

M I S C E L L A N E O U S

AGREEMENT RELATING TO REFUGEE SEAMEN

The Agreement relating to Refugee Seamen, which entered into force on December 28, 1961, had been negotiated under the auspices of the United Nations High Commissioner's Office for Refugees and was ratified by all the signatory governments.

The Agreement relating to Refugee Seamen was concluded on 23 November 1957 at The Hague, after three sessions of a conference called by the Netherlands Government to remedy the distressing situation in which a number of refugee seamen found themselves. Many of these refugees, serving on board merchant ships, had no valid papers whatsoever and, therefore, no country in which they could land and stay legally, not even for short periods, such as for shore leave, or to change ships.

The Agreement sets out conditions according to which a refugee seaman, having a link with a country which is a party to the Agreement, shall receive a travel document from that country, giving him the right to take up his residence in its territory. This travel document will also greatly facilitate his life as a seaman, and will enable him to go ashore when his ship is in foreign ports, if he wishes to change ships, if he is sick, or for any other reason. The "links" specified are: a certain period of service on board ships flying the flag of the country concerned; former residence in a country, and former issue by a country of a refugee travel document, even if that document is out of date.

In a message, the High Commissioner, Mr. Felix Schnyder, paid a tribute to the eight European governments (Belgium, Denmark, France, the Federal Republic of Germany, the Netherlands, Norway, Sweden, and the United Kingdom), which drew up the refugee Seamen's Agreement and, by ratifying it, have taken their share in solving this particular humanitarian problem. "Indeed, they have

been applying the provisions of the Agreement even before it formally entered into force”, said the High Commissioner. He also expressed his gratitude to the Government of the Netherlands which, “ for many years has shared the concern of my Office at the plight of refugee seamen, and has taken the initiative of calling the conferences which led to the Agreement ”.

“ There can be no doubt that the position of a great many refugee seafarers throughout the world will be regularized through the Agreement ”, the High Commissioner’s message continued. It was “ certainly important, however, for further States to become parties to it, so that all outstanding cases may be solved.”

“ To arrive at a solution of this particular problem, it is also essential that the refugee seamen themselves become acquainted with the existence of the Agreement, and the possibilities it offers to them of finding a country of asylum.” The High Commissioner very much hoped, therefore, “ that the authorities, and the organizations of shipowners and seafarers in various countries will give their full attention to the provisions of the Agreement, and make known to refugees the full benefits they can derive from it.” His Office was “ always ready to advise refugee seamen concerning problems resulting from their special situation, and to help in every way possible.”

H. C.

THE PROTECTION OF THE RIGHTS OF MAN IN TIME OF WAR

The *Revista española de Derecho Militar* (No. 9, 1960) has published, amongst other articles, a very comprehensive and important study under the joint-authorship of Mr. Sizeki Miyazaki, Professor of the University of Tokyo, and Mr. Hans Wiebringhaus, a member of the Secretariat of the Council of Europe, entitled, “ The protection of the rights of man in time of war ”, in which the Geneva Conventions of August 12, 1949 are examined and analysed in a detailed manner.