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Geneva, September 1st, 1937.

LEAGUE OF NATIONS

**REFUGEES COMING FROM GERMANY**

**REPORT**

submitted to the Eighteenth Ordinary Session of the Assembly  
of the League of Nations by the High Commissioner, Sir Neill Malcolm.

During its seventeenth session, the Assembly defined the duties of the High Commissioner for Refugees coming from Germany in the following terms :

“ (1) As regards the improvement of the legal status of refugees : to approach Governments in order to obtain their accession to the Provisional Arrangement of July 4th, 1936, and to prepare an Inter-Governmental Conference for the adoption of an international convention on the status of these refugees ;

“ (2) As regards questions of emigration and final settlement : to encourage initiative on the part of private organisations ; to support such initiative by negotiations with the Governments of the countries of refuge ; and, if necessary, to have definite plans for colonisation and emigration studied on the spot, in agreement with the Government concerned ;

“ (3) To maintain contact with the various private organisations, in particular through the Liaison Committee of an international character which has already been set up.

“ . . . . . ”

Before outlining the activities of the High Commissioner in these various fields, it appears desirable to detail certain general considerations relating to the present position in regard to the problem of refugees coming from Germany.

**INTRODUCTION.**

The position of refugees coming from Germany, as described in the report submitted by the High Commissioner to the seventeenth ordinary session of the Assembly,<sup>1</sup> has not undergone any marked change during 1937. While there have been no wholesale expatriations from Germany, the placing and final settlement of refugees having already left their country of origin has not made great progress. On the one hand, measures taken by Governments in regard to immigration have brought the number of departures from Europe for overseas countries down to a very low level. On the other hand, the lack of the funds required to finance refugee emigration — particularly that of non-Jews — has been one of the chief determining factors in that situation. In consequence, and despite the hopes which had been entertained, steps taken during the year with a view to a solution of the problem of refugees coming from Germany have not been numerous. The fact that a proportion of those who had already left Germany have succeeded up to the present in providing for themselves without becoming a charge on the foreign community concerned has been due to the liberal measures taken in this respect by certain countries. Particular mention should be made in this connection of the action of the French Government, which, by allowing the refugees to work in France, has enabled them to provide for their own needs until such time as they can emigrate overseas. The situation in Palestine has, on the other hand, proved a considerable obstacle to the carrying-out of programmes of emigration to that country.

<sup>1</sup> Document A.19.1936.XII.

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As regards the number of refugees, the figure given last year in the High Commissioner's report to the Assembly has, as indicated above, not been largely exceeded.

In the report submitted to the Assembly in 1936, the High Commissioner had stated that approximately 115,000 persons had left Germany since 1933, and that of that number 25,000 were still in Europe, among whom 15,000 were in a precarious situation and needed the assistance of the High Commissioner and of the private organisations.

According to the statistics collected by the High Commissioner up to date, approximately 41,000 persons have left for Palestine and a further 40,000 for overseas countries since 1933. Probably about 16,000 have left Germany during the 1936/37 period. But from the data supplied to the High Commissioner by the National Committees it would not appear that more than 35,000 refugees are still residing in the territory of countries adjacent or neighbouring to Germany.

As regards the distribution of refugees by countries, the numbers in Austria, Belgium, Czechoslovakia, Denmark and the Netherlands appear to have increased during 1936/37, whereas they have remained roughly stationary in Italy and Switzerland. In France, there has been a drop in the number of refugees in need of assistance, due, not only to departure for overseas countries, but also to the Government's action in making the final settlement of a certain number of refugees residing in France possible. This action enabled private organisations to delete from their lists the names of a certain number of refugees to whom they had been granting assistance.

Although the figures given above show an increase in the number of refugees residing in European countries and not yet finally settled, the number of those in a precarious situation does not seem to have increased by more than 5,000. Of the 16,000 who have left Germany during the 1936/37 period about half have been assisted out of the country and been established in one or other of the refugee countries in Europe or overseas. Of the remaining 8,000, many have not applied to the local relief committees, so that in all there are probably about 20,000 refugees in Europe still in a precarious situation. The increase in the total number of refugees in certain European countries is due to the fact that the rate of departures of refugees for overseas has diminished. It should be noted that the figures given above include, not only the refugees covered by the Provisional Arrangement of July 4th, 1936, but also all those obliged to leave Germany since 1933, whether persons without nationality, or nationals of other countries.

