FROM SARAJEVO TO HIROSHIMA
André Durand

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History of the International Committee of the Red Cross

Henry Dunant Institute
Geneva
Foreword

The first part of the History of the International Committee of the Red Cross, entitled *De Solférino à Tsoushima*¹ was written by the late Director of the Henry Dunant Institute, Pierre Boissier, and published in celebration of the first centenary of the organization. It is a brilliant survey of the ICRC’s first fifty years of existence, from its inception to the years preceding the First World War.

*From Sarajevo to Hiroshima* is the second volume of the history, beginning where Boissier left off. It covers the period from the war in Tripolitania in 1911 to the end of the Second World War, a period filled with dramatic events: civil strife, regional conflicts, revolutions and international wars, the effects of which shaped the world of today. It seems as if successive volumes in the history of the ICRC are fated to bear titles associated with conflicts.

Yet this book is not a history of war. On the contrary, it is the record of an institution which, though lacking the means to prevent armed conflicts, tries to limit the harm they do, and to protect persons no longer able to fight or not involved in the hostilities. The book describes how, as weapons became more sophisticated, as warfare became more inhuman, as repression and oppression increased, the ICRC tried to find new ways of helping those affected, extended its protection to new categories of victims, promoted additional humanitarian conventions and undertook the greatest relief operations in its history. During this period, too, the Red Cross movement widened the range of its activities to cover disasters in peacetime as well as in war, and acquired its present structure, with the creation of the League of Red Cross Societies and the formation of the International Red Cross.

Only a member of the Red Cross world was capable of telling the story. The man asked to be author of this second volume, André Durand, is thoroughly conversant with the workings of the organization. He joined the ICRC in 1942 and acquired his early experience in what is now the Department of Principles and Law. Later he carried out numerous missions, mostly as head of delegation, in many theatres of hostilities, where his dedication, perception and courage brought astonishing results.

Sifting the Red Cross archives is an arduous task, but André Durand was never disheartened. He succeeded in situating the Red Cross records within their historical context, presenting them carefully and objectively, free of emotion or embellishment, more interested in producing a factual account than in captivating the reader. Yet the book makes fascinating reading from beginning to end.

Jean Pictet
Director of the Henry Dunant Institute
Introduction

When Gustave Ador succeeded Gustave Moynier as President of the International Committee of the Red Cross in August 1910, he had every reason to be satisfied with the results achieved over almost half a century. Firmly supported by the Geneva and the Hague Conventions, the Red Cross organization extended over the whole world. Thirty-five National Societies belonged to the movement, promulgating the principles of Geneva on all five continents, and every year new Societies came into being, while the International Committee was exactly what its founders had wished it to be: the link between the Central Committees, the guardian of tradition and the promoter of international humanitarian law.

Its two distinguished founders, Gustave Moynier and Henry Dunant, laden with years and with honours, had died within a few weeks of each other, National Societies and governments from all over the world expressed regret at their deaths and admiration for the two men, each of whom had, in his own characteristic way, helped to bring about an irreversible change in man’s attitude to war.

The new President was an ideal successor to Gustave Moynier. He had joined the Committee in 1870, shortly after its creation, and had witnessed the subsequent expansion and consolidation of its humanitarian activity. He had worked with Gustave Moynier for forty years and had replaced him when the late President’s declining health no longer allowed him to lead the Committee. Gustave Ador knew he could count on his colleagues’ support in his duty, as he described it, “to steer the International Committee on the course so firmly and courageously set by his late predecessor.” For they were all old friends, with a wealth of experience and sound judgement.

1 Hereinafter ICRC.
The oldest and earliest architects of the movement, Edouard Odier, who had chaired the 1906 Diplomatic Conference convened to revise the Geneva Convention, and Professor Adolphe d'Espine, had been members of the Committee since 1874; Colonel Camille Favre, Frédéric Ferrière, a physician, and Alfred Gautier, a lawyer, had been appointed in the 1880s; the egyptologist Edouard Naville and another lawyer, Adolphe Moynier, son of Gustave Moynier, had joined the International Committee in 1898. At the beginning of the 20th century, the ICRC was obviously in no hurry to change its composition, since no new members were appointed for sixteen years, from 1898 to March 1914.

Admittedly, the period fostered stability. The wars during the latter half of the 19th century appeared to have shown that no State could aspire to exert permanent domination over other States. The great powers of Europe, careful to preserve a political balance profitable to themselves and jealous of the progress achieved by their rivals, wary also of the slightest hint of provocation and anxious to curb increasingly pressing demands for social reform, maintained a régime of armed peace, which today is clearly a preliminary to war, but at that time still seemed the only way to guarantee the balance of forces. Europe was divided into two camps. In the centre were the States of the Triple Alliance: Germany, the Austro-Hungarian Empire and Italy; around them were the States of the Triple Entente: Russia, Great Britain and France.

Both camps were disparate alliances concluded to maintain a precarious balance between countervailing ambitions, while there was still land to be shared in Asia and Africa. Everyone knew full well, however, that the slightest weakness would bring the ingenious edifice tumbling to the ground; 5 million men were under arms in the principal States, and the burden of military budgets on the general population was becoming intolerable.

Even so, from 1911 onwards there was no lack of signs foreshadowing the impending collapse of the established system. Popular uprisings were spreading. In Mexico, a revolution in May 1911 overthrew the Diaz Government. In China, the insurrection which broke out in October was to lead to the overthrow the following year of the old Manchu dynasty and the entry of the Republic of China into the band of modern nations. In the Mediterranean area, war between Italy and Turkey disturbed the peace in Europe. Mankind was on the threshold of a long period of conflict, social upheaval, civil disturbance, revolution and famine which, for the rising generation, culminated in the two world wars.
Drawn into the long crisis, and facing immense forces of destruction, the ICRC nevertheless did its utmost to fulfil its humane vocation, to adapt its structure to new requirements and to uphold the rule of humanitarian law. The first period, from its foundation to the period of consolidation following the Russo-Japanese War, is contained in the first volume of the History of the ICRC, entitled *De Solferino à Tsushima* written by Pierre Boissier.1 This second volume covers the history of the ICRC from the Tripolitania War of 1911 to the end of the Second World War, the years of bloodshed foreseen by Henry Dunant shortly before his death.2

1 Engaged in the service of the ICRC from 1946, Pierre Boissier performed numerous missions abroad before being appointed Director of the Henry Dunant Institute in 1966 and a member of the International Committee in July 1973. He was killed in an accident on 26 April 1974 during a civil defence exercise.

CHAPTER I

Prelude to war

1. The Tripolitania War (1911-1912) and the Washington Conference

The Italo-Turkish War of 1911 is generally recognized to be the first armed clash between great powers, leading by stages, through the two Balkan Wars in 1912 and 1913, to the outbreak of the First World War. Without attempting to pinpoint the origins of the conflict, it is clear at least that the incidents which occurred from the launching of the Tripolitania campaign in 1911 to the outbreak of war in 1914 were an uninterrupted sequence of events, the protagonists of which changed and succeeded one another until the day came when the Great Powers themselves entered the fray.

Yet when the first Italian units landed in Tripoli on 29 September, governments, though certainly surprised at the suddenness of the attack, did not seem unduly alarmed. The European powers had more or less tacitly acknowledged Italy's special rights in the Ottoman provinces of Tripolitania and Cyrenaica. The first few days of the campaign, moreover, gave the impression that the war would be a short one, the equivalent of the French and Spanish operations in Morocco, with no danger of unsettling the foundations of the Ottoman Empire to the point of threatening European stability.

