



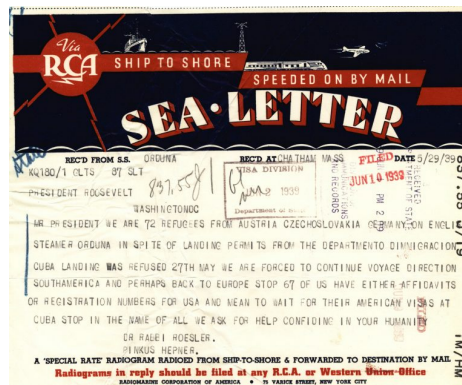
WORKSHEET: GROUP 5

Instruction

Read the desperate sea letter to president Roosevelt as well as excerpts from the Convention Relating to the Status of Refugees 1951. The sea letter to president Roosevelt was send by passangers of another refugee ship that was refused to land. The sea letter ends with the sentence: „We ask for help confiding in your humanity“.

How could refugees argument today and why?

Sea letter to President Roosevelt



Desperate sea letter to President Roosevelt pleading for help for 72 European refugees aboard the English steamer Ordumna refused landing in Cuba, May 29, 1939.
NARA, CDF 837.55J/ 19.



Convention Relating to the Status of Refugees, 1951 [also known as the 1951 Refugee Convention]

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The Convention Relating to the Status of Refugees met at the European Office of the United Nations in Geneva from 2 to 25 July 1951. Governments of 26 States were represented by delegates.

Here are some of the recommendations that the conference adopted unanimously:

B (Principle of unity of the family)

The Conference,

considering that the unity of the family, the natural and fundamental group unit of society, is an essential right of the refugee, and that such unity is constantly threatened, and

noting with satisfaction that, according to the official commentary of the ad hoc Committee on Statelessness and Related Problems (E/1618, p. 40), the rights granted to a refugee are extended to members of his family,

recommends Governments to take the necessary measures for the protection of the refugee's family especially with a view to:

1. Ensuring that the unity of the refugee's family is maintained particularly in cases where the head of the family has fulfilled the necessary conditions for admission to a particular country,
2. (2) The protection of refugees who are minors, in particular unaccompanied children and girls, with special reference to guardianship and adoption.

C (Welfare services)

The Conference,

considering that, in the moral, legal and material spheres, refugees need the help of suitable welfare services, especially that of appropriate nongovernmental organizations,

recommends Governments and inter-governmental bodies to facilitate, encourage and sustain the efforts of properly qualified organizations.

D (International co-operation in the field of asylum and resettlement)

The Conference,



considering that many persons still leave their country of origin for reasons of persecution and are entitled to special protection on account of their position,

recommends that Governments continue to receive refugees in their territories and that they act in concert in a true spirit of international cooperation in order that these refugees may find asylum and the possibility of resettlement.

E (Extension of treatment provided by the Convention)

The Conference,

expresses the hope that the Convention relating to the Status of Refugees will have value as an example exceeding its contractual scope and that (1) **Headline added. 12 c o n v e n t i o n a n d p r o t o c o l** all nations will be guided by it in granting so far as possible to persons in their territory as refugees and who would not be covered by the terms of the Convention, the treatment for which it provides.

Article 1

definition of the term “refugee”

A. For the purposes of the present Convention, the term “refugee” shall apply to any person who:

1. Has been considered a refugee under the Arrangements of 12 May 1926 and 30 June 1928 or under the Conventions of 28 October 1933 and 10 February 1938, the Protocol of 14 September 1939 or the Constitution of the International Refugee Organization; Decisions of non-eligibility taken by the International Refugee Organization during the period of its activities shall not prevent the status of refugee being accorded to persons who fulfil the conditions of paragraph 2 of this section;
2. As a result of events occurring before 1 January 1951 and owing to wellfounded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it. In the case of a person who has more than one nationality, the term “the country of his nationality” shall mean each of the countries of which he is a national, and a person shall not be deemed to be lacking the protection of the country of his nationality if, without any valid reason based on well-founded fear, he has not availed himself of the protection of one of the countries of which he is a



national.

B.(1) For the purposes of this Convention, the words “events occurring CHAPTER I: General Provisions c o n v e n t i o n a n d p r o t o c o l 15 before 1 January 1951” in article 1, section A, shall be understood to mean either:

1. “events occurring in Europe before 1 January 1951”; or
2. “events occurring in Europe or elsewhere before 1 January 1951”, and each Contracting State shall make a declaration at the time of signature, ratification or accession, specifying which of these meanings it applies for the purpose of its obligations under this Convention.

(2) Any Contracting State which has adopted alternative (a) may at any time extend its obligations by adopting alternative (b) by means of a notification addressed to the Secretary-General of the United Nations.

Article 33

prohibition of expulsion or return (“refoulement”)

1. No Contracting State shall expel or return (“refouler”) a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion.
2. The benefit of the present provision may not, however, be claimed by a refugee whom there are reasonable grounds for regarding as a danger to the security of the country in which he is, or who, having been convicted by a final judgment of a particularly serious crime, constitutes a danger to the community of that country.