## I. IMPROVEMENT OF THE LEGAL STATUS OF REFUGEES.

### A. *Provisional Arrangement of July 4th, 1936.*

The Provisional Arrangement drawn up at Geneva on July 4th, 1936,<sup>1</sup> has been signed by seven Governments: Belgium, Denmark, United Kingdom, France, Norway, Spain and Switzerland. In addition, certain Governments which have not signed apply the Arrangement in practice.

The steps taken in order to secure the accession of other Governments to the provisional Arrangement of July 4th, 1936, have not, up to the present, had all the hoped for results, either because of the terms of the constitutional law of some countries or because of the difficulties involved in the question itself. At the same time, since the countries which have been more particularly affected by this emigration were all represented at the Conference of July 1936, it is possible that they will sooner or later adopt the provisions of the Arrangement: that, at all events, is the impression gathered by the High Commissioner as a result of his conversations with the administrations of the countries concerned. Even if the Arrangement is not adopted by those countries before the Inter-Governmental Conference decided upon by the last Assembly takes place, there is good reason to hope that they will be inclined to accede to an International Convention which would once and for all lay down the status of refugees coming from Germany.

### B. *Preliminary Draft Convention.*

The preliminary draft Convention drawn up for submission to Members of the League of Nations and non-members States<sup>2</sup> takes account of two separate factors: the 1933 Convention relating to Russian, Armenian, and other refugees on the one hand, and the Provisional Arrangement of July 4th, 1936, on the other. The 1933 Convention, which has been ratified by eight countries, falls into two parts, the first dealing with the personal status of the refugees and the second with their economic and social rights. The Provisional Arrangement, on the contrary, only deals with the personal status of refugees coming from Germany.

In the course of the Inter-Governmental Conference held in 1936, it was brought out that those countries which were prepared to take a share in the international settlement of the problem of refugees from Germany felt that the application of all the provisions of

<sup>1</sup> Document C.362.M.237.1936.XII.

<sup>2</sup> See Appendix.

(Communicated to the Assembly, the Council and Members of the League.)

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**CORRIGENDUM**

Geneva, September 21st, 1937.

LEAGUE OF NATIONS

REFUGEES COMING FROM GERMANY

**R E P O R T**

submitted to the Eighteenth Ordinary Session of the Assembly of the League of Nations by the High Commissioner, Sir Neill Malcolm.



The following correction should be made in the English text:  
Page 4, line 11 from the bottom.

**Instead of:**

..... "Under the terms of Article 1 of the Arrangement, no person is deemed to be a refugee coming from Germany whose nationality is other than German or who has lost German nationality by reason of his leaving that country"....

**Read**

..... "Under the terms of Article 1 of the Arrangement, in order to be deemed a refugee coming from Germany, a person must either possess no nationality other than German or have lost German nationality by reason of his leaving that country" ....



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XII.B. INTERNATIONAL BUREAUX  
1937. XII.B. 2. Corrigendum



the 1933 Convention to those refugees would be premature. It is for this reason that the Provisional Arrangement differs from the 1933 Convention. But it was further felt desirable to draw up a complete preliminary draft text which would combine the Provisional Arrangement of July 4th, 1936, with that part of the 1933 Convention which relates to economic and social rights.

The general provisions, although based upon those of the 1933 Convention, differ considerably from them: the period for denunciation has been reduced to six months, and the principle of a convention applicable by stages has been adopted. It was found that a convention intended to cover the whole of the rights to be granted to refugees from Germany should possess, in its general provisions, a greater measure of elasticity, in order that those countries that did not feel themselves able, in the present circumstances, to bind themselves in such matters as labour, social insurance, etc., might at least assume obligations relating to personal status. Moreover, the contracting parties will, according to the preliminary draft, be able to make reservations in respect of all the articles of the chapter or chapters of the draft to which they accede.

In the case of countries having already signed the Provisional Arrangement of July 4th, 1936, or the 1933 Convention, some of the provisions contained in the preliminary draft may seem to duplicate the texts actually in force. In the reply forwarded to the Secretariat, the French Government puts forward certain suggestions bearing upon the preliminary draft. The suggestions amount to the substitution, for all the articles contained in Chapters V, VI, VII, VIII, IX and X of the preliminary draft, of a single article which would merely refer to the relevant provisions of the 1933 Convention. The High Commissioner will duly lay these suggestions before the Inter-Governmental Conference. Nevertheless, if a general view of the problem is taken, it would appear that a Convention intended to provide for the permanent regulation of the situation of refugees from Germany should be self-contained, all the more since, among the countries which might desire to sign such a Convention, some might not be signatories of the Provisional Arrangement of 1936 or of the Convention of 1933. For that reason, it did not seem desirable to provide for a single article which, apart from general provisions, would refer to articles contained in the 1933 Convention.

