaced persons;
- (b) The Administration will consult with the parties signatory to this Agreement as to any serious emergency which it is considered may arise through the influx of very large numbers of displaced persons, other than their own nationals, into their territories and as to any special assistance which may be needed from the Administration for dealing with such an emergency.

Article 9

It is understood that the contracting parties are free to make bilateral arrangements among themselves for applying or supplementing the provisions of this Agreement, and that the Administration will be informed of any arrangements which are so made.

Article 10

- (a) The present Agreement shall enter into force between all the signatory Governments as from this day's date.

(b) Thereafter, it shall be open to accession on the part of any Government which has not signed it. Accessions shall be notified to the Government of France and shall take effect immediately. The Government of France will inform all the other contracting Governments of the receipt of all notices of accession.

In faith whereof the undersigned plenipotentiaries, having been duly authorised thereto by their respective governments, have signed the present Agreement.

Done this day of February, 1945, at the European Regional Office of the United Nations Relief and Rehabilitation Administration in London in a single copy which shall remain deposited in the archives of the Government of France, which shall furnish certified copies to all other signatory Governments.

For the Government of Belgium

For the Provisional Government of France

For the Government of Luxemburg

For the Government of the Netherlands

For the Government of Norway

For the Government of Poland

For the Government of Yugoslavia

Protocol of Signature

At the moment of signing the Agreement concerning the Care and Repatriation of Displaced Persons the signatory Governments have taken note of the following reservations: –

1. The Netherlands Government in signing this Agreement states that it will only apply the provisions of the Agreement to those countries which equally apply them.
2. The Polish Government in signing this Agreement states that its provisions will bind the Polish Government exclusively in respect of those countries which are parties to the Agreement in question and as far as the aforesaid countries deem themselves bound.
3. The Yugoslav Government considers that it alone is competent to deal with the problem of persons, either enemy nationals who previously resided in Yugoslavia, or Yugoslav subjects, members of enemy minorities, who during the war for any reason whatsoever have left the territory of Yugoslavia.

In faith whereof the undersigned plenipotentiaries, having been duly authorised thereto by their respective Governments, have signed the present Protocol.

Done this day of February, 1945, at the European Regional Office of the United Nations Relief and Rehabilitation Administration in London in a single copy which shall remain deposited in the archives of the Government of France, which shall furnish certified copies to all other signatory Governments.

For the Government of Belgium

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