



INTERNATIONAL COMMITTEE OF THE RED CROSS

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P r o c e e d i n g s

of the Meeting for the Study of Treaty Stipulations
relative to the Spiritual and Intellectual Needs of
Prisoners of War and Civilian Internees.

Geneva, March 3 and 4, 1947

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Geneva, May 1947.



INTERNATIONAL COMMITTEE OF THE RED CROSS

Proceedings of the Meeting for the Study of Treaty Stipulations relative to the Spiritual and Intellectual Needs of Prisoners of War and Civilian Internees

Held at Geneva on March 3 and 4, 1947

I N T R O D U C T I O N

In connexion with their preparatory work in view of the revision of the Geneva Conventions, the International Committee of the Red Cross considered opportune to give the various welfare institutions with which it cooperated during the recent War, for the dispatch of spiritual and intellectual relief to Prisoners of War and Civilian Internees, ^{an} opportunity of stating their experience and voicing their opinion on a subject with which they are directly familiar.

The Committee consequently summoned an informal Study Meeting of these Institutions in Geneva, on March 3 and 4, 1947. The first day was devoted to the study of matters of a spiritual nature in connection with the Geneva Conventions ; on the second day, questions of intellectual relief to Prisoners of War and Civilian Internees were examined.

Representatives of the following Institutions were present :

Caritas Catholica Internationalis - Father S. Crivelli.
Catholic Relief - Abbés Le Meure et P. Duban.
Information Office of the Secretary of State to His Holiness the Pope - Mgr McGeough. (*as observer only*)
International Education Bureau - Mlle Chaponnière.
International Federation of Librarians' Associations - M.A. Breycha-Vautier.
International Student Service and World Student Relief - M.J. Pelletier.
Pax Romana - Abbé J. Schneuwly.
Swiss Catholic Mission in behalf of War-Victims - Chanoine C. Comte, Mlle M. Emery.
War Relief of National Catholic Welfare Conference - Mgr Mc. Geough - Mr. Cummings.
World Alliance of Y.M.C.A. - MM. Cedergren, A. Vulliet, A. Senaud, L. Guillon.
World Alliance of Y.W.C.A. - Mlle Arnold.
World Council of Churches - Professeur J. Courvoisier and MM. O. Béguin and Hopkins.

World Jewish Congress - M. Riegner.

World's Student Christian Federation - M.B. Hoffman.

The representatives of the American Joint Distribution Committee and the Swiss Federation of Jewish Communities (1) sent apologies for their absence, due to illness.

The International Committee delegated members and staff who had particular knowledge of the subjects under discussion. The meeting was presided by Dr. E. Gloor and M. Martin Bodmer, Vice-Presidents of the Committee, assisted by M. Jean Pictet, and M. Jean Meylan, Director of Section. The opening address was delivered by M. Max Huber, Honorary President.

The papers submitted to the Meeting comprised a detailed Report, drawn up by the Committee, copies of which had been sent to the members previous to the meeting, and Memoranda submitted by several of the Institutions attending.

The present Summary Report will be communicated to the welfare organizations of denominations which were not represented at the meeting of March 3, with a request to make any suggestion they may consider opportune.

I. STUDY OF TREATY STIPULATIONS RELATIVE TO THE SPIRITUAL NEEDS
OF WAR VICTIMS

A. Geneva Convention of July 27, 1929 for the Relief of the
Wounded and Sick of Armies in the Field

Art. 1, Sec. 1 (2)

Officers and soldiers and other persons officially attached to the armed forces who are wounded or sick shall be respected and protected in all circumstances ; they shall be treated

(1) The latter institution sent suggestions, signed by their Chairman, M. Brunschwig, which were read in the course of the meeting.

(2) The Articles quoted are those of the present Convention. All amendments are underlined.

with humanity and cared for medically, without distinction of nationality, by the belligerent in whose power they may be.