Article 23 of the preliminary draft makes it clear that an accession to the Convention is not possible unless all the provisions of Chapters I, II, III, IV and XI are accepted as a whole. The personal status in fact represents a homogeneous whole which cannot be split up without entailing serious difficulties. At the same time, those countries that feel themselves unable to accept one article of the chapters relating to personal status or economic and social rights will be entirely free to make reservations, as provided for in paragraph 4 of Article 23.

Up to July 1st, 1937, various countries had forwarded their comments on the preliminary draft. These comments will be examined when the final draft, which will constitute the basis for the work of the Inter-Governmental Conference foreshadowed by the Assembly's decision at its seventeenth session, is discussed.

## II. EMIGRATION AND SETTLEMENT.

Questions of emigration and settlement are within the province of the private organisations. The High Commissioner's duty in this respect is to support the action taken by the organisations dealing with emigration, and to arrange for the study, where necessary on the spot, concrete plans for colonisation and emigration, with the approval of the Governments concerned.

Since September 1936, no appreciable progress has been made in the emigration and settlement of refugees. This is doubtless due to the fact that the restrictive measures taken in this matter are still in force in all the countries that had adopted them, while other countries, which until recently pursued a different policy, have now also felt compelled to adopt stricter measures of control. Emigration prospects are therefore seriously affected and, with the exception of an experiment in colonisation undertaken on a small scale by the International Christian Committee in Colombia, no organisation has asked the High Commissioner to support their schemes and none has asked him to have a specific programme of colonisation studied on the spot. In fact, the settlement of refugees on any considerable scale is, at the present time, ruled out, and this was recognised by the Liaison Committee at its meeting held in Brussels in June last. In practice, it might perhaps prove possible to secure some mitigation of these restrictions. While there can be no question of submitting persons who have left Germany with no intention of returning there to a process of selection, those refugees who are desirous of emigrating with the help of a given organisation can be carefully sifted by that organisation. Selection might be based on criteria and guiding principles laid down by Governments, and would thus afford serious guarantees to the latter. The High Commissioner is prepared to collaborate in such a procedure by facilitating contacts between Governments and organisations interested in the matter.

The restrictive measures mentioned above have had the result, among others, of increasing the rate of immigration into certain countries adjacent to Germany. This has led to a situation the seriousness of which cannot be overlooked. So long as the present obstacles subsist, and international co-operation in this sphere has not become fully

effective, every attempt to improve the position of refugees is in danger of being nullified, and the results so far secured of being jeopardised. A wide measure of collaboration, in which the contribution of each participant would take the form best suited to his means, appears essential if the problem is to be solved. It should at once be added, however, that a certain number of countries adjacent to Germany have already made such a contribution in the most generous spirit.

### III. RELATIONS WITH WELFARE ORGANISATIONS.

The International Liaison Committee, set up in London under the guidance of Lord Samuel, has been enlarged in such a manner that the new Liaison Committee is now composed of twenty-six national and international organisations, including those of the refugees themselves. They are the following :

- American Jewish Joint Distribution Committee (Paris);
- Council for German Jewry (London);
- Hias-Ica Emigration Association (HICEM) (Paris);
- International Christian Committee for German Refugees (London);
- Jewish Agency for Palestine (London);
- Jewish Colonisation Association (Paris);
- Jewish Refugees Committee (London);
- The Society for the Protection of Science and Learning (London);
- The Society of Friends, Germany Emergency Committee (London);
- Comité d'aide et d'assistance aux victimes de l'antisémitisme en Allemagne (Brussels);
- De Samvirkende Danske Emigranthjaelpekomiteer (Copenhagen);
- Comité d'assistance aux réfugiés (Paris);
- Comité voor bijzondere Joodsche Belangen (Amsterdam);
- Schweizerische Zentralstelle für Flüchtlingshilfe (Basle);
- Comité central tchécoslovaque pour les réfugiés provenant d'Allemagne (Prague);
- Zentralvereinigung der Deutschen Emigration (Paris);
- Bureau international pour le respect du droit d'asile et l'aide aux réfugiés politiques (Paris);
- Congrès juif mondial (Paris);
- International Migration Service (Geneva);
- International Students Service (Geneva);
- International "Save the Children" Fund (Geneva): Inter-Aid Committee for Children from Germany (London);
- Comité international pour le placement des intellectuels réfugiés (Geneva);
- Alliance israélite universelle (Paris);
- Joint Foreign Committee of the Board of Deputies of British Jews and the Anglo-Jewish Association (London);
- Agudas Israel World Organisation (London);
- Notgemeinschaft Deutscher Wissenschaftler im Ausland (London).

