

VII. INTERNATIONAL EVENTS

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DURING the year under review, several events occurred on the international scene which do not come within the exclusive framework of any one nation. The present article is devoted to the two most significant of these developments: the work of the United Nations Relief and Rehabilitation Administration (UNRRA) and the San Francisco United Nations Conference on International Organization.

United Nations Relief and Rehabilitation Administration

The United Nations Relief and Rehabilitation Administration (UNRRA), which was entrusted with the responsibility of meeting post-war relief and rehabilitation problems, was created by the treaty of November 9, 1943. In the preamble to that treaty, the forty-four signatory nations expressed as their intentions that

“... immediately upon the liberation of any area by the armed forces of the United Nations or as a consequence of retreat of the enemy the population thereof shall receive aid and relief from their sufferings, food, clothing and shelter, aid in the prevention of pestilence and in the recovery of the health of the people, and that preparation and arrangements shall be made for the return of prisoners and exiles to their homes and for assistance in the resumption of urgently needed agricultural and industrial production and the restoration of essential services.”

The first session of the UNRRA Council, which met in Atlantic City, N. J., from November 10 to November 29, 1943, made no provision for the special handling of the needs of Jewish war victims in liberated territories, despite representations of Jewish groups and a memorandum presented by the American Jewish Congress to the Council on November 17.

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The months which followed were difficult ones for Director-General Herbert H. Lehman. Criticism arose in many quarters by reason of the inaction of the new organization; but few of the critics realized the time and effort required for construction of an agency competent to deal with the Herculean tasks entrusted to it. The early months of UNRRA were devoted largely to planning, administrative organization, and training of personnel.

Nevertheless, considerable progress was made. On May 1, 1944, a training program was inaugurated at the University of Maryland for the workers who were to be sent overseas. In June, Congress, acting on President Roosevelt's recommendation, appropriated \$800,000,000—\$450,000,000 in cash, the balance to be in the form of Lend-Lease supplies—as America's initial contribution to UNRRA funds; and a number of the other nations likewise honored their pledges. In July, UNRRA, replacing the Middle East Relief and Refugee Administration, assumed charge of six camps in Egypt, Syria, and Palestine for 54,000 Yugoslav and Greek refugees. This venture, UNRRA's first, was described as a "dress rehearsal for the drama to come in Europe."

The extensive gains made during the summer of 1944 by the Allied armies in Europe and the imminence of the return of the exiled governments gave added importance to the second session of the UNRRA Council, which met in Montreal, Canada, from September 16–26, 1944. Representative Jewish organizations sent unofficial delegations to the conference to plead the cause of the Jewish war victims, and five of the leading groups¹—the Agudas Israel World Organization, the American Jewish Committee, the American Jewish Conference, the Canadian Jewish Congress, and the World Jewish Congress—agreed to bury their differences, at least for this occasion, and submitted a joint memorandum to the delegates.

UNRRA was restricted by its constitution from offering aid to any except United Nations nationals; the memorandum asked, therefore, that the constitution be amended to allow aid to all persons "who have been the victims of per-

¹ Representatives of the Joint Distribution Committee attended these meetings and participated actively in the discussions. They did not wish, however, to be considered as cooperating officially with the so-called Jewish political organizations.

secution because of race or religion by the Nazis, their allies and satellites" and that such aid take "the form of relief, rehabilitation, repatriation, return or resettlement regardless of their [the victims'] nationality." The reaction of the American delegation was favorable. Unanimous approval was obtained from the Council for an amendment, introduced by Assistant Secretary of State Dean Acheson, extending aid not only to United Nations nationals but also to such "other persons who have been obliged to leave their country or place of origin or former residence or who have been deported therefrom by action of the enemy because of race, religion or activities in favor of the United Nations." At a subsequent press conference, Mr. Acheson declared that 99.4% of the Jews in Europe would come within the provisions of his amendment and the remainder—the few "very lucky" Jews who had remained unmolested, even in enemy territory—would probably need no aid from UNRRA.