In the Report submitted to the meeting, the Committee proposed to replace the words "without distinction of nationality" by the words "without any distinction, particularly of nationality, race, sex, religion or political opinions"

The revised text was approved unanimously.

Art. 4, Sec. 5 :

They shall further ensure that the dead are honourably interred, that their graves are respected and marked so that they may always be found.

The Committee proposed the following amendment of Sec. 5 : "They shall further ensure that the dead are honourably interred, if possible according to the rites of the religion to which they belonged, that their graves are respected and marked so that they may always be found".

In so doing, the Committee wished to take into consideration, as far as possible, the rites prescribed by certain religions and sects for the burial or cremation of their members. One of the delegations proposed to delete the words "if possible", but this suggestion was not approved, on the grounds that welfare Conventions applicable in war-time should consider practical and military necessities. Some religions or sects prescribe rites that it would be difficult for belligerents to observe (for instance, the use of rare substances or the sacrificing of an animal on the grave). Other speakers asked that the graves should, if possible, be assembled. The meeting agreed to this suggestion and adopted the following text :

"They shall further ensure that the dead are honourably interred, if possible according to the rites of the religion to which they belonged, that their graves are respected, and, if possible, assembled, so that they may always be found."

The Meeting then turned to the question of cremation.

Cremation is mentioned in Art. 4, Sec. 4, of the Geneva Convention for the Wounded and Sick, which reads as follows :

"They shall ensure that the burial or cremation of the dead is preceded by a careful, and if possible medical examination of the bodies, with a view to confirming death, establishing identity and enabling a report to be made."

Art. 16, Sec. 2 of the Tenth Hague Convention of October 18, 1907, for the adaptation to Maritime War of the principles of the Geneva Convention of July 6, 1906, contains a similar

stipulation : "They shall ensure that the burial, whether by land or sea, or cremation of the dead shall be preceded by a careful examination of the bodies." The 1929 Prisoner of War Convention does not expressly provide for the cremation of prisoners who die in captivity.

The idea of prohibiting by convention the cremation of enemy military personnel, deceased in captivity or found dead on the battle-field, had already been raised at the Preliminary Conference of National Red Cross Societies, held in Geneva in July-August, 1946. The British Red Cross then pointed out that cremation would involve the disappearance of the traces of possible crime. The idea of prohibition was, however, not entertained, on the grounds that it is sometimes necessary to resort to cremation for imperative reasons of public health and that, on the other hand, the burning of the dead is prescribed by some religions.

The Meeting made a closer study of the question and concluded that it was desirable to prohibit cremation, except for religious motives or imperative health reasons. It was, however, considered necessary to provide for a control of the motives for cremation. A stipulation could be embodied in the Geneva and the Prisoner of War Conventions, based upon the following principles :

- (1) - Cremation of the dead is prohibited except for religious motives or imperative reasons of public health.
- (2) - In cases of cremation, a detailed statement, including the motives for such a course, shall be embodied in the death certificate of the person cremated.

Repatriation and Retention of Protected Personnel

Art. 9, Sec. 1 :

The personnel engaged exclusively in the collection, transport and treatment of the wounded and sick, and in the administration of medical formations and establishments, and chaplains attached to armies, shall be respected and protected under all circumstances. If they fall into the hands of the enemy they shall not be treated as prisoners of war.

Art. 12 :

The persons designated in Articles 9, 10 and 11 may not be retained after they have fallen into the hands of the enemy.
In the absence of any agreement to the contrary, they shall be sent back to the belligerent to

whom they belong as soon as a route for their return is open and military considerations permit.

Pending their return they shall continue to carry out their duties under the direction of the enemy ; they shall preferably be engaged in the care of the wounded and sick of the belligerent to whom they belong.

On their departure, they shall take with them the effects, instruments, arms and means of transport belonging to them.