The new Liaison Committee, constituted in this manner, adopted a statute consisting of two chapters, the first containing a number of constitutional rules and the second defining the relations between the Committee and the High Commissioner. According to the statute, the purpose of the Committee is "to ensure co-ordination of the efforts undertaken by the organisations for the benefit of refugees coming from Germany" and, when desirable, "to submit recommendations to the High Commissioner as regards both administrative assistance within the countries of refuge and emigration and assistance properly so called affecting refugees". The Committee appoints its own permanent secretary, whose task is to prepare the agenda of each of its sessions. The Committee acts entirely independently of the High Commissioner and his responsibility is not involved in any way.

After the first meeting held in London, the Committee met twice in Paris and held a fourth session in Brussels. It has supplied the High Commissioner with exact information on the circumstances of refugees in the various countries. Apart from the twenty-six organisations represented on the Committee, the High Commissioner maintains direct contact with some thirty other organisations dealing with refugees coming from Germany. The Committee has further studied a number of questions relating to refugees, and devoted particular attention to the problem of persons without nationality — *i.e.*, refugees coming from Germany, but not covered by the Provisional Arrangement of July 4th, 1936. Under the terms of Article 1 of the Arrangement, no person is deemed to be a refugee coming from Germany whose nationality is other than German or who has lost German nationality by reason of his leaving that country. Now, among refugees from Germany, there is one category of persons who, although they left Germany for the same reason as those still possessing or having possessed German nationality, cannot be included under the above definition because they never possessed, as of right, German nationality. This special category of refugees from Germany has been a constant source of anxiety to welfare organisations and to the countries on whose territory they are at present residing. The High Commissioner feels it his duty to draw the Assembly's attention to this important question.

#### IV. ADMINISTRATIVE ACTIVITY.

##### A. Working of the High Commissioner's Office.

The report submitted to the Assembly at its seventeenth session by its Sixth Committee<sup>1</sup> mentioned a suggestion according to which the High Commissioner might consider adding to his staff an assistant thoroughly conversant with the social conditions of the refugees in the different countries and with the legislation and administration of their country of origin. After an exchange of views, the Sixth Committee agreed to accept the High Commissioner's proposals relating to the organisation of his Office and to leave the question of appointing an assistant with the necessary qualifications in his hands. Having set up his London Office, the High Commissioner examined closely the question of appointing such an assistant who might be of help in carrying out the administrative work. In the meantime, the Office continued to function as well as possible with the High Commissioner's assistant and a secretary recruited locally. The experience gained in this matter has confirmed the belief expressed by the High Commissioner in his report to the Assembly at its seventeenth session — namely, that the number of assistants at his disposal should not in the present circumstances be increased. Moreover, certain difficulties inherent in the selection of an assistant of this type would have militated against achieving the aim in view, while the fact that the creation of such a post had not been allowed for in the budget was in itself a serious obstacle to any appreciable increase in the existing staff.

The final setting-up of the Liaison Committee and the drawing up of its statute seemed to meet the suggestions which had been made on this point, since, in the matter of assistance, the High Commissioner can now turn to a useful collaborator in the person of the Committee's permanent secretary.

The High Commissioner has been in correspondence both with the representatives of the various countries in London and with the welfare organisations and individuals. Individual requests have been transmitted, before making any approach to the administrations concerned, to the national or local committee in the country in question, in order that the High Commissioner might secure information on the points raised in the request. This system, which provides solid safeguards and which has worked satisfactorily up to the present, was accepted by the Liaison Committee.

Apart from constant contact with the London representatives of the various Governments, the High Commissioner has visited the capitals of Austria, Czechoslovakia, Yugoslavia, Belgium and Switzerland for the purpose of consultations relating to the Provisional Arrangement and to a conference for drawing up a final convention. These consultations proved of the greatest use in the preparation of the preliminary draft Convention annexed to this report. In addition, the High Commissioner's assistant visited the Netherlands and Portugal, where he was warmly welcomed by the competent authorities and where questions relating to refugees were settled in the most amicable manner.

