

2. In the case of all refugees falling within the terms of section A, paragraph 1 (b) of this Annex, persons will become the concern of the Organization in the sense of the resolution adopted by the Economic and Social Council of the United Nations on 16 February 1946, so long as the Falangist regime in Spain continues. Should that regime be replaced by a democratic regime they will have to produce valid objections against returning to Spain corresponding to those indicated in paragraph 1 (a) of this section.

Section D.—Circumstances in which Refugees and Displaced Persons will cease to be the Concern of the Organization

Refugees or displaced persons will cease to be the concern of the Organization :

(a) When they have returned to the countries of their nationality in United Nations territory, unless their former habitual residence to which they wish to return is outside their country of nationality ; or

(b) When they have acquired a new nationality ; or

(c) When they have, in the determination of the Organization become otherwise firmly established ; or

(d) When they have unreasonably refused to accept the proposals of the Organization for their resettlement or repatriation ; or

(e) When they are making no substantial effort towards earning their living when it is possible for them to do so, or when they are exploiting the assistance of the Organization.

PART II.—PERSONS WHO WILL NOT BE THE CONCERN OF THE ORGANIZATION

1. War criminals, quislings and traitors.

2. Any other persons who can be shown :

(a) To have assisted the enemy in persecuting civil populations of countries, Members of the United Nations ; or

(b) To have voluntarily assisted the enemy forces since the outbreak of the second world war in their operations against the United Nations.¹

3. Ordinary criminals who are extraditable by treaty.

4. Persons of German ethnic origin, whether German nationals or members of German minorities in other countries, who :

(a) Have been or may be transferred to Germany from other countries ;

(b) Have been, during the second world war, evacuated from Germany to other countries ;

(c) Have fled from, or into, Germany, or from their places of residence into countries other than Germany in order to avoid falling into the hands of Allied armies.

5. Persons who are in receipt of financial support and protection from their country of nationality, unless their country of nationality requests international assistance for them.

6. Persons who, since the end of hostilities in the second world war :

(a) Have participated in any organization having as one of its purposes the overthrow by armed force of the Government of their country of origin, being a member of the United Nations ; or the

¹ Mere continuance of normal and peaceful duties, not performed with the specific purpose of aiding the enemy against the Allies or against the civil population of territory in enemy occupation, shall not be considered to constitute "voluntary assistance." Nor shall acts of general humanity, such as care of wounded or dying, be so considered except in cases where help of this nature given to enemy nationals could equally well have been given to Allied nationals and was purposely withheld from them.