The Acheson amendment gave special recognition to the problems of Jews of enemy nationality and also of stateless persons. Significant, too, were the assurances given that persons displaced prior to the actual outbreak of hostilities in 1939 would benefit equally with those who were victims of the war, though no formal statement to that effect was issued. No provision at all, however, was made for the resettlement of those Jews who would not wish to return to Germany or to the other ex-enemy countries. That problem remained one for Sir Herbert Emerson's Intergovernmental Committee on Refugees, which earlier had suggested their return to their former residences, although renouncing any intention of forcing them to do so.

In the months following the Montreal Conference, widespread criticism was directed anew at UNRRA, and complaints were made about delays in bringing aid to the liberated peoples, the quality of the goods shipped abroad, the "red tape," etc. Most of the actual shortcomings, however, were attributable to the shipping shortages arising from the military needs of the Allies in the final phases of the European conflict and to other alleged military considerations, and, especially important, to political complications arising in some of the newly liberated countries. The war-time governments of France, Belgium, Holland, and Norway, recipients

of American Lend-Lease, rejected UNRRA aid as a matter of external and domestic prestige. Bloody strife between two political groups, the right-wing EDES and the left-wing ELAS, in Greece and the prolonged feud between the Polish Government-in-exile in London and the Soviet-sponsored Lublin régime delayed UNRRA aid to those countries far longer than otherwise would probably have been necessary.

Nevertheless, by March 1945, a total of 30,000 tons of relief and rehabilitation supplies had been shipped overseas or were awaiting shipment and, by the end of June, more than 1,200,000 tons of such supplies were on their way. More than 600,000 tons were allotted to Greece, 199,000 to Yugoslavia, 89,000 to Poland, 77,000 to Czechoslovakia, 77,000 to Italy, and about 2,000 to UNRRA refugee camps and western European countries under emergency relief programs. The supplies consisted of food (chiefly flour and cereals, owing to the difficulty of procuring protein foods); used clothing and textiles; medical supplies; and rehabilitation equipment for restoring industry and agriculture, internal transport, and public utilities. In Rome, 16,000 children in institutions were being fed by UNRRA, and 2,500 displaced United Nations nationals were also receiving UNRRA food. Repatriation of Greeks and Yugoslavs from UNRRA Middle East camps was already in full swing.

The surrender of Germany put heavy pressure on UNRRA's displaced persons program operating under Allied military control. By the middle of May 1945, 130 "assembly center teams," including medical and sanitation officers, were in the field. At the request of the military, three nutrition experts were sent to the Belsen "horror camp" in Germany to advise and assist the military authorities there. UNRRA medical supplies were rushed into Yugoslavia to help avert a smallpox outbreak, and a large-scale malaria control program was instituted in Greece. Surveys were also made of the tuberculosis and typhus problems in Europe.

Aid in this important work, as far as Jews were concerned, was also furnished UNRRA by the Intergovernmental Committee on Refugees and by such Jewish relief agencies as the Joint Distribution Committee, HICEM, ORT, OSE, etc. At the end of June 1945, the JDC, for example, was operating with American personnel in fourteen countries of

Europe and, through local committees, in several other countries as well. With the permission of SHAEF, ten JDC teams were already at work in former German concentration camps, assisting the inmates, attempting to reunite them with their surviving relatives, and arranging for their eventual resettlement.

The San Francisco Conference

Considerable attention was also focused, during the initial months of 1945, on the problems of assuring peace for the future. Early in February 1945, President Roosevelt, Prime Minister Churchill, and Premier Stalin met in conference at Yalta, in the Crimea, to coordinate "Big Three" policy on certain vital issues—military and diplomatic—which had arisen during the preceding months. The agreement resulting from that conference, published on February 12, revealed that among other decisions taken at Yalta, the three statesmen had

“resolved upon the earliest possible establishment with our allies of a general international organization to maintain peace and security. We believe that this is essential, both to prevent aggression and to remove the political, economic and social causes of war through the close and continuing collaboration of all peace-loving peoples . . . ; we have agreed that a conference of the United Nations should be called to meet at San Francisco, in the United States, on April 25, 1945, to prepare the Charter of such an organization, along the lines proposed in the informal conversations at Dumbarton Oaks.”

Invitations were subsequently issued to all members of the United Nations to send representatives to this United Nations Conference on International Organization (UNCIO).