##### B. Budget.

The Assembly of 1936 requested the Council to appoint a High Commissioner until December 31st, 1938, for the purpose of liquidating so far as possible the problem of refugees coming from Germany. To this end, the following budget was adopted for the year 1937 :

1. High Commissioner :	£	
Fee . . . . .	1,200	
Travelling expenses . . . . .	700	
2. Assistant to the High Commissioner :		
Salary . . . . .	365	
Travelling expenses . . . . .	550	
3. Office expenses (rent, minor staff, etc.) . . . . .	700	
4. Miscellaneous . . . . .	235	Swiss francs
	3,750	= 82,500

The budget for 1938 has been reduced to £3,400 by saving £250 on travelling expenses and £100 on office expenses. At the rate of exchange used in the preparation of the current budget, this sum of £3,400 is equivalent to 73,168 Swiss francs.

#### CONCLUSIONS.

The present report is submitted to the Assembly of the League of Nations in accordance with paragraph 4 of the resolution adopted by the Assembly at its seventeenth session,

<sup>1</sup> Document A.73.1936.XII.



namely :

“ 4. To submit an interim report to the Assembly at its next ordinary session and, at its session of 1938, to present a report on the situation of the refugees at that moment and on the progress made towards the final solution of the problem, and definite proposals in regard to the future. ”

The results which it has proved possible to obtain up to September 1937 are set out in the preceding pages. In their main lines, the duties of the High Commissioner in 1938 are laid down in the resolution already quoted. Chief among those duties is that of preparing for the gradual liquidation of the problem of refugees coming from Germany, and of submitting concrete proposals for that purpose. The High Commissioner will in due course submit such proposals to the consideration of the Assembly.

In its report to the seventeenth session of the Assembly, the Sixth Committee stated that the limitation of the League’s action on behalf of refugees from Germany to a definite period (end of 1938) could not be regarded as prejudicing in any way the decisions which the Assembly of 1938 might be led to take on this subject.

In this connection, the High Commissioner feels bound at this stage to stress the view that the problem of refugees coming from Germany, even in the form in which it now arises, can only be finally liquidated through joint action by the various Governments. The problem implies a measure of international co-operation which may take various forms, but of which the principal aim must be to obtain from Governments, first, their accession to international instruments relating to refugees from Germany and, secondly, an undertaking not to apply too strictly prohibitions affecting emigration. With these considerations in view, and in order to facilitate discussion by the Assembly, it is suggested that the latter should consider the following points :

- (1) The summoning of an Inter-Governmental Conference for the purpose of adopting an international convention in favour of refugees coming from Germany;
- (2) The creation of a system whereby Governments and the High Commissioner on the one hand and the welfare organisations on the other might co-operate for the purpose of ensuring the migration of refugees into countries prepared to accept them subject to adequate personal guarantees ;
- (3) The adoption by the Governments of those countries in which refugees are at present residing of every measure capable of assisting emigration (technical preparation, professional re-education, etc.).

Appendix.

PRELIMINARY DRAFT CONVENTION CONCERNING THE STATUTE OF THE REFUGEES COMING FROM GERMANY.

Whereas Article 23(a) of the Covenant contains the provision : “ the Members of the League will endeavour to secure and maintain fair and humane conditions of labour for men, women and children, both in their own countries and in all countries to which their commercial and industrial relations extend, and for that purpose will establish and maintain the necessary international organisations ” ;

Having regard to the measures previously taken on behalf of refugees coming from Germany and, in particular, the provisional Inter-Governmental Arrangement of July 4th, 1936, at present in force in certain of the Contracting States ;

Taking into account the resolution adopted by the Assembly on October 10th, 1936, as a result of which the High Commissioner of the League of Nations for Refugees coming from Germany is entrusted with the task of preparing for an Inter-Governmental Conference with a view to the adoption of an international convention concerning the statute of German refugees ;

Desirous of supplementing and consolidating the work done by the League of Nations on behalf of refugees generally ;

Anxious to establish conditions which shall enable the decisions already taken by the various States with this object to be fully effective, and desirous that refugees shall be ensured the enjoyment of civil rights, free and ready access to the courts, security and stability as regards establishment and work, facilities in the exercise of the professions, of industry and of commerce, and in regard to the movement of persons, admission to schools and universities ;

Have appointed as their Plenipotentiaries :

. . . . .  
. . . . .