The International Committee noted that the principle of repatriating members of the Protected Personnel, for which Art. 12 definitely provides, was comparatively seldom applied during the late War. The chief reason was the fact that belligerents took advantage of the words "in the absence of any agreement to the contrary" in Sec. 2 and in Art. 14, Sec. 4 of the Prisoner of War Convention, to agree upon the retention in camps of a large percentage of medical personnel to care for their own nationals. The latter of course benefited thereby ; in some cases, however, medical personnel were retained in excess of requirements, and in others were forced to do work of a non-medical nature. During the Preliminary Red Cross Conference, the Commission for the revision of the Geneva Convention submitted to the plenary Assembly a number of new Articles intended to regulate the retention of Protected Personnel. The Assembly did not, however, see its way to giving the conclusions submitted by the Commission their immediate approval, and requested that the whole question should again be examined by experts, in order to guarantee the best possible treatment of the wounded and sick.

In submitting these proposals to the Meeting of March 3, the Committee enquired how far such stipulations could be made applicable to chaplains. The Meeting recommended that the principle of retaining ministers of religion, to meet the prisoners' spiritual needs, be embodied in the Convention.

The proposals quoted above were accepted, with a few amendments. The new Articles, with the amendments agreed upon, run as follows :

Art. 12. (new) :

The persons named in Articles 9, 10, and 11 may not, subject to the provisions of the following Articles, be retained after they have fallen into the hands of the enemy.

They shall be sent back to the belligerent to whom they belong, as soon as a route for their return is open and military considerations permit.

On their departure, they shall take with them the effects, personal belongings and articles of value, instruments, arms and means of transport belonging to them.

Art. 13 (new) :

When the state of health, spiritual needs and number of prisoners justify, the persons named in Articles 9, 10 and 11 may be retained for the purposes indicated in Articles 14, but this faculty shall not release the Detaining Power from the obligation to which it is liable.

In order to meet the prisoners' spiritual and moral needs, the chaplains shall be retained and allotted to the various camps. The choice of persons to be retained shall not be influenced by any consideration of race, political opinion or religion. Their number shall be proportionate to the needs of the prisoners, in the medical, as in the religious and moral domains.

Status of Protected Personnel

The Committee considered that the status of Retained Protected Personnel and the conditions to which they should be subject must be clearly defined, either in the Geneva or in the Prisoner of War Convention, both of which barely mention the subject. To fill this gap new Articles were submitted to the Preliminary Red Cross Conference. Although they were not adopted at that meeting, the Committee, as in the case of its draft proposals concerning Retained Protected Personnel, again submitted them to the Meeting of March 3, for its consideration. The text is given below.

Art. 14 (new) :

"Persons thus retained shall be placed under the authority of the Medical Service of the Detaining Power and shall be employed, except in cases of urgent necessity, in the care of their own prisoner nationals. They shall also participate in the supervision and carrying out of the health measures which are required in the places of detention.

No particular desire was expressed by the Meeting with regard to the authority to which chaplains should be subordinate. It was considered that ministers of religion should not depend on any particular authority, but merely remain "under the direction" of the Detaining Power, as provided by the present Art. 12. On the other hand, the Meeting proposed that the new Art. 14 should give chaplains an opportunity of ministration among their church members. Further, the general opinion was expressed that chaplains should be placed in contact with the corresponding ecclesiastical authorities of the Detaining Power, and with the denominational relief organisations whose activities are permitted by the said Power.

Members also recommended that the International Committee should set up a department to deal with these questions, in co-operation with the religious associations concerned. This

department would constitute a last means of communication between Churches or religious associations, and ministers of religion who are prisoners of war or retained in camps, when all other means of contact are suspended.

The Committee duly noted this interesting suggestion while remarking, however, that no mention of this bureau should be made in the Convention, the latter merely stipulating the right for chaplains to communicate direct with the Committee or its representatives, without being obliged to pass through the Camp Spokesman.

Art. 15 (new) :

The partial relief (substitution) of retained personnel by personnel of the same nationality may be decided upon by agreement between the belligerent Powers concerned.