In Geneva, the ICRC was immediately involved in the course of events, as intermediary between the National Societies of the two countries at war, i.e., the Italian Red Cross and the Ottoman Society for Relief to the Wounded, which was reconstituted in April 1911 under the name of Ottoman Red Crescent.

The International Committee’s first step was to inform the Italian Red Cross that “Turkey having acceded to the Geneva Convention, its medical staff and ambulances, although placed under the sign of
the Red Crescent, must be respected and protected in the same way as if their emblem was the Red Cross".  

This was not the first time the red crescent emblem had been employed to designate Ottoman army medical services in wartime. It had been used in 1876 during the Turko-Serbian War, and in 1877 during the Russo-Turkish War, when Russia had finally accepted the practice. At the Hague Conference of 1907, the representative of the Ottoman Empire had, as in 1899, reserved his country's right to use the red crescent emblem, and met with no opposition, but Turkey's signature had not been followed by ratification of the Geneva Convention. It was in notifying the Swiss Federal Council on 24 August 1907—before the end of the Hague Conference—of its accession to the Geneva Convention of 1906 for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field that the Ottoman Government had formally reserved the right to use the red crescent emblem to protect its army ambulances. This reservation, communicated to the States parties to the Convention, had not given rise to any objections at the time, merely to requests for further details in order to establish whether the Ottoman Government, while using a different sign, would continue to respect and protect the traditional emblem. The war of 1911 therefore provided the first occasion on which this reservation was applied officially.

The Italian Red Cross then informed the ICRC that the Italian Government had assured the Ottoman Government that the Red Crescent would be respected on land and at sea as long as the Ottoman Government reciprocated regarding the Red Cross, and that the Command of the Expeditionary Force in Tripolitania had been duly informed of the matter.

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These good intentions, however, failed to prevent the occurrence of incidents, particularly since a new war machine, the aeroplane, had appeared on the Tripolitania front. On 22 November 1911, the Ottoman Red Crescent sent the following cable to the International Committee: "Protest indignantly against bombing by Italian aeroplanes of hospitals marked with Red Crescent flag in Tripolitania. Request use influence with competent authorities." The

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1 Letter from Paul Des Gouttes to the Italian Red Cross, dated 1 November 1911.
complaint was immediately transmitted to the Italian Red Cross, which replied to the ICRC that its Government disputed the accusation. The protest, it should be noted, was not against the use of aircraft for bombing but against the attack on a hospital which all agreed must continue to be protected at all times, whatever the method of warfare employed. The Red Crescent was to repeat its complaint several times: attack on a field hospital in December 1911, shelling by naval ships in January 1912, airship raids in May. These accusations too were denied by the Italian Government.

The Red Crescent did not in fact explicitly refer to the Hague Convention prohibiting the "launching of projectiles and explosives from balloons, or by other new methods of similar nature". Yet it was the bombardment from aircraft which in fact gave rise to the incident and at that moment the problem of bombing arose for the first time. War was no longer a battle line where armies clashed on the ground: it had acquired a third dimension, it could carry the offensive into enemy territory, and a distinction could no longer be made between protected buildings and military targets, between combatants and non-combatants. Rules would therefore have to be laid down to regulate war in the air.

Nevertheless, there seemed to be no urgency. Aircraft had hardly begun to form part of military equipment and were still viewed with curiosity and distrust by the general staff. It was less than two years since Blériot’s flight across the English Channel had been hailed as an exploit. The record speed in 1911 was not much more than 100 kilometres an hour. Only at the beginning of the year had the Italian army acquired a squadron of Caproni, whose pilots, in open cockpits, threw out bombs weighing 5 kilograms. Combat aircraft, however, and bombers in particular, were to evolve tremendously, so that 34 years later—within a single generation—came the Flying Superfortresses of the Second World War and the atomic bombs on Hiroshima and Nagasaki, without any international provision whatever having been made to protect the non-combatant population against bombing.

The Italian Government, nevertheless, while contesting the facts alleged in the protests transmitted to it by the ICRC, examined the problems caused to medical units of National Red Cross and Red Crescent Societies by the use of "current methods of warfare". In its reply, it requested that protective markings "should be clearly visible on tents, detachments, convoys, etc., so as to make them recognizable even from afar and from the air"; that during the fighting medical personnel should keep a fair distance away from the
forces engaged in combat and that, in camps, separate and clearly visible areas should be allotted to hospitals and medical staff.

In conclusion, the Italian Government declared that it would decline all responsibility if the above precautions were not observed at all times, for “it could not give up its capability of using all methods of attack authorized by international law, any more than the presence of such units could be allowed to serve as a safeguard for the enemy against its action”.

These precautions did not seem excessive to the ICRC, which recommended their application in its 140th circular transmitting the Italian note. The marking of ambulances—generally by flags in daytime and lanterns at night—needed adapting to aerial observation; it was also desirable to separate ambulances from barracks. But was bombing by aeroplane one of the methods “authorized by international law”? It seemed at any rate to be tolerated as such. Dr. Ferrière, that indefatigable campaigner for the protection of civilians, soon had no alternative but to accept and deplore the fact, in the following terms: “extolled by some as a marvellous means of destruction and opposed by others as being contrary to humanity and the laws of war—as if a gradation of methods of combat could be imposed on enemies engaged in fighting—the aeroplane has already become an important item of military equipment”.

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The circular issued by the International Committee was sent to all National Societies, those of neutral and belligerent nations alike, since National Societies of neutral countries could send medical units to the scene of the conflict, and several of them did so. First of all, the German Red Cross dispatched to Garian, south of Tripoli, in the Turkish-Arab sector, a medical team of three doctors and 12 nurses with a large consignment of equipment. Two of the doctors were killed during the mission. At the beginning of February, the Tripolitania correspondent of the newspaper “Le Temps” described how the German medical team (displaying the red crescent as protective emblem) travelled from Azizia to Garian with 48,000 kilos of equipment loaded on 360 camels and 16 vehicles. In England, London’s Muslim community constituted a “Red Crescent Committee” and sent to Tripolitania a team of British surgeons and nurses, acknowledged by the Ottoman Society as the “Voluntary Red Crescent Mission”.

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The National Societies of the belligerent nations naturally helped their countries' army medical services. The Italian Red Cross, well equipped and trained, and moreover informed by the Ministry of War of the imminence of the conflict, immediately dispatched teams to Tripolitania. In the course of the war, it sent to Tripolitania and Cyrenaica 9 field hospitals, 10 ambulances, a number of first-aid posts and medical units and a hospital ship to evacuate the wounded. In addition to caring for 6,000 sick persons and transporting 1,238 sick and wounded on the hospital ship Merufi, the Italian Red Cross, at the beginning of the campaign, had to deal with a severe epidemic of cholera, eliminated by the end of December 1911.