To obtain seats at the conference, a number of countries, including certain of the Latin American states, Turkey, and Egypt, belatedly rushed to declare war against the Axis. The American Zionist Emergency Committee, on March 8, issued a formal statement deploring the fact that while coun-

tries had been invited which had declared war on the Axis only in order to obtain representation at the conference, "the only people who have been at war with Hitler since 1933, who remained the sole bulwark of democracy in the whole Middle East, and whose casualty lists exceed 5,000,000, had not been invited."

With the war yet in progress in Europe² and in the Far East, it was obvious that the meeting at San Francisco was not to be a peace congress. The invitations issued by the sponsoring powers had limited the conference to dealing with the problems of international organization and security, and then only within the framework of the Dumbarton Oaks Agreement. According to a Washington correspondent writing in the *New York Times* of March 22, 1945, the Conference was to be:

"1. A meeting to agree on the details of a world security league for the post-war era, including (a) an economic council as machinery to adjust later developments in this field in the interests of peace and fair dealings among the nations; (b) a statute for a world court; and (c) a trusteeship plan for the colonies and mandates of the enemy nations. Beyond these duties and responsibilities, with the possible addition of some minor points, the San Francisco Conference has none."

More specifically, Prime Minister Churchill informed the House of Commons on February 27 that the Jewish-Arab question in Palestine was not part of the agenda of the conference and that a final decision on that problem would be postponed until the cessation of hostilities.

Nevertheless, Jewish organizations continued to manifest their desire to participate actively in the discussions at San Francisco. They were anxious to bring before the conference the relief and rehabilitation problems of European Jews, as well as certain other vital issues of post-war Jewish community reconstruction. They were also concerned with safeguarding the rights of the existing Jewish community in Palestine and, if possible, with securing fulfilment of the

²Germany agreed to unconditional surrender on May 8, 1945, while the Conference was still in progress.

pledges made the Jewish people in the Balfour Declaration and the Palestine Mandate. The well-publicized presence of representatives of Egypt, Iraq, Lebanon, Saudi Arabia, and Syria, states which had only recently signed the Cairo Pact creating a Pan-Arab League,³ called for vigilance on the part of the Jews. Any recognition given by the Powers to the Arab League might well have had an adverse effect on Jewish interests in Palestine.

Despite this concern, however, efforts to unite American Jewish organizations working in this field in support of a unified post-war program met with no success. In February 1945, invitations were issued by the American Jewish Committee to Agudas Israel, the American Jewish Conference, the American Jewish Congress, and the Jewish Labor Committee to participate in an informal conference to consider formulation of such a program; but favorable replies were received only from Agudas Israel and the Jewish Labor Committee. The Conference and the Congress, its constituent, declined the invitation, stating that a positive program could best be achieved through the Conference which, they claimed, was the sole "representative body of American Jewry."

In the weeks before the opening of the San Francisco Conference, growing pressure was brought to bear on the United States Government, by Jewish groups and by other American organizations, that they be allowed to attend the conference; and this pressure ultimately proved successful. On April 10, forty-two representative religious, educational, business and labor groups in this country, including the American Jewish Committee and the American Jewish Conference, were formally invited by Mr. Stettinius, then Secretary of State and also head of the American delegation, to serve as consultants to the American delegation at San Francisco. Each of the forty-two organizations was requested to appoint one consultant and two associates for this purpose. The State Department also subsequently approved requests by the Jewish Labor Committee, Agudas Israel, and the Synagogue Council of America to send their representatives,

³ Though members of this new Arab League, Transjordan and Yemen, not being members of the United Nations, were not represented in San Francisco.

but these latter enjoyed no official status and did not meet with the consultants. Several other Jewish organizations also sent "observers" to the Conference to press their own views.

Long before the meeting at San Francisco was proposed, the American Jewish Committee, the American Jewish Congress, and other Jewish organizations had engaged in studies relating to post-war Jewish problems. These bodies were thus in a position to formulate and document specific proposals to be presented to the delegates. The American Jewish Committee, for its part, recommended to the Conference the establishment of a permanent commission to formulate an International Bill of Rights and a course of procedure for its implementation and enforcement; abrogation of anti-Jewish legislation and discrimination in all countries formerly under Nazi domination; restoration of "Aryanized" property to its original owners or adequate indemnification of the victims; repatriation of all displaced nationals or subjects, irrespective of race, creed, or ethnic origin, to the countries from which they were displaced after January 1933 (although requiring no displaced person to return to the country from which he was displaced); creation of a second commission to deal with migrations in Europe resulting from economic and social upheaval and to concern itself with the welfare and to protect the rights of stateless persons. The Committee urged punishment of Axis war criminals and their associates. It also asked for free immigration into Palestine and approved for that country "an international trusteeship responsible to the United Nations . . ." A pamphlet embodying these proposals, entitled "To the Counsellors of Peace," was presented by the Committee to members of the various delegations at the Conference.