This text was approved by the Meeting. It was further thought opportune to embody in the Convention a stipulation to the effect that no chaplain may be repatriated against his will.

Art. 16 (new) :

In no case shall members of personnel who are retained or awaiting repatriation, be considered as prisoners of war, although enjoying all the rights of the latter. They shall be allowed privileged treatment and, in particular, the following facilities :

(a) - Separate quarters from the prisoners of war, if possible in hospitals and infirmaries close by ;

(b) - Right to receive and to write more letters than prisoners of war ;

(c) - Permission to leave camp or hospital, and to take walks at regular intervals, with or without escort ;

(d) - Right to appoint their spokesman in every camp or hospital.

It should be noted that Art. 13 of the present Convention stipulates that belligerents shall secure to Protected Personnel, while in their hands, the same food, lodging, allowances and pay as are granted to the corresponding personnel of their own forces. Art. 16 (above) is intended to complete the text, and was approved by the Meeting. One speaker, however, remarked that the privileges granted to chaplains should only aim at facilitating their work ; to this effect, he proposed an additional Section to Art. 16, as follows :

Chaplains shall be allowed to leave the camps to fulfill their duties. Even though holding the rank of officers, they may be lodged in camps for other ranks.

It was further specified that chaplains should be allowed extra letters only to facilitate their ministrations.

The Committee had drawn the attention of the Meeting to the question of escapes by Protected Personnel, for which no ruling exists in the present Convention. It was recalled that a prisoner of war who escapes and is recaptured, is liable to a disciplinary sentence not exceeding 30 days confinement.

The members pointed out that, to their knowledge, retained chaplains had never, or hardly ever attempted to escape. They considered that an escaped chaplain who is recaptured should not be dealt with less severely than any prisoner of war, especially in view of the moral responsibility by which he is bound. It was even suggested that the maximum sentence should be raised to 60 days confinement. However, chaplains should lose their privileges only during the term of their sentence, and should recover them on the expiry thereof, so that they may fully resume their duties.

The Committee quoted the case of nationals of annexed or occupied territories who were enrolled, voluntarily or by compulsion, in the Medical Services of the occupying forces, and who, after the liberation of their country, were often sentenced for high treason under the penal code of their home country.

The Meeting considered that spiritual comfort and care of the wounded should never be considered as offences, whatever the belligerent Power in authority may be. This principle should be embodied in the Revised Convention, or in the Final Act of a Diplomatic Conference.

B. Convention of July 27, 1929, relative to the Treatment of
Prisoners of War.

Art. 16, Sec. 1 :

Prisoners of war shall be permitted complete freedom in the performance of their religious duties, including attendance at the services of their faith, on the sole condition that they comply with the routine and police regulations prescribed by the military authorities.

In their Report, the Committee stated that they did not consider necessary to amend this Article, which is quite general

in scope, clearly implies that the Detaining Power is obliged to facilitate religious services in prisoner camps.

The Meeting endorsed this view. Except for the deletion of the words "and police", the text was maintained.

Sec. 2.

Ministers of religion, who are prisoners of war, whatever may be their denomination, shall be allowed freely to minister to their co-religionists.

In its Report, the Committee pointed out that this Section does not provide for the allotment of ministers of religion among the camps, so as ensure the regular holding of religious services in accordance with Art. 16, Sec. 1. They proposed to repair this omission by amending Art. 16, Sec.2, as follows :

Prisoners of war who are ministers of religion, of any denomination whatever, shall be permitted to ministrate freely among their church members. To this effect, the Detaining Power shall ensure their proper allotment among the various camps and all facilities for travelling, in case of need, from one camp to another.

The text proposed by the Committee was completed and adopted by the Meeting, as follows :

Prisoners of war who are ministers of religion, or who assumed religious duties before their capture, shall be permitted to ministrate freely among their church members. To this effect, the Detaining Power shall ensure their proper allotment among the various places of detention, and all facilities for travelling, in case of need, from one place of detention to another, or for assembling isolated prisoners of war for church services.