Assistance was more difficult for the Ottoman Red Crescent. Constantinople was a long way from Benghazi, and the overland journey was lengthy and hazardous: the Red Crescent in Cairo gave an estimate of 20 days for the journey from Cairo to Benghazi by camel through the desert and another 15 days to Tripoli; by sea, it was only 3 days to Benghazi and 4 days to Tripoli, but the Italian fleet controlled the coast and authorization to proceed had to be obtained from the Italian Government, which refused permission. In January 1912, the Red Crescent tried sending a medical team of 29 on board the French ship Manouba, sailing from Marseille to Sfax in Tunisia. But the Italian navy intercepted the ship, escorted it to Cagliari in Sardinia and took the members of the mission prisoner, alleging that they were all Turkish officers. The ICRC immediately forwarded a complaint from the Red Crescent, which it supported. But the episode was no longer merely a matter for the Red Cross movement: it directly affected the governments concerned and prompted a statement in the French Parliament by the President of the Council, Raymond Poincaré. Not that it was to be a repetition of Agadir: thanks to the goodwill of both governments—and to their desire to lay the foundations of a new policy for the alliances—the incident was settled satisfactorily. The medical mission was returned to the French authorities and the seizure of the Manouba, following that of the French ship Carthage, was referred to the Hague Tribunal.

In March 1912, the Red Crescent submitted yet another request, in the following terms: in view of the enormous difficulties in dispatching medical missions by land, “the Central Committee wishes henceforth to send its relief and medical staff direct to Tripoli and Benghazi by sea and to disembark them in places to be determined at the outset of such missions”. The Red Crescent asked whether it had the right to undertake such expeditions, to which the ICRC replied
that it was entitled to protection under Article 10 of the 1906 Geneva Convention.

Article 10 stipulates that members of voluntary aid societies, duly recognized and authorized by their governments, are placed on the same footing as medical personnel, i.e., they must be respected and protected under all circumstances, and if they fall into the hands of the enemy they must not be treated as prisoners of war. Apparently this did not exactly meet the Ottoman Red Crescent’s request.

Meanwhile, the International Committee had decided to submit the problem to the Washington Conference. On 16 March, therefore, Gustave Ador asked the Chairman of the Conference to include the following item on the agenda: procedures to be followed for the official communication to belligerents of the dispatch of Red Cross medical missions to the scenes of armed conflict.

The matter was urgent, the Ninth International Red Cross Conference being scheduled to start on 7 May in Washington.

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The International Committee sent as its delegates to Washington Gustave Ador, Dr. Frédéric Ferrière and Frédéric Barbey, the President’s Secretary, who later became a member of the ICRC. It was the first time the Red Cross Conference met outside Europe, and the choice of the United States was welcomed as a token of universal fraternity and peace. Admittedly, the magnificent Pan-American Union Building, where the Conference was held, did not contain the Mexican delegation, prevented by circumstances from attending. But representatives of the governments and the National Societies of Turkey and Italy were there, despite the conflict opposing their countries.

The Conference, chaired by former American Ambassador Henry White, with Gustave Ador as his deputy, had a heavy ten-day agenda, which was an indication of the extent to which National Societies had widened their scope of activity and were trying to extend it further still. The need for Red Cross activities in peacetime, to combat disease and provide national and international assistance to victims of natural disasters, was already acknowledged. Several National Societies had sent medical or relief teams to the scenes of disasters, for instance after the earthquake of 28 December 1908 that ravaged the city of Messina and part of Sicily and Calabria. Such international assistance operations, foreshadowing those carried out by the
League of Red Cross Societies after the First World War, were at
that time initiated by the National Societies, without the help of a co­
ordinating body.

Also under the heading of international assistance, the Conference
acknowledged with gratitude the donation of 100,000 yen made by
the Empress of Japan, with a view to creating an inalienable fund,
the interest from which would be devoted to promoting relief work in
time of peace. The first distribution from the Empress Shôken
Fund—named in memory of the Empress, who died on 11 April
1914—was held up by the war and took place in 1921, at the Tenth
International Red Cross Conference.¹

Two emergency items connected with wartime activities had been
included in the Washington agenda: the work of the Red Cross in the
event of civil war, and the role of National Societies in assisting
prisoners of war.

The first items was the subject of two proposals dealing with dif­
ferent aspects of the question. The American Red Cross delegate,
Joshua Clark, referred to the role of National Societies in the event
of civil war or rebellion, and proposed that the Red Cross Societies
of countries not implicated in the civil war should be authorized to
provide assistance both to the government in power and to the rebels
as well as to non-combatants in rebel-controlled areas. Dr. E. San­
chez de Fuentes, the delegate of the Cuban Red Cross, put forward
rules which would enable the National Society of a country where
there was an insurrection to assist the two belligerent parties without
deviating from its neutrality.

Both proposals, however, met with considerable opposition in the
Commission set up to examine them. The Russian Government
representative, General Nicolas Yermolov, was of the opinion that
any direct or indirect offer of services from Red Cross Societies to
rebels or revolutionaries could not be considered as anything other
than a violation of friendly relations, an unfriendly act encouraging
sedition and rebellion within a country. His Government would
under no circumstances and in no way be party even to a discussion,
let alone an agreement or recommendation, on the subject.

The Commission stated its view that the subject should not be
discussed by the Conference or put to the vote.

¹ The Empress Shôken Fund was administered by the Japanese Red Cross up to
1920 and then by the ICRC from 1921 to 1935, when it was taken over by a Joint Com­
mission composed of representatives of the ICRC and the League of Red Cross
Societies. Its initial capital has been augmented repeatedly by new donations from the
Japanese monarchs.
A debate, in fact, took place, but there was no vote, which was doubtless preferable, since rejection of the proposal might have hindered the work of National Societies in the circumstances described. As Joshua Clark had pointed out, it was already customary for Red Cross Societies to assist both sides in countries affected by internal disturbances. He quoted examples of assistance given by his National Society to non-combatants in Cuba in 1897-98; to combatants on both sides in Nicaragua in 1909; to revolutionaries in Honduras in 1911; and in China in 1912, "along with the rest of the world". Lieutenant-General Ferrero di Cavallerleone, who had joined General Nicolas Yermolov in prompting the Commission to reject the American and Cuban proposals, nevertheless concurred with the Rapporteur that although no jurisprudence yet existed on the subject Red Cross Societies had frequently been able to give their services in a number of circumstances. This meant that in the event of civil war, when the Government of a country where civil war or revolution had broken out refused official recognition to the rebels or the anti-Government party, Red Cross Societies were perfectly entitled to intervene in accordance with their humanitarian ideals. Red Cross work was therefore not to be impeded in times of civil conflict, but should be left to each Society's discretion. Such Red Cross activities developed considerably during the revolutionary conflicts that followed the First World War; on the strength of the experience thus acquired and in accordance with the wish expressed by the Greek delegate, Dr. Ion, the Tenth International Red Cross Conference (1921) adopted a major resolution on the role of National Societies in the event of internal conflicts.

The second urgent item at the Washington Conference, namely, assistance to prisoners of war, met with immediate approval. The French Red Cross submitted an impressive report by Mr. de Payrat on the part played by Red Cross Societies in providing relief to prisoners of war.

At that time, the Red Cross had not been expressly entrusted with the task of assisting prisoners. The Congrès international des œuvres d'assistance en temps de guerre, held in Paris in 1900, and the St. Petersburg Conference in 1902 had considered allotting to relief societies for the wounded the duties assigned by the Hague Conference of 1899 to relief societies for prisoners of war. The delegates of these societies were to be admitted to distribute relief in internment centres and transit camps; but all this was still only stated as desirable.1 Similarly, the Eighth Red Cross Conference, held in

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1 See Pierre Boissier, *De Solférino à Tsushima*, pp. 507 et seq.
London in 1907, when noting the ICRC’s offer to serve as an intermediary between Central Committees, had recommended that National Red Cross Societies should recognize their obligation to assist prisoners of war; but the Societies had ignored the recommendation and, according to the delegate of the French Red Cross, there was a regrettable absence of relief work in wartime, a fact which greatly concerned National Societies.