The American Jewish Conference, the other official Jewish consultant organization, united with the World Jewish Congress and the Board of Deputies of British Jews in submitting a joint memorandum which asked for an International Bill of Rights and the restoration of former rights to the Jews in Europe; the outlawing of anti-Semitism; punishment for crimes committed against Jews; United Nations aid in relief and rehabilitation of Jews; elimination of statelessness; indemnification to Jews for losses caused by the Axis; and governmental and intergovernmental assistance in the re-

settlement of displaced Jews. These organizations also agreed to support the requests on Palestine contained in the memorandum of the Jewish Agency. (See below, page 496).

The Jewish Labor Committee urged the creation of a special agency to safeguard the rights of minority groups in all countries, unlimited immigration into and free land-purchase in Palestine, the rapid reconstruction of Jewish life throughout Europe, and the branding of anti-racial and anti-religious agitation as criminal offenses. The Synagogue Council of America urged creation of machinery to prevent war in the future, a commission to safeguard human rights, the restoration of civil and political rights to the Jews in Europe, and abrogation of the British White Paper affecting immigration into Palestine. The Hebrew Committee of National Liberation demanded the seating of a "Hebrew national" delegation at the conference and "Hebrew national" membership in the general assembly of the new world organization.

The Jewish Agency, officially recognized by the League of Nations Mandate as spokesman for the Jewish people on matters pertaining to Palestine, asked for prompt reconstitution of Palestine as a free Jewish commonwealth, with the Agency controlling immigration and settlement and recognized on any international bodies to be formed for trusteeships; safeguarding of the rights of the Jewish people under the Balfour Declaration and the League of Nations Mandate; and abolition of restrictions on Jewish immigration into Palestine. The Agency pledged the Jewish state to "scrupulous regard" for the personal, property, religious, and cultural rights of the Arabs.

Only two of the major demands expressly or implicitly common to all of these programs—that asking for promulgation of an International Bill of Rights and the other asking that no decision be made impairing Jewish rights to Palestine—properly fell within the scope of the Conference and were acted upon favorably.

The first of these demands, that for an International Bill of Rights, had been presented to President Roosevelt at the White House on March 20, 1945 by Judge Joseph M. Proskauer and Mr. Jacob Blaustein of the American Jewish Committee and had evoked from him a favorable response.

Actually, the President and the heads of the other Big Three powers had much earlier expressed their interest in such a project. In the Atlantic Charter and the Teheran and Moscow Declarations, they had evidenced their realization of the need for protecting the basic freedoms indispensable to civilization; and at the Dumbarton Oaks Conference, human rights were made, for the first time, a matter of official international concern. That conference had adopted as one of the purposes of the general international organization to be established the intention "to achieve international cooperation in the solution of international economic, social and other humanitarian problems," and had envisaged an Economic and Social Council "to facilitate solutions of international economic, social and other humanitarian problems and promote respect for human rights and fundamental freedoms." Further indications of the United Nations' concern with human rights were also found in the armistice agreements signed with the ex-Nazi satellite countries and in General Dwight D. Eisenhower's dissolution of totalitarian organizations and abolition of racist legislation in all territory occupied by his forces.

At the Inter-American Conference, which met in Mexico City in February 1945, the delegates also called upon the nations of the Western Hemisphere to "declare themselves in favor of a system of international protection of the rights of man" and charged a committee to prepare a draft declaration of these rights. The delegates also resolved "(1) To reaffirm the principle recognized by all the American states of equality of rights and opportunities for all men, regardless of race or religion; (2) to recommend to the Governments of the American Republics that, without prejudicing the freedom of the spoken or written word, they make in their respective countries every effort to prevent all acts which tend to provoke discrimination between individuals by reason of their race or religion."