The expression "place of detention" was adopted in order to include Labour Detachments, as well as camps.

On the other hand, the following principles were proposed by the Y.M.C.A. and approved by the Meeting, which recommended that they should, if possible, be embodied in the Revised Convention :

(a) - The Detaining Power should encourage the practice of religion in camps, whenever prisoners of war make requests to this effect.

(b) - All facilities should be granted to priests studying theology to communicate with the representatives of ecclesiastical or religious organizations.

(c) - Ministers of all creeds who are prisoners of war should be entirely, or at least partially exempted from work, in order that they may give all their time to their church members. Further, they should, if possible, have the disposal of special premises for their ministry and prayer meetings. (Ministers of religion should be obliged to work only in case they have time to spare from their religious duties).

(d) - Measures should be taken for appropriate premises to be set aside in each camp, to which all prisoners should have access for religious services and worship.

The Committee was invited to supervise the wording of these principles, with a view to their embodiment in the Convention.

Art. 30 :

The duration of the daily work of prisoners of war, including the time of the journey to and from work, shall not be excessive and shall in no case exceed that permitted for civil workers of the locality employed on the same work. Each prisoner shall be allowed a rest of twenty-four consecutive hours each week, preferably on Sunday.

The Meeting endorsed a proposal made by the World Council of Churches, for a Section to be added to this Article, taking up the idea expressed in Art. 16, Sec. 1, to the effect that during the 24 hours rest to which they are entitled, prisoners shall be entirely free to hold church services, even if the rest period is not a Sunday.

Art. 43 and 44 :

With regard to these Articles, the World Council of Churches stressed that direct contact with chaplains greatly facilitated knowledge of the spiritual life in camps. The Meeting considered that approved Church representatives should be given the possibility of meeting the chaplains.

The Committee observed that their delegate should be enabled to talk not only with the camp spokesmen, but also with the chaplains and the doctors.

Art. 46, Sec. 3 :

All forms of corporal punishment, confinement in premises not lighted by daylight and, in general, all forms of cruelty whatsoever are prohibited.

In their Report, the Committee pointed out that, in a general way, the treatment of prisoners of war in prison was not regulated in the Convention and that, except for a few prohibitions, prisoners of war are subject, according to Art. 15, to the regulations prescribed in this respect for the forces of the Detaining Power. The Committee asked whether more exact stipulations should not be introduced with regard to the penal life of prisoners of war, particularly concerning the right to visit prisons, the only reference to which appears in Art. 86 of the Convention.

The Meeting considered that the fact of serving a sentence should never deprive a prisoner of war of religious and moral support. Prisoners of war detained in prison should be allowed to ask for the visit of a minister of their faith. Furthermore, chaplains should have every facility to visit them. (This last principle could be embodied in Art. 16).

C. Condition and Protection of Civilians in War-Time.

As regards the spiritual needs of confined, interned or imprisoned civilians, the Committee proposed in their Report to revert to the corresponding Articles in the 1929 Convention relative to the treatment of Prisoners of War. Special ruling should make it possible for ministers of religion, who are nationals of the Detaining Power, to visit interned civilians. The suggestion was endorsed by the Meeting (1), as was the proposal by a member that, in case of need, prisoner ministers of religion should be authorized to visit civilian internees.

II. QUESTIONS REGARDING THE INTELLECTUAL NEEDS OF WAR VICTIMS

A. Convention relative to the Treatment of Prisoners of War (1929)

Art. 17 :

Belligerents shall encourage as much as possible the organization of intellectual and

- (1) The problem of visits paid by ministers of religion to civilians interned by a belligerent in occupied territory was not examined.

sporting pursuits by the prisoners of war.

In their Report, the Committee pointed out that Art. 17 was too vague and that, while retaining its general character, it should allow prisoners of war, who so desire, to have recreation and to pursue their studies. This Article should cover the whole question of recreation and study, whereas all matters concerning supply of books, magazines, etc by the home country or by the relief societies should be ruled by Art. 38 and 39 (Relief).