The French delegate told the Conference that there was no point in creating specific relief societies to help prisoners of war and that the existing Red Cross Societies were ideally suited to the task. The matter was urgent, however: “Recent diplomatic complications”, he said, “have reminded us how unstable is peace among nations. Do not wait for the sound of gunfire to persuade you, but set out now on the course which the French Red Cross is already prepared to take and which is easy to follow thanks to the generosity and hard work of the International Committee in Geneva.”

The sound of gunfire, in fact, hardly ceased. On 18 April 1912, the Italian navy carried the war into the Eastern Mediterranean by bombing Turkish fortifications in the Dardanelles. Turkey closed and mined the Straits. At the beginning of May, the Italian forces occupied Rhodes and the Dodecanese. The conflict grew nearer to the Bosphorus and the Balkans, the cleavage line of Europe’s balance of forces. The age of anxiety was dawning.

On 10 May, the Conference unanimously adopted the proposal made by the French Red Cross, including an additional emergency clause:

“The IXth International Red Cross Conference
considering that Red Cross Societies are naturally called upon to assist prisoners of war and in view of the recommendation expressed by the London Conference in 1907, recommends that these Societies should organize, in peacetime, “Special Commissions” which, in wartime, would collect and forward to the International Committee of Geneva relief for distribution to servicemen in captivity.

The International Committee, through the intermediary of neutral delegates accredited to the Governments concerned, shall ensure the distribution of relief to individual prisoners and shall distribute other gifts between the different prisoner of war depots, taking into account the donors’ wishes, the needs of the prisoners and directions of the military authorities. The expenses thus incurred by the International Committee shall be borne by the Red Cross Societies concerned.

The Special Prisoner of War Commissions shall get into touch with the International Committee of Geneva.
The Conference Bureau is requested, before the publication of the General Report of this Assembly, to send immediately to all Central Committees, copy of the Resolution which has just been passed, in order that these Committees may be acquainted with the decision taken and, within one year, i.e. on or before June 1, 1913, may put the Resolution into effect."

Even one year was too long: within five months, another war was to break out in Europe.

2. The Balkan Wars (1912-1913).

The negotiations begun in August 1912 between Italy and Turkey resulted in the Treaty of Lausanne, signed on 15 October 1912. However, the Ottoman Empire was to be given no respite: on 8 October Montenegro had declared war on Turkey; Serbia and Bulgaria followed suit on 17 October, and Greece on 18 October. War in the Balkans was beginning.

On 18 October 1912 the ICRC received a telegram from the Greek Red Cross asking it to appeal to other National Societies for help in view of the considerable needs that would arise in connection with the war; after consulting the National Societies of the belligerent countries, the ICRC sent a circular on 28 October to the Red Cross Societies of neutral States, asking them to provide medical assistance in the form of dressings, hospital equipment, ambulances and medical teams.¹

At the same time, the Committee decided to send a representative to the theatre of military operations. He was Dr. Carle de Marval, who had been a member of the Swiss Red Cross delegation to the Washington Conference. In its circular of 5 November to Central Committees, informing them of Dr. de Marval’s departure, the ICRC defined his mission in the following terms:

"Mr. de Marval has been entrusted with the task of reporting to the International Committee on the organization and operation of the Red Cross Societies in the Balkan States and the Red Crescent Society in Constantinople, and on the use by the belligerents of the numerous medical units sent by Societies of neutral countries. He will inform us of the needs to be met at once by sending medical staff or relief in kind. In this way, too, we will be able to keep the Red Cross abreast of relevant events reported to us.

¹ Circular No. 142 to Central Committees.

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“Concerned also about the utility of an international agency which might be organized to bring information to the wounded and prisoners and to hand over the gifts donated for them, the International Committee has asked Mr. de Marval to inquire into the possibility of setting up such an agency in the vicinity of the opposing armies.

“The mission entrusted to our delegate appeared to us to come within the mandate given to our Committee, to be in the general interest of the Red Cross cause and to comply with the wishes expressed by the Washington Conference concerning prisoners of war.”

Dr. de Marval did not continue his mission when the first Balkan war ended in December 1912. But hostilities broke out again on 30 June 1913, this time between Bulgaria and its former allies, Serbia and Greece, which were joined by Rumania. The Bucarest Peace Treaty, signed in August 1913, put an end to this second conflict, but without settling the question of the borders between the Balkan States. The Information Agency set up by the ICRC worked continuously from 15 November 1912 to 30 November 1913.

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At Dr. de Marval’s suggestion, the ICRC chose to establish the International Agency in Belgrade. This was the third time the ICRC had either sponsored or created an international relief agency for prisoners and wounded: the first time had been the Basle Agency in 1870-71, the second the Trieste Agency in 1877-78. The organization and supervision of the Agency in Belgrade was placed in the hands of the Swiss Consul-General there, Christian Voegeli.

The International Agency—which served as a central information bureau and a relief centre—was responsible in particular for:
1. gathering and forwarding to the wounded of all armies gifts in cash and kind addressed to a specific unit or marked for a particular use (gifts or parcels for persons or organizations specified by name, medical units, hospitals, detachments, etc.);
2. dispatching all correspondence addressed to the wounded and forwarding letters or news to the families of sick or wounded soldiers;
3. collecting and forwarding all correspondence and gifts for prisoners of war and serving as an intermediary between the prisoners and their families for all exchanges of information (Circular No. 144, 16 November 1921).

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1 Circular No. 143.
As the central information office, the Belgrade Agency compiled a card index from the lists sent in by the countries at war and transmitted inquiries to the various National Societies. The lists were supplied mainly by Serbia, where the Agency was based and where it received considerable support from the Government and from the Red Cross Society. The other belligerent countries also sent in lists, which, however, often were incomplete or late. At the end of May 1913, Dr. Ferrière, who was on mission in Belgrade, noted that the total number of names on the cards made out by the International Agency was about 10,000,\(^1\) out of over 100,000 Turkish prisoners held by the allied armies.\(^2\) When the Agency closed down in November 1913 it had nevertheless handled lists enumerating 87,778 prisoners, out of an estimated total of 250,000 sick, wounded and prisoners of war, the latter estimated at 150,000.\(^3\)

“The International Agency of the Red Cross”, wrote the Swiss Consul-General, “emerged during this war as a welcome institution which won the complete trust of the civilian and military authorities and of the population. Many people from all the belligerent nations turned to it for help. It did so much good on all sides and, as it developed, became such a beneficial and useful institution in every way that there is no doubt it will be indispensable in any future war.”

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The various types of health services in the warring countries were able to provide hospital facilities in the principal towns, and the National Red Cross and Red Crescent Societies had assisted, from the moment the fighting began, by supplying hospital equipment, medical teams and nursing staff. But the rapid advance of the front in the mountains of Macedonia, where communications were difficult, meant that the wounded had to be conveyed much further and much longer to bring them to the hospitals. Dr. Carle de Marval, accompanied by Pierre de Dardel, travelled through the belligerent countries, passing through Belgrade, visiting Red Cross units set up within the country and in Ottoman territory occupied by the Serbian army and travelling through Üskub (Skopje) and Kumanovo; he then went on to Bulgaria, where he visited the hospitals in Sofia, and continued his journey towards Thrace, sometimes by train, and other

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1 Including 8,000 in Serbia.
times by bullock-cart provided by the Bulgarian Red Cross. Outside Adrianople he visited a Serbian field hospital and a Bulgarian military hospital before going on by truck to Dimotika and by train to Kirk-Kilisse (Lozengrad), where he was received by the King of Bulgaria. He returned via Yambol, Sofia and Nis to Belgrade.