Apparently, the world had come to realize the importance of the problem of human rights. It was now generally recognized that violation of the rights of minorities was a likely prelude to violation of the rights of nations, that aggression at home was likely to become aggression abroad and, in short, a major cause of modern war.

An international guarantee of human rights was generally regarded as being likely to prove more effective than the Minorities Treaties imposed by the Paris Peace Conference after World War I on the Succession States of eastern and central Europe. The Minorities Treaties, it is true, had guaranteed to the minorities in those states equal protection of life and liberty, without distinction of race, language, or religion and guaranteed to the minorities their enjoyment of freedom from discrimination in public employment, free and public exercise of religion, choice of language, and public assistance for educational, religious, and welfare institutions. But they had failed to accomplish their purpose, owing partly to the spread of fascism and fascism's usual concomitant, anti-Semitism, and partly also to the waning influence of the League of Nations, the enforcement agency. The states upon which the Minorities Treaties were imposed also objected to having been singled out in this manner and considered the treaties a violation of their sovereignty. They also feared—in some cases, with good reason—the disruptive potentialities of irredentist ambitions among their minorities, especially in those states where a minority was of the same ethnic group as a majority across the border. The fact that the Jews of central and eastern Europe could not be accused of such irredentism, did not save them from almost universal discrimination there. Either the statutes necessary for their protection were never passed or, if passed, were rarely observed.

A different approach to the human rights problem—one that would not suffer from the weaknesses of the Minorities Treaties—seemed essential. A bill of human rights, accepted by all nations for all men, seemed to many the solution. Nevertheless, for a time, it appeared as though the delegates at San Francisco would rest content with the vague clause in the Dumbarton Oaks Agreement; and the American consultants were so informed on the morning of May 2, 1945 by Dean Virginia Gildersleeve of the American delegation. Members of the American delegation, it was apparent, were disinclined to believe that the more ambitious human rights proposals they were being asked to sponsor would prove acceptable to the Conference.

Dean Gildersleeve's statement naturally distressed most

of the consultants, who were agreed that the Conference should go beyond a mere moral pronouncement and should create a commission on fundamental human rights and the appropriate machinery to secure them. The consultants were to meet that same afternoon with Mr. Stettinius, and this meeting would be their last chance to win over the American delegation to their views. Judge Proskauer immediately drafted a petition to be presented to the head of the American delegation. The petition was then revised by Dr. James T. Shotwell, chairman of the group of consultants, by Jacob Blaustein, Clark Eichelberger, and by other consultants, and the draft was completed by noon. Twenty-two of the forty-two consultants—all who could be reached within the short time available—affixed their signatures to the petition before the scheduled meeting with Secretary Stettinius.

The petition advocated certain alterations in the statement of purposes and in the principles of the international organization to emphasize more strongly and clearly the international protection of human rights. Changes in the objectives of the Economic and Social Council and provision for a human rights commission under the Council were also proposed. "The dignity and inviolability of the individual must be the cornerstone of civilization," the petition stated. "The conscience of the world demands an end to persecution . . . It is thus a matter of international concern to stamp out infractions of basic human rights."

Dr. O. Frederick Nolde, representing the Federal Council of the Churches of Christ in America, presented the petition to Secretary Stettinius and was seconded by Judge Proskauer, the latter declaring that the voice of America was speaking, as it had never before spoken at any international gathering. Philip Murray, spokesman for the CIO, also threw his support behind the petition, declaring that he believed he was speaking not only for the CIO but for all labor.

Mr. Stettinius answered at once, saying that he would immediately bring the matter to the attention of the American delegation. The Secretary prevailed upon the other members and they resolved to present the human rights provisions to the other three great powers, who then agreed to join in sponsoring them. The delegates of the smaller countries accepted the provisions with apparently little re-

luctance. And so this last-minute effort of the American consultants finally proved successful.

For the first time in history, fifty nations, representing the overwhelming majority of civilized mankind, had declared that fundamental freedoms for all, without distinction as to race, language, or religion, must be the cornerstone of social life everywhere. The human rights provisions in the final text of the Charter are, according to former Secretary Stettinius, "not mere general expressions in a preamble; they are woven through and through the document." One of the purposes of the new world security organization, the Charter specifically states, is the "promotion and encouragement of respect for human rights and fundamental freedoms for all without distinction as to race, language, religion or sex."