Following suggestions by the "Advisory Committee on Reading Matter for Prisoners of War and Civilian Internees", on which various relief associations were represented during the War, the International Committee proposed the following revised text, which was endorsed by the Meeting.

Belligerents shall encourage and facilitate as far as possible the organization among prisoners of war of intellectual and educational pursuits, recreations and games, and shall take the necessary steps to ensure their exercise.

Several problems were dealt with in the course of this discussion - particularly, the pursuit of studies in camp, the validity in the home country of examinations passed in captivity, the obligation laid on prisoners to participate in recreations organized by the Detaining Power for propaganda purposes, the right for prisoners to organize patriotic demonstrations. The question arose whether a simple and concise wording should be preferred, rather than a statement of principle with numerous detailed additions.

The Committee recommended a simple formula, since propaganda by the Detaining Power could in no case be avoided ; on the other hand, it would not be desirable to prevent the Detaining Power from organizing recreations. The Committee suggested the following additional clause,

Individual freedom of opinion among prisoners shall be respected in all circumstances.

The Meeting endorsed these proposals.

The following suggestions, submitted by the World Alliance of Y.M.C.A., concerning intellectual and cultural life among prisoners of war, were then noted :

- (a) - Organizations of study courses and lessons in camps.
- (b) - Installation of suitable premises.
- (c) - Prohibition to cancel classes and lessons organized in behalf of prisoners, except for reasons of military security.

- (d) - Authorization, as far as possible, of demonstrations of national culture, and opportunities for prisoners to acquaint themselves with the culture and institutions of the Detaining Power (1).
- (e) - Opportunity for teachers and students among the prisoners to communicate with the representatives of international organizations for intellectual relief.
- (f) - Opportunity for students to pursue their studies, and issue of certificates, considered as official documents, to be kept by the candidates.
- (g) - Installation of libraries and possibility of lending books to labour detachments.

The Meeting endorsed these proposals and recommended them to the Committee, with the request that concise wordings be found, with a view to possible embodiment in Regulations annexed to the Convention or in a separate part, according to the form given to the Convention.

The Meeting also accepted the principle, brought forward by a member, of the periodic assembling of prisoners who are isolated in labour detachments, for religious and intellectual purposes.

Art. 38, Sec. 1 and 2 :

Letters and remittances of money or valuables as well as postal parcels addressed to prisoners of war, or despatched by them, either directly or through the intermediary of the information bureaux mentioned in Article 77, shall be exempt from all postal charges in the countries of origin and destination, and in the countries through which they pass.

Presents and relief in kind intended for prisoners of war shall also be exempt from all import or other duties, as well as any charges for carriage on railways operated by the State.

This Article lays down the universally admitted principle

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- (1) As regards the use of wireless the Meeting was of opinion that the system adopted in certain camps during the War should be maintained : the Commandants decided what programmes were allowed, but the prisoners were free to shut off broadcasts, if they wished.

of gratuitous transport of mail, parcels and relief supplies for prisoners of war.

The Committee pointed out in their Report that it was not fair to restrict to postal parcels the exemption from charges foreseen in Sec. 1, as POW might receive parcels through other channels than the post, in particular by rail. The Committee proposed the deletion of the word "postal", and further, after the expression "shall be exempt from any charges", the addition of the words "postal or other".

As regards Sec. 2, the Committee suggested the deletion of the clause "on railways operated by the State", as free transport should be granted by all transport organizations, whether State or private, by railway or any other means.

The Meeting endorsed the following text proposed by the Committee and slightly amended, following a suggestion by a member :

Letters and remittances of money or valuables, as well as parcels addressed to prisoners of war, or despatched by them, either direct or through the information bureaux named in Art. 77, shall be exempt from all charges, in particular transport dues, in the countries of origin and destination, and in the countries through which they pass.