From Lozengrad to Yambol, Dr. de Marval insisted on following the "extremely long and difficult" route by which most of the Bulgarian casualties were taken home.

"In mountainous country ravaged by war and with no resources whatever", wrote the ICRC representative, "the long convoys of wounded were forced to keep moving, often where there was no road, sometimes along mule tracks leading over the heights of Rodopi, with no villages able to give proper shelter to the troops as they came through, in bitter cold, in driving rain and snow.

"Luckily, Kisil Agatch (55 km south of Yambol) and Yambol itself had hospitals which cared for the poor wretches who had journeyed for days in bullock-carts with no protection against the elements. From Yambol, where the military authorities received us with the utmost courtesy, we continued our return journey to Stara Zagora, where comfortable hospitals had been installed and where we received the most gracious welcome."\(^1\)

The National Societies of neutral countries, whose help was requested by the ICRC in the circular dated 28 October 1912, repeated on 10 July 1913, following an urgent appeal by the Bulgarian and Serbian Red Cross Societies at the beginning of the second Balkan war, were prompt and generous in their response. Major and vital contributions in personnel and equipment were made by the Russian Red Cross (credit of 1 million roubles, medical teams totalling 469 persons, 1,400 hospital beds), the German Red Cross Associations (doctors, mobile medical units and equipment), and the National Societies of Great Britain (medical teams), France (medical and surgical teams), Switzerland ("Vaud-Genève" ambulance, medical teams), Italy (hospitals), the Netherlands, Sweden, Belgium and Norway. The Red Cross Societies of the United States, Mexico, Argentina, China, Hungary and Rumania sent relief in cash or in kind.

According to a Russian Red Cross report, the numerous foreign medical teams in the field gave rise to a happy spirit of emulation which proved entirely to the benefit of the wounded.

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\(^1\) Report by Dr. de Marval, *Bull. int. CR*, 1913, p. 21.
The observations and experiences of the ICRC representatives and of the physicians and surgeons in the Red Cross medical teams were carefully studied. When Dr. Frédéric Ferrière toured the area of operations in May 1913, he first visited the International Agency in Belgrade and the Serbian Red Cross, after which he went to Athens and to Constantinople, where he had talks with members of the Greek Red Cross and the Ottoman Red Crescent. His own findings enabled him to analyse the early reports published by foreign physicians working with the belligerents' army medical services, to consider especially how to improve facilities for moving the wounded to hospitals behind the lines, and to make pertinent comments on casualty rates, mortality in hospitals, use of field dressings and effects of frostbite and epidemics. "In short, in this war more than in any previous war", concluded Dr. Ferrière, "the services provided by the National Red Cross and the Red Cross Societies of neutral countries have proved a blessing to those involved in the fighting. Imagine what would have become of the wounded and what the medical services of the armies in the field would have done without the assiduous co-operation of the medical teams from many lands which came to help in the centres where the wounded were brought for treatment, and without the help of the many foreign doctors who volunteered to work with the army medical services and local Red Cross teams, making up for the shortage of staff in the emergency medical units, the base hospitals and city hospitals as the needs became ever greater."1

In his own reports, Dr. de Marval drew on his experiences to put forward specific proposals for increasing the effectiveness of care to the wounded. He proposed that dogs should be trained to find wounded persons, that carts should be used to remove casualties from the battlefield, that third-class coaches should be converted to transport the wounded, that casualties should be distributed among the hospitals. He suggested that National Societies should establish reserves of medical and hospital equipment, that they should train qualified nursing staff and should give instruction in first aid and the use of field dressings. He made recommendations concerning food supplies for casualties, the restriction and regulation of the wearing of armlets and insignia, the setting up of Red Cross information bureaux in belligerent countries and the imperative need for all outside assistance to be channeled through the Red Cross. The ICRC, in

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1 Bull. int. CR, 1913, p. 216.
the introduction to the report by its representative, drew the following conclusions:

"The experience acquired during this war and set forth in this report, must lead to careful examination of the ways in which Central Committees might improve their services in their respective countries, their findings to form the subject of proposals to be discussed at the next International Conference.

"We draw particular attention to the following points:
a) stricter regulation of the wearing of armlets, a practice which has sometimes been erratic and unauthorized;
b) the importance of nursing schools in peacetime, so that medical units may be sent to the theatre of war with a staff of men and women properly trained in first aid and subsequent medical care;
c) the need to equip medical teams as completely as possible, according to the countries where they will be working. Equipment should include food supplies for some time and even means of transport (carts) to move the wounded to safety as rapidly as possible;
d) closer co-operation, in every country, between army medical services and the National Red Cross, so that the wounded reach the hospitals more quickly and there is no waste of effort." 1

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The wars of 1912 and 1913 prepared the ICRC and the National Societies for the far heavier tasks that lay ahead in the First World War. The ICRC again had the experience of organizing an international information and relief agency; it strengthened its ties with Central Committees; and it widened its knowledge of the problems created by modern warfare. The National Societies—most of them newly formed—in the belligerent countries, faced with the difficulties of medical work in mobile warfare, were able to learn from the trials they had undergone. The Red Cross Societies of the neutral countries demonstrated the value of international solidarity and contributed to the study of the problems which arose when neutral medical teams were sent to countries at war. The experience provided practical lessons concerning their role and scope for action in a conflict. In this latest test, the Red Cross movement had again proved its worth.

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1 Bull. int. CR, 1913, p. 145.
The year 1913 marked the fiftieth anniversary of the foundation of the Red Cross, 1914 the fiftieth anniversary of the First Geneva Convention. Both these occasions deserved to be commemorated in style, and the opportunity was provided by a proposal from the Austrian Red Cross. Greatly impressed by the results achieved by Professor R. Kraus of Vienna in fighting the cholera epidemic among the troops in Thrace, the Austrian Red Cross submitted a programme for combating epidemics in wartime and for mutual assistance among States exposed to the danger, with National Societies being called on to give their full co-operation.

In its circular No. 152 dated 20 September 1913, the ICRC communicated to Central Committees a “formal and strongly motivated” request from the Austrian Red Cross and asked them to hold unofficial consultations with their governments, with a view to preparing the agenda for a future Conference. However, the replies from the Central Committees, according to the ICRC’s subsequent report, stressed the dominant role of health measures in this field and the close ties which the voluntary agencies would have to maintain with the official army medical services. The International Committee therefore abandoned the plan.

At the beginning of 1914, the Central Committees were informed by the ICRC that the Florence Nightingale Medal had been created, to be awarded—in accordance with a decision of the Washington Conference—to “trained nurses who have distinguished themselves by their great devotion to sick or wounded in time of peace or of war”. This distinction, first awarded in 1920, remains one of the highest tokens of esteem within the Red Cross movement.