Who, having communicated their full powers, found in good and due form, have agreed upon the following provisions :



CHAPTER I. — DEFINITION.

*Article 1.*

For the purposes of the present Convention, the term "refugee coming from Germany" shall be deemed to apply to any person who was settled in that country, who does not possess any nationality other than German nationality, and in respect of whom it is established that in law or in fact he or she does not enjoy the protection of the Government of the Reich.

This definition shall be subject to such modifications or amplifications as each Contracting Party may introduce at the moment of signature or accession.<sup>1</sup>

CHAPTER II. — CERTIFICATES OF IDENTITY.

*Article 2.*

1. The High Contracting Parties shall issue to refugees coming from Germany and lawfully residing in their territory an identity certificate in conformity with the attached specimen (see Annex), or some other document having the same object. *Issue and renewal.*

As a transitory measure, this certificate may be issued to refugees whose residence in the territory on the date of the coming into force of the present Convention was irregular, if they report themselves to the authorities within a time-limit to be determined by the Government concerned.

2. The issue of the certificate shall be subject to the following conditions :

(a) It shall not contravene any law or regulation governing the supervision of foreigners in any State Party to the present Convention ;

(b) It shall, in general, be valid for one year as from the date of issue :

(c) The State issuing a certificate shall be qualified to renew or extend it until such time as the holder shall have been able to secure the issue of a fresh certificate. If the refugee has become settled in a regular manner in another country, the authorities of that country shall be bound to issue a new certificate to him ;

(d) Consuls specially authorised by the country issuing the certificate shall be able to extend its validity for a period which shall not, as a rule, exceed six months ;

(e) The identity certificate shall be made out in the language of the issuing country, and also in French ;

(f) Children under 16 years of age shall, if necessary, be included in the certificates of their parent(s) ;

(g) The fees for the issue of certificates shall not exceed the lowest tariff applied to national passports.

It is recommended that, when certificates are issued to destitute persons, no charge whatever shall be made.

*Article 3.*

1. Without prejudice to the State's power to regulate the right of residence, the holder of the certificate shall be entitled to move about freely in the territory of the country in which the certificate has been issued. *Effects.*

2. The certificate shall entitle the holder to leave the country which has issued it to him, and to return to that country, during the period of validity of the certificate.

The Contracting Parties reserve the right, in exceptional cases, to limit the period during which the refugee may return, such limitation being noted on the certificate.

3. The competent authorities of the country to whose territory the refugee desires to proceed shall visa the identity certificate of which he is the holder, if they are prepared to admit him.

4. The intermediate countries undertake to grant facilities for the issue of transit visas to refugees who have obtained visas from the country of final destination.

5. The fees for the issue of admission or transit visas shall not exceed the lowest tariff for visas on foreign passports. It is recommended that, when visas are issued to destitute refugees, no charge whatever shall be made.

<sup>1</sup> This definition is taken from the provisional Inter-Governmental Arrangement dated July 4th, 1936.

CHAPTER III. — ADMINISTRATIVE MEASURES.

Article 4.

1. In every case in which a refugee is required to leave the territory of one of the contracting countries, he shall be granted a suitable period to make the necessary arrangements.

2. Without prejudice to the measures which may be taken within the country, refugees who have been authorised to reside in a country may not be subjected by the authorities of that country to measures of expulsion or reconduction unless such measures are dictated by reason of national security or public order.

3. Even in this last-mentioned case, the Contracting Parties undertake that refugees shall not be reconducted to the frontier of the Reich unless they have been warned and have refused to make the necessary arrangements to proceed to another country or to take advantage of the arrangements made for them with that object.

In such case, the identity certificates may be cancelled or withdrawn.

CHAPTER IV. — LEGAL STANDING OF REFUGEES.

Article 5.

*Determination of the Law governing the personal status of refugees.*

The personal status of refugees who have retained their original nationality shall be governed by the rules applicable in the country concerned to foreigners possessing a nationality. Save as otherwise previously provided by treaty, the personal status of refugees having no nationality shall be governed by the law of their country of domicile, or failing such, by the law of their country of residence.

Article 6.

*Rights acquired under the national law.*

In countries where these matters are governed by the national law of the parties, rights acquired under the former national law of the refugee, for instance rights resulting from marriage, such as the matrimonial regime, the legal capacity of married women, etc., shall be respected, subject to compliance with the formalities prescribed by the law of their country of domicile or, failing such, by the law of their country of residence, if this be necessary.