Gifts and relief supplies in kind, whether individual or collective, intended for prisoners of war shall be exempt from all import or other duties, and from transport dues.

Art. 39 :

Prisoners of war shall be permitted to receive individually consignments of books which may be subject to censorship.

Representatives of the protecting Power and of duly recognized and authorized relief societies may send works and collections to the libraries of prisoners' camps. The transmission of such consignments to libraries may not be delayed under pretext of difficulties of censorship.

The Committee pointed out in their Report that Sec. 1 raised great difficulties due to censorship. The collective consignments mentioned in Sec. 2 took on vast proportions, due to the schemes set on foot by belligerents and by relief organizations. In view of the practice generally adopted during the recent War, the Committee thought that Art. 39 should also apply to articles for Divine Service, musical instruments, stage properties, games outfits, etc. and suggested a new wording :

Prisoners of war shall be permitted to receive individual consignments of books, which may be subject to censorship

Representatives of the Protecting Powers and of duly recognized and authorized Relief Societies may send works and collections of books to the libraries of prisoner camps, furthermore articles for Divine Service, musical instruments, games outfits, equipment enabling prisoners of war to pursue their studies or artistic activities, and scientific material. The transmission of such consignments may not be delayed under plea of censorship.

A member having pointed out that there was no reason to send church plate or games outfits to libraries, and that the spokesman was entrusted with the reception of consignments from outside, the Meeting endorsed the above text with the following amendment :

..... may send books and collections of books to prisoner camps, furthermore

Art. 78 :

Societies for the relief of prisoners of war, regularly constituted in accordance with the laws of their country, and having for their object to serve as intermediaries for charitable purposes, shall receive from the belligerents, for themselves and their duly accredited agents, all facilities for the efficacious performance of their humane task within the limits imposed by military exigencies. Representatives of these societies shall be permitted to distribute relief in the camps and at the halting places of repatriated prisoners under a personal permit issued by the military authority, and on giving an undertaking in writing to comply with all routine and police orders which the said authority shall prescribe.

The Committee asked the views of the Meeting as regards the implementing of this Article. Several members replied that they had frequently referred to this provision, which had served as a basis for the work of their associations. All the members criticized, however, the faulty wording of the Article and its vagueness, but they appreciated its value from the point of view of tradition and considered that though it should be amended, the spirit informing it should not be altered.

The Meeting stressed the value of the work done in time of war by the Associations present ; its co-existence with that of National Red Cross Societies was fully justified. The Associations stated that they would, whenever necessary, resort to the intermediary of National Societies or of the International Committee for their welfare work. The Associations represented did not, however, wish to be named in the Convention.

As regards the new wording of Art. 78, the Meeting agreed to the three following principles :

- (a) - Art. 78 should cover "National or international relief agencies or societies".
 - (b) - These agencies and societies should serve as intermediaries for welfare or religious purposes.
 - (c) - These agencies and societies should work with the consent of the belligerents in whose territory they may be called upon to act.
- (B) - Condition and Protection of Civilians in Time of War. Regulations on the Treatment of Civilian Internees, and of Civilians in assigned residence, or in prison.

The Meeting was of opinion that the stipulations adopted for Prisoners of War should be applied by analogy to Civilians.

Following a suggestion made, it was decided that several distinct rulings should be adopted for Civilians, in particular the establishment in camps of schools, enclosures and gardens for children, and provisions taking into account the peculiar situation of women and children, especially as regards relief.

III. - QUESTIONS DISCUSSED OUTSIDE THE AGENDA

The Meeting then entered upon a discussion of points not included in the agenda and which were raised by several members.

The Meeting passed the following resolution unanimously

Resolution concerning the Work of the International Committee

The representatives of the undersigned Associations assembled in Geneva on March 3 and 4, 1947, have noted the immense benefit for Prisoners of War and persons in a similar position, which accrued from the cooperation of their various representatives with the International Committee during the last War.