The International Committee then turned its attention to reminding the public of the Red Cross jubilee. Having had to forego the idea of an international conference, the ICRC declared its presence at the Swiss National Exhibition, which opened in Berne in June, by displaying the Red Cross “family tree”, with portraits of Gustave Moynier and Henry Dunant, described as “Founders of the Red Cross and initiators of the Geneva Convention”. This was done, as Paul Des Gouttes wrote to his cousin Maurice Dunant, “so that we may bring them both together in a single grateful thought of esteem and affection”. It was the end of a long period of misunderstanding, which might even be termed ostracism, of the grand old man of Heiden.

The International Committee also received friendly congratulations from Central Committees on the fiftieth anniversary of the Geneva Convention, while ICRC President Gustave Ador and
Vice-President Adolphe d’Espine accepted the invitation from the French Society for Aid to the Wounded, which was also celebrating its jubilee. But the time for commemoration was over: on 28 June 1914, the Archduke Franz Ferdinand, heir to the throne of Austria-Hungary, and his wife, the Duchess of Hohenberg, were assassinated at Sarajevo; on 28 July Austria-Hungary declared war on Serbia, and the nations were plunged into the tragedy of the First World War.
CHAPTER II

The First World War

1. The International Committee at the beginning of the war.

During July and August of 1914, one country after another entered the war: Austria-Hungary, Serbia, Russia, Montenegro, Germany, France, Belgium, Luxembourg and Great Britain. By the beginning of August, the ICRC had received requests for medical supplies from the French, Serbian and Montenegrin Red Cross Societies; the American Red Cross offered to send doctors and nurses with fully equipped hospital units to help the National Societies of the belligerent countries. The members of the Committee, meeting on 15 August at the office in the Rue de l'Athénée, discussed the action to be taken, the most pressing requirement being a central agency for prisoners of war.

At that time, the Committee had nine members. One of the oldest members, Colonel Camille Favre, had died in January. In March 1914, two new names were added to the team working with Gustave Ador. One was Horace Micheli, a national councillor and member of the editorial staff of the "Journal de Genève", son of Louis Micheli-de la Rive, who had been a member of the Committee from 1869 to 1888; the other was Colonel Edmond Boissier, a deputy of the Grand Conseil of Geneva. During the course of the war, the ICRC recruited others: Frédéric Barbey-Ador, Swiss Minister to Belgium, in 1915; William Rappard, Professor of Political Economy at Geneva University, in 1917; and Paul Des Gouttes, a lawyer, Secretary of the Committee since 1898, and Marguerite Cramer, head of the Entente services at the Agency, in 1918.

At the outbreak of the First World War, the structure of the ICRC had not changed in any way since its foundation. Being the initiator of humanitarian law and the guardian of Red Cross principles, the
Committee had not sought to define its own position within the array of official bodies. For its humanitarian activities, it could refer to the Resolutions of International Red Cross Conferences and to its own tradition; but it did not yet possess either regulations or statutes. Not until 15 November 1915 did it acquire corporate status under Swiss law, basing the definition of its duties on the terms of the Resolution adopted by the Karlsruhe International Conference in 1887, which confirmed it in its functions:

"The purpose of the International Committee of the Red Cross is to maintain and develop relations between Central Committees, to serve as a central body and intermediary between them, to uphold the fundamental and uniform principles underlying the institution of the Red Cross, in short, to deal with everything concerning international relations between Red Cross Societies working to relieve the wounded and sick and, in wartime, to set up international agencies to assist prisoners of war."

The International Committee knew, however, that it could count first and foremost on the support of the 38 National Red Cross and Red Crescent Societies active at the beginning of the First World War. It immediately called on their assistance in the circular of 5 August 1914, the first to be issued in the war:

"The state of war has now been declared in most of the nations of Europe, and other States, while making known their desire to remain neutral in the conflict, have proceeded to general mobilization of their armed forces. From now on, the Red Cross movement will have to commit itself to a degree of activity unprecedented in its intensity. As soon as hostilities broke out, several Central Committees appealed to the International Committee for its support and for help from National Red Cross Societies. The Central Committee in the United States has already informed us of its offers of staff and equipment to the belligerent countries, and the Lisbon Committee has offered to care for some of the wounded.

"The International Committee will try to fulfil as far as possible its role as intermediary in requesting and dispatching relief supplies among the Red Cross Societies. It will do all in its power to obtain aid from all the associations existing in the non-belligerent countries,

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1 By 1914, Persia had already reserved the right to use the red lion and sun as an emblem under the Convention, but the Red Lion and Sun Society was not officially constituted until January 1923. In 1980 the Islamic Republic of Iran ceased to use the emblem of the red lion and sun, and notified its decision to use the red crescent as the distinctive sign of its National Society and its army medical service.
but it wishes to emphasize the difficulties created by the tremendous extent of the conflict.

"In view of the general mobilization of its army, Switzerland must devote its efforts and resources first and foremost to its own medical services, while the fact that a state of war exists on all its frontiers except one means severe obstacles in international communications. The International Committee will devote all its energies to carrying out the measures which circumstances permit. It now appeals urgently to the Central Committees of neutral countries to take part with all their strength in the humanitarian work of relieving the wounded and the sick in the fierce fighting that lies ahead. It is examining the possibility of setting up international agencies similar to those which operated in earlier wars.

"It will do all in its power to ensure implementation of the resolutions adopted by International Red Cross Conferences, especially in relation to prisoners of war.

"The needs will be incalculable, but the International Committee is firmly convinced that the humanitarian zeal of all our Societies will be equal to the dedication required."

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But this humanitarian zeal could prove effective only if backed by a legal system adjusted to advances in warfare techniques and acknowledged by the States. International humanitarian law, which arose out of the 1864 Conference, had developed in various ways since then, gradually extending to cover the different categories of war victims. In 1914, taking into account the most recent versions of the Conventions, it included:

— for protection of the wounded and sick, medical establishments and the medical and religious personnel of land forces, the Geneva Convention of 6 July 1906 for the Amelioration of the Condition of the Wounded and Sick in Armies in the Field;

— for protection of hospital ships, the shipwrecked, wounded and sick in war at sea, the Tenth Hague Convention of 18 October 1907 for the Adaptation to Maritime Warfare of the Principles of the Geneva Convention of 6 July 1906;

— for protection of prisoners of war, the Regulations respecting the Laws and Customs of War on Land, Annex to the Fourth Hague Convention of 18 October 1907, Section I;
— for protection of civilians and neutral persons, the Regulations respecting the Laws and Customs of War on Land, Annex to the Fourth Hague Convention of 18 October 1907, Section III;
— regulations for the internment of belligerent troops in neutral territory, the Fifth Hague Convention of 18 October 1907 respecting the Rights and Duties of Neutral Powers and Persons in case of War on Land.

Not all these Conventions had the same range. The best protection was provided by the 1906 Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armies in the Field, which also gave to the voluntary aid societies—auxiliary in wartime to army medical services—both duties and protection under the Convention.

The Hague Convention for protection of the shipwrecked, wounded and sick in war at sea offered the same range of protection as the Geneva Convention from which it derived; but it encountered intractable problems arising from the scale of the war at sea, with blockade and counter-blockade and the introduction of submarine warfare.

Prisoners of war were guaranteed protection under the Conventions, but there were as yet no precise and uniform regulations governing their conditions of captivity. These could be established only by means of bilateral agreements between the belligerents, until a code was drawn up for prisoners of war in 1929.