Article 7.

*Right to appear before the courts as plaintiff or defendant.*

1. Refugees shall have in the territories of the States Parties to the present Convention free and ready access to the courts of law.

2. In the countries in which they have their domicile or regular residence, they shall enjoy in this respect, save where otherwise expressly provided by law, the same rights and privileges as nationals. They shall, on the same conditions, enjoy the benefit of legal assistance and be exempt from *cautio judicatum solvi*.

CHAPTER V. — LABOUR CONDITIONS.

Article 8.

The restrictions ensuing from the application of laws and regulations for the protection of the national labour market shall not be applied in all their severity to refugees domiciled or regularly resident in the country.

They shall be automatically suspended in favour of refugees domiciled or regularly resident in the country to whom one of the following circumstances applies :

(a) The refugee has been resident for not less than three years in the country ;

(b) The refugee is married to a person possessing the nationality of the country of residence ;

(c) The refugee has one or more children possessing the nationality of the country of residence.

CHAPTER VI. — INDUSTRIAL ACCIDENTS.

Article 9.

Each of the Contracting Parties undertakes to accord to refugees who may be victims of industrial accidents in its territory, or to their beneficiaries, the most favourable treatment that it accords to the nationals of a foreign country.

CHAPTER VII. — WELFARE AND RELIEF.

*Article 10.*

Refugees residing in the territory of one of the Contracting Parties — unemployed, persons suffering from physical or mental disease, aged persons or infirm persons incapable of earning a livelihood, children for whose upkeep no adequate provision is made either by their families or by third parties, pregnant women, women in childbed or nursing-mothers — shall receive therein the most favourable treatment accorded to nationals of a foreign country, in respect of such relief and assistance as they may require, including medical attendance and hospital treatment.

*Article 11.*

The Contracting Parties undertake to apply to refugees, as regards the social insurance laws at present in force or which may subsequently be established, the most favourable treatment accorded to the nationals of a foreign country.

*Article 12.*

Refugees shall enjoy in the territory of each of the Contracting Parties, as regards the setting-up of associations for mutual relief and assistance and admission to the said associations, the most favourable treatment accorded to the nationals of a foreign country.

CHAPTER VIII. — EDUCATION.

*Article 13.*

Refugees shall enjoy in the schools, courses, faculties and universities of each of the Contracting Parties treatment as favourable as other foreigners in general. They shall benefit in particular to the same extent as the latter by the total or partial remission of fees and charges and the award of scholarships.

CHAPTER IX. — FISCAL REGIME.

*Article 14.*

The Contracting Parties undertake not to impose upon refugees residing in their territories duties, charges or taxes, under any denomination whatsoever, other or higher than those which are or may be levied on their nationals in similar situations.

Nothing in the foregoing provisions shall affect the application of the Nansen stamp system or the stipulations of the laws and regulations concerning charges in respect of the issue to foreigners of administrative documents and the extension of the validity of such documents.

The present article is the only one in the Convention that governs fiscal matters. The latter are not subject to any other provisions of this Convention.

CHAPTER X. — EXEMPTION FROM RECIPROCITY.

*Article 15.*

The enjoyment of certain rights and the benefit of certain favours accorded to foreigners subject to reciprocity shall not be refused to refugees in the absence of reciprocity.

CHAPTER XI. — GENERAL PROVISIONS.

*Article 16.*

The provisional Arrangement of July 4th, 1936, in so far as it has been adopted by the Contracting Parties, shall remain in force as regards those of its provisions which are compatible with the present Convention.

*Article 17.*

The present Convention, which shall bear to-day's date, may be signed at any time before \_\_\_\_\_ on behalf of any Member of the League of Nations or any non-member State to which the Council of the League of Nations shall have communicated a copy of the present Convention for this purpose.

*Article 18.*

The present Convention shall be ratified. The instruments of ratification shall be deposited with the Secretary-General of the League of Nations, who will notify the deposit thereof to all the Members of the League of Nations and to the non-member States referred to in Article 17, indicating the date at which such deposit has been effected.

*Article 19.*

On and after \_\_\_\_\_, any Member of the League of Nations and any non-member State to which the Council of the League of Nations shall have communicated a copy of the present Convention may accede to it.

The instruments of accession shall be deposited with the Secretary-General of the League of Nations, who will notify such deposit and the date thereof to all the Members of the League of Nations and to the non-member States referred to in the preceding paragraph.