They are convinced that a neutral organization, with headquarters in a neutral country, remains the most effective instrument for the relief of prisoners of war.

Consequently, they invite the International Committee, whose constitution and methods facilitated this relief to the

greatest extent possible, to pursue its former policy, and they assure it of their unreserved and whole-hearted support.

Convention relative to Prisoners of War, Art. 2 and 4.

The representative of the World Jewish Congress proposed that the above Articles should specify that all Prisoners of War must be treated in identical fashion, without distinction of race, nationality, religion or political opinion. After some discussion, the Meeting, fully endorsing this principle, decided that a general statement along these lines ought to appear at the head of the Convention, in Article 1.

Article 9 :

The same delegate thought that Art. 9 of the Convention should prohibit the establishment of camps in which prisoners of the same race or religion might be assembled.

Other speakers pointed out that the assembling of prisoners of the same nationality, race or religion sometimes proved useful and necessary, and that everything depended on the circumstances of the case. A delegate of the International Committee proposed that such assembling should be permitted only when it took place in the interest of the prisoners themselves. As this test depends on the appreciation of the Detaining Power, no decision was made by the Meeting, and the Committee was invited to reserve the problem of separate camps for subsequent study.

The Meeting was of opinion that the revised Convention should embody a Preamble confirming the fundamental rights of man and ensuring respect of the dignity of the human person. (A delegate here recalled that a United Nations Commission was at present making a general survey of the question of the rights of man). The Preamble might embody a statement of principle regarding the detention of prisoners of war, the aim of such detention being solely to prevent these men from taking part in hostilities.

Article 27 :

As regard the employment of prisoners of war, it was agreed that the Convention should specify the purpose of such work, which is essentially to allow prisoners of war to preserve their moral balance. Assistance in the war production of the enemy should not be considered as an essential reason for prisoners' work (vide Art. 31). The above specification would help to allay the prisoners' scruples in this respect.

Concerning labour detachments, the responsibility of the military authorities should be stressed. Custody of prisoners and application of disciplinary measures should be entrusted only to members of the armed forces.

Article 75 :

Turning to the question of discharge and repatriation of prisoners, the Meeting was of opinion that they should never be retained after the close of hostilities, as a substitute for war repatriations, and expressed the recommendation that prisoners of war who are still detained today should be repatriated as soon as possible.

Article 77, Sec. 4 :

Regarding the communication to next-of-kin of deaths of prisoners of war, it was recommended that the relatives should be notified as soon as possible.

Persecuted Civilians

The Meeting closed with a discussion of protection for Persecuted Civilians. The delegate of the World Jewish Congress recommended that the four following principles should be proclaimed :

- 1) - That the protection of the International Committee be extended to all members of a persecuted minority, both in time of war and in time of peace.
- 2) - That such protection should constitute a permanent mandate to the Committee.
- 3) - That persecuted persons should enjoy, in peace and in war, the same rights and guarantees as prisoners of war.
- 4) - That delegates of the International Committee should be entitled to visit all places of detention, and that the Red Cross should give protected persons the benefit of its welfare work of all kinds.

The speaker considered that the attention of the general public throughout the world ^{should} be drawn to this grave question, and that pressure should be brought to bear on Governments in this connection. He consequently hoped that the Meeting, which represented a large body of public opinion, would endorse the principle that essential rights should be guaranteed, in all circumstances, to war victims.

Several speakers stressed the difficult aspect of any welfare action in behalf of civilians who are nationals of the State which interns them, and thought that a State could hardly assume obligations by international Convention in respect of their own nationals.

The United Nations are, on the other hand, now studying the question of protecting the rights of man in peace time. The Meeting finally left it to the International Committee to draft a resolution, inviting Governments to take at the earliest possible occasion, all steps calculated to ensure the respect of the rights of the human individual at all times, particularly of civilians who are without protection or who are subjected to arbitrary treatment.

The draft text of this resolution shall be forwarded to the organizations represented at the Meeting, for signature if they approve.

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