Protection of civilians was defined only in respect of their relations with an occupying military authority, but indirect protection was provided in Section II of the Hague Regulations, which limited the methods of combat and, in particular, prohibited the attack or bombardment, by whatever means, of undefended towns, villages, dwellings or buildings. There were, however, no rules relating to the internment of civilians. This did not prevent the ICRC from opening a section for civilians in the International Prisoner-of-War Agency, the creation of which it announced in the first month of the war.

2. The International Prisoner-of-War Agency of 1914.

The International Agency began on a very modest scale, though it was to grow astonishingly during the war years. The Secretary-
General Paul Des Gouttes described the first day’s work at the Agency as follows:

21 August 1914

“Telegrams sent to German, French and Belgian Red Cross Societies announcing opening of Agency.
“Press release to Geneva newspapers announcing opening of Agency. Letters sent to Red Cross Societies of belligerents, requesting them to send us lists of prisoners.
“Received notification from French Red Cross that their Special Commission is ready to start work.
“The Agency is operating temporarily in the International Committee’s headquarters at 3 Rue de l’Athénée, with a notice on the door to indicate this. Agency is being run by the International Committee, the members of which take turns on duty. Routine errands are performed by two boy scouts. Mr. Marc Cramer, a student, is a voluntary helper. Despatch received from Peking Red Cross asking whether Agency already operating. Replied by telegram.
“Swiss Political Department forwarded same inquiry from consul in Mannheim. Replied by telegram.”

At that time, the ICRC had no administrative staff. Secretarial services were provided by Paul Des Gouttes’s legal office. The Agency’s first need, therefore, was an administrative structure and adequate funds, premises and staff. From the outset, voluntary helpers appeared and at once began work. By 16 September there were about thirty of them. Another section was opened in Gustave Ador’s offices at 8 Rue de l’Athénée. The main office housed the President of the ICRC, who directed the whole Agency, Dr. Ferrière, responsible for inquiries concerning civilians, Adolphe Moynier, acting as treasurer, and Edouard Naville, Alfred Gautier and Adolphe d’Espine, in charge of correspondence. Here too Jacques Chenevière, responding to an appeal from Gustave Ador, began a long and fruitful career with the ICRC. He was appointed a member of the Committee in 1919 and Vice-President in 1945, after directing the Central Agency during World War II. The original team also included Miss Marguerite Cramer (later Mrs. Frick-Cramer), who became a member of the ICRC in 1919. Mail was sorted in the subsidiary office by some twelve voluntary workers under the orders of Horace Micheli.
Meanwhile the inquiries and letters flowed in, starting in the first weeks of the war, at the rate of two or three thousand a day. Larger premises had to be found, extra staff engaged quickly. The Agency moved on 21 September to the Palais Eynard, close to the Athénée where the very first Geneva Conference had been held in 1863. Then on 12 October it installed its offices in the Rath Museum, formerly the Palais des Beaux-Arts of the City of Geneva. For the next five years, strollers in the Place Neuve were familiar with the large banner slung across the museum’s Corinthian portico and reading (in French) «International Committee of the Red Cross, International Prisoner-of-War Agency”.

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It was the first time that the Information Agency had its headquarters in Geneva and the first time that the ICRC itself had taken over its direction. It was true that most of the Committee members still remembered previous experiences, particularly of the Belgrade Agency in the recent past. But now it faced very different conditions owing to the extended range of the war and the scale of operations. The ICRC would have to define basic principles, establish methods and make sure that they were immediately applied, in the knowledge that once the system was set up it would be no easy matter to change it.

A tracing agency involves a highly complex pattern of operations in which the performance of duties, and consequently the details, are of vital importance. It is easier to describe the objectives: to trace persons separated by war and put them in touch with each other. The working methods can then be defined by stages, empirically, merely by examining the problems requiring solution.

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A letter would be received, among thousands of others, from a village in Belgium, France or Germany. The writer asked for news of a relative or a friend missing at the front, evacuated or cut off in occupied territory. The information was vague, the most recent news available frequently out of date. The place where the person had last been heard of was in enemy territory. Now it was up to the Agency to find that person.
As soon as the Agency had any information concerning missing persons, it at once notified the inquirers. If it had no news, it turned to the bodies which seemed best qualified to reply: the information bureaux set up by governments and National Red Cross Societies in the countries where persons had been reported missing. The ICRC, in fact, had neither the competence nor the resources to conduct inquiries itself. If the bureaux to which the Agency had applied were able to provide the information requested, the replies were forwarded to inquirers. If not, the Agency began a search procedure.

All information coming into the Agency offices was recorded and a body of documents built up, making it possible to reply to subsequent inquiries.

The belligerent States also had to be persuaded to send information to the Agency spontaneously and to supply it with complete lists of prisoners and internees, notifications of deaths, and details of any change in the status of persons detained.

The structure of the International Agency thus took shape gradually. It became a confluence, the channel through which two streams of information had to pass: the flow of inquiries, dispersed into the search procedures, and the flow of information, passed on to the inquirers.

At the point of confluence documentation was compiled. Everything flowing through the Agency left its trace, the source of further information.

Such a chaotic mass of documents could serve a useful purpose only if scrupulously analysed, sorted and classified. The first category had to be nationality, since all the citizens of a single country—or, taking a wider view, all the soldiers fighting under one flag—were facing the same fate. The second classification took account of the fact that the inquiries referred to individuals: names were recorded in alphabetical order, with a phonetic system for those written in different alphabets or ideograms, and including variant spellings. All this work of analysis and redistribution led finally to the composition of separate index cards for the requests for information and for the information obtained.¹

The cards were filed in a single index system. When two cards—one with the request, the other with information—referred to the same person, they ended up together. There was “concordance”, and the information was then forwarded. The flow had resumed.

¹ The file cards were all the same size (8 cm × 12.5 cm) but varied in colour: white for inquiries, and various colours, depending on nationality, for information received.
The Agency's structure was thus determined by the operations it was carrying out:

National information bureaux
Detaining Power
(lists)

inquiry

AGENCY
(information and card indexes)

search

information

reply

National information bureaux
Prisoners' home States

This series of operations involved establishing the corresponding services: reception of inquiries and of lists, making out inquiry and information cards, filing, research into indexes, replying to inquiries.

This is only an outline of the essential features. Numerous services were to be created and many new methods adopted in the light of experience and according to the particular circumstances and the course of the war. Indexes were compiled for regiments, for those missing at sea, for missing airmen; classification was extended to cover regimental unit or service number; special forms were devised for inquiries and searches. The Agency also assumed responsibility for forwarding correspondence in the form of letters, telegrams or special forms, official documents such as birth and marriage certificates, money and relief supplies. But the tracing methods did not change: all data were entered in card indexes, which constituted, as it were, the Agency's "memory".

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For this tracing machinery to function efficiently, other conditions had to be fulfilled. First of all, the Agency had to be a central body, to prevent the scattering of information and inquiries, and the conse-
quent reduction in efficiency. Decentralization was feasible only in the case of clearly separate fronts—as, subsequently, for inquiries relating to those missing on the Russian front, which were concentrated in Copenhagen, and for inquiries concerning the Austro-Italian front.

A further necessary condition was for all the belligerent nations to set up information bureaux to supply the Agency with lists and other data and to receive the information and inquiries forwarded by the Agency. Here again, a two-way flow was created between the national information bureaux and the International Agency, the latter often acting as an intermediary between the bureaux.