*Article 20.*

The present Convention shall come into force thirty days after the Secretary-General of the League of Nations shall have received ratifications and accessions on behalf of at least two Members of the League of Nations or non-member States.

In respect of each Member or non-member State on whose behalf any instrument of ratification or accession is subsequently deposited, the Convention shall come into force thirty days after the date of the deposit of such instrument.

It shall be registered on the day on which it is to come into force.

*Article 21.*

The present Convention may be denounced at any time, but such denunciation must be notified not less than six months before the end of the calendar year and shall take effect at the latter date.

Denunciation of the Convention shall be effected by a written notification addressed to the Secretary-General of the League of Nations, who will inform all the Members of the League of Nations and also the non-member States referred to in Articles 17 and 19, of each notification, of the date of receipt thereof and of the date on which denunciation is to take effect.

*Article 22.*

Any Contracting Party may declare, at the time of signature, ratification or accession, that, in accepting the present Convention, it is not assuming any obligation in respect of all or any of its colonies, protectorates, overseas territories, or the territories under its suzerainty or territories in respect of which a mandate has been confided to it; the present Convention shall, in that case, not be applicable to the territories named in such declaration.

Any Contracting Party may subsequently notify the Secretary-General of the League of Nations that it desires the present Convention to apply to all or any of the territories in respect of which the declaration provided for in the preceding paragraph has been made. The Convention shall, in that case, apply to all the territories named in such notification thirty days after the receipt thereof by the Secretary-General of the League of Nations.

Any Contracting Party may at any time declare that it desires the present Convention to cease to apply to all or any of its colonies, protectorates, overseas territories, or the territories under its suzerainty or territories in respect of which a mandate has been confided to it; the Convention shall, in that case, cease to apply to the territories named in such declaration under the same conditions as those stipulated in Article 21 above.

The Secretary-General of the League of Nations shall communicate to all the Members of the League of Nations, and to the non-member States referred to in Articles 17 and 19, the declarations and notifications received in virtue of the present article, together with the dates of the receipt thereof.

*Article 23.*

The Parties shall, at the time of signature, ratification or accession, indicate whether their signature, ratification or accession applies to Chapters I, II, III, IV and XI taken as a whole (the last chapter contains the general provisions) or to the Convention in its entirety.

Failing such indication, the signature, ratification or accession shall be deemed to apply to the Convention as a whole.

The Contracting Parties may, further, make reservations concerning articles included in chapters to which their obligation extends.

The Contracting Parties shall have the right at any time to extend their obligation to cover further chapters in the Convention, or to withdraw all or part of their exceptions or reservations, by means of a declaration addressed to the Secretary-General of the League of Nations. The Secretary-General shall communicate such declaration to all the Members of the League of Nations and to the non-member States referred to in Articles 17 and 19, specifying the date of receipt.

IN FAITH WHEREOF the above-mentioned plenipotentiaries have signed the present Convention.

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[Translation by the Secretariat of the League of Nations.]

**Annex to the Preliminary Draft Convention.**

**IDENTITY CERTIFICATE FOR REFUGEES COMING FROM GERMANY.**  
(Valid for one year.)

*Certificate issued in accordance with the Convention concerning the Statute of the Refugees coming from Germany of.....*

The present certificate is issued for the sole purpose of providing refugees from Germany with identity papers to take the place of a provisional passport. It is without prejudice to and in no way affects the holder's nationality.

On the expiration of its validity, the present certificate must be returned to the issuing authority.

Authority issuing the certificate :	Place of issue of the certificate :	Number : ..... Date :
.....	.....	.....

**IDENTITY CERTIFICATE.**  
(Valid until .....)

Failing express provision to the contrary, the present certificate entitles its holder to return to the country by which it was issued during the period for which it is valid. It shall cease to be valid if the holder enters German territory.

Surname .....  
Forenames .....  
Date of birth .....  
Place of birth .....  
Surname and forenames of father .....  
Surname and forenames of mother .....  
Name of wife (husband) .....  
Names of children .....  
Nationality .....  
Occupation .....  
Former address .....  
Present address .....

*Description.*

Age .....  
Hair .....  
Eyes .....  
Face .....  
Nose .....  
Height .....  
Distinguishing marks .....

Photographs  
(stamp).

Signature of holder :

.....

Remarks : .....

The undersigned certifies that the photograph and signature hereon are those of the holder of this certificate.

Signature of issuing authority :

.....

This passport expires on ..... 19....

Renewals .....

Visas .....