Outlining the functions of the General Assembly, the Charter stipulates that the Assembly shall initiate studies and make recommendations for the purpose of "assisting in the realization of human rights and basic freedoms for all." The Economic and Social Council, administrative agency of the General Assembly, is specifically charged with the making of recommendations for "promoting respect for and observance of human rights and fundamental freedoms." Another of the Council's duties will be to set up a Committee for the Promotion of Human Rights. Although these provisions are in themselves no guarantee of the achievement of equality of all individuals and are not made enforceable by any international machinery, authorities in the field of international affairs have warned against any under-estimation of their potential effectiveness. The Economic and Social Council and its Commission on Human Rights are given such latitude by the Charter that they may in time create appropriate machinery to combat discrimination against minority groups.

"Under this document," said President Truman, in his address before the final plenary session of the San Francisco Conference, "we have good reason to expect the framing of an international bill of rights, acceptable to all the nations involved. That bill of rights will be as much a part of international life as our own Bill of Rights is a part of our Constitution. The Charter is dedicated to the achievement and observance of human rights and fundamental freedoms. Unless we can attain those objectives for all men and women

everywhere—without regard to race, language or religion—we cannot have permanent peace and security.”

The second of the two major Jewish demands at the Conference was related to the safeguarding of Jewish rights to Palestine. The Jewish Agency for Palestine had come before the Conference with a request that “no action should be taken at the San Francisco Conference which would be inconsistent with or prejudicial to the special rights of the Jewish people under the Balfour Declaration and the Palestine mandate, and all such rights shall be expressly reserved and safeguarded.” This request was supported by the American Jewish Conference, the World Jewish Congress, and the Board of Deputies of British Jews; and was also endorsed by the American Jewish Committee and the Jewish Labor Committee.

The five member-states of the newly-created Arab League, on the other hand, filed their Pan-Arab Pact with the Conference secretariat and sought recognition as a regional agency similar to that accorded the Inter-American system. They aspired also to a place on the Trusteeship Council, created as a substitute for the Mandates Commission of the moribund League of Nations.

Such recognition of the Arab League would undoubtedly have dealt a deadly blow to Jewish aspirations in Palestine, and the various Jewish groups represented at the Conference united to block what they regarded as appeasement of the Arabs. They disclosed that the seemingly innocuous Arab treaty circulated among the delegates to the Conference contained a special Annex inimical to Jewish interests in Palestine and designed to undermine the Jewish position in the Middle East. To counter the Arab move, the Jewish Agency, on May 9, presented a general memorandum to the members of the trusteeship committee of the UNCIO, asking that they “vest the General Assembly and the Social and Economic Council with powers sufficient to enable them to carry out their supervisory functions in regard to trusteeship areas; and to create a Trusteeship Council of such a character as to command confidence and authority, and such as would be capable further of developing a comprehensive and consistent system of Trusteeship Law.” “The establishment of such a system,” it concluded, “would indeed be

among the most promising and challenging experiments in modern international relations.”

More specifically, the Agency asked that the committee “include in the Chapter of the Charter of the United Nations dealing with international trusteeship a clause designed to preserve existing rights acquired under the mandate system of the League of Nations” and also “to define the beneficiaries of the trusteeship system so as to take into account the rights of the Jewish people as a whole to Jewish immigration and settlement in Palestine.”

Zionist leaders were gratified by the unwillingness of the principal powers to change the terms of the trusteeship proposals along lines favored by the Arab League, and by the text of the trusteeship arrangements for mandated territories, adopted by the powers on May 24. The latter was taken to mean that no change would be made in the provisions of the Palestine Mandate without prior consultation with the interested parties. The pertinent Article 80 provides: “Except as may be agreed upon in individual trusteeship agreements made in accordance with the provisions of this chapter [XII], placing each territory under the trusteeship system, and until such agreements have been concluded, nothing in this chapter shall be construed in or of itself to alter in any manner the rights whatsoever of any state *or any peoples* or the terms of existing international instruments to which members of the United Nations may respectively be parties.” Inclusion of the phrase “or any peoples,” not originally found in this article, was generally considered a guarantee that existing rights of the Jews in Palestine would not be diminished under the new trusteeship system.