Lastly, postal communications and means of transport had to remain in use between the Agency and the belligerent countries. In fact, the growth of the Agency was closely linked to the technical resources at its disposal. As Gustave Moynier had noted, industrial progress in the second half of the 19th century had strongly influenced the destiny of the Red Cross. First, the telegraph, used for the first time in the Crimean War and in the Italian campaign, transmitted the events of the war as they occurred, and exercised the greatest effect on the public imagination. Second, the railways—indispensable to Red Cross operations, wrote Moynier—enabled help to be brought where it was needed. Rapid means of communication were shrinking time and space and gave reasons for acting while supplying the means of doing so. So it can be imagined that when these communications broke down or became difficult, the ICRC did its utmost to re-establish them. Hence its repeated efforts to get improvements or special priorities in postal and telegraphic communications, and the numerous ways in which it sought to pass through the barriers formed by battle fronts, national borders and blockades.

Such, briefly, were the general rules governing the operations of the Prisoner-of-War Agency. Their application was less simple. To remain capable of performing its essential task of tracing persons, the Agency's services were obliged to give first place to detail, to set up a network of sections so tightly woven that nothing would slip through the mesh. Only a few aspects of this network will be dealt with here, with no explanations of how it operated. Full descriptions can be found in the relevant monographs.¹

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¹ For a history of the Agency, see: Gradimir Djurović, L'Agence centrale de recherches CICR, Henri Dunant Institute, Geneva, 1981.
When the war broke out, only the French and the Portuguese had announced the creation of special commissions to assist prisoners of war. Aware of the time lag in implementing Resolution XII of the Washington Conference, the ICRC had decided, at its meeting of 1 June 1914, to remind the Red Cross Societies of the need to set up these commissions; but the date for sending the circular letter was fixed for September. As we have seen, it had to be sent out hurriedly on 15 August, and on 27 August the ICRC, in announcing the creation of the International Agency, made an urgent appeal to the Central Committees of National Societies for their collaboration and stated that the ICRC would forward correspondence, gifts and all kinds of parcels sent for prisoners of war through the Central Committees. It asked to be notified of the address of the official information bureau in each country and proposed that delegates from neutral countries should be sent to the belligerent States, their mission to be covered by the provisions of Article 15 of the 1907 Hague Regulations.  

The National Societies quickly responded to the ICRC’s appeal and announced the formation and composition of their prisoner-of-war Commissions. At the same time, the governments established the information bureaux envisaged in Article 14 of the Hague Regulations: in Berlin and Vienna, they were called “Central Nachweise Bureau”, in London, “Prisoners of War Information Bureau”, in Paris “Bureau de Renseignement sur les Prisonniers de Guerre”. The bureaux, usually under the control of the War Ministry, were authorized to forward lists of prisoners to the opposing Powers, via the Protecting Powers and the International Agency.

It was vital for all this machinery to be set in motion. The first major offensives of 1914, the invasion of Belgium and Luxembourg, the battles on the borders of France and on the Russian front led early in the fighting to the capture of large numbers and to heavy casualties in dead and wounded, while civilians in the invaded countries were suddenly beset by the tribulations of war and the arbitrary rule of an occupying Power. The National Societies, acting as auxiliaries to the army medical services, helped to save the wounded, although some of the Central Committees found that they were prevented from functioning by the war and forced to withdraw from the scene.

On 4 September 1914 the Agency received its first list, with the names of 29 wounded French soldiers in the military hospital at Pforzheim. On 7 September, Dr. Partsch, President of the Red Cross

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committee of Freiburg-in-Breisgau, sent the Agency a list of French prisoners in Germany, and on 13 September the Agency received the first list of prisoners from the War Ministry in Berlin, forwarded through the German Red Cross. Other lists followed from the Central Nachweise Bureau and, on 21 September, the Agency was able to send the French Red Cross 195 pages of names of French prisoners of war in German hands.

But the question of reciprocity soon arose. The ICRC received notification on 24 September that the Bureau in Berlin would send no more lists if it did not receive any. In fact, lists were not coming from France where, in view of the precarious military situation, the Government and the principal administrative services—including the Red Cross Commission for Prisoners—had moved to Bordeaux at the beginning of September. However, the Commission had notified the ICRC of its final composition and forwarded letters from German prisoners. The Agency also received on 24 September a list of German prisoners, posted from Lyons. But the whole system of exchange of information was in danger of ceasing to function through lack of explicit agreements.

The President, Gustave Ador, then travelled to Bordeaux in order to meet the French Government and the Central Committee of the French Red Cross. He obtained an assurance that the lists of prisoners would be sent by diplomatic channels to the prisoners’ States of origin, with two copies to the ICRC. On 6 October, Great Britain in its turn announced that it would send the official lists to the Central Powers via the United States Embassy in Berlin—at that time representing British interests—with a copy to the Agency in Geneva.

While expanding the Geneva Agency, the ICRC attempted to encourage the creation of additional information bureaux, especially for the eastern front. It first approached the Central Red Cross Committee in Vienna, with a view to concentrating in that city information concerning prisoners in Austria-Hungary, Serbia, Russia and Montenegro. The Austrian Red Cross replied that it kept in touch with Serbia and Russia through Bucarest. The ICRC then proposed to the Central Committee in Copenhagen that it should organize an agency to deal with German prisoners in Russia and Russian prisoners in Germany. The Danish Red Cross having notified its agreement to Geneva on 4 October, the Central Committees in Berlin and Petrograd were informed of this by telegram two days later.

The Copenhagen Prisoner-of-War Agency, set up by the Red Cross Society of neutral Denmark, collected and distributed
information on the prisoners taken on the Russo-German front, i.e., Germans in Russia and Russians in Germany. Initially operating in the Danish Red Cross headquarters and later in the castle at Christianborg, the Agency expanded rapidly: by 1916 it had 135 permanent employees and was receiving a generous grant from the Danish Government.

Here again, some time elapsed before the Agency functioned smoothly. The information received from the Berlin Bureau early in the war far exceeded that supplied by the Bureau in Petrograd. Yet by the end of 1916 the Danish Red Cross was able to note that the official POW lists compiled in Petrograd had for some time been arriving “regularly (that is, apparently without gaps), and, what is more, rapidly enough for us to hope to be always abreast of the events”. In the course of 1916, the Danish Red Cross Prisoner-of-War Agency opened branch offices in Petrograd, Berlin and Vienna. From 1917 it extended its work to include Austro-Hungarian and Rumanian prisoners. The Red Cross Societies of Germany, Great Britain, Russia and Rumania stationed sections in Copenhagen to co-operate in the work of the Danish Red Cross.

In addition to the information section, the Danish Red Cross created relief sections responsible for sending parcels and books to prisoners. Its delegates periodically visited camps in Germany, Austria-Hungary and Russia.

The Vienna Agency, as the Austrian Red Cross bureau was generally known, had a different role. Set up by one of the belligerent States, its work was directed mainly towards its own nationals. Nevertheless, as an official information bureau, it exchanged lists of prisoners directly with similar bureaux established by the Russian Red Cross in Petrograd and the Italian Red Cross in Rome. In this way, like the Copenhagen Agency, it supplemented and extended the activities of the Geneva Agency in theatres of operations where the latter was not primarily responsible.

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“1914, improvisation; 1915-1916, organization, expansion; 1917, co-ordination.” These were the words used in the Bulletin international of January 1918 to describe the growth of the Agency. As we have seen, the improvisation of 1914 was based partly on experience, partly on the requirements of the tracing procedure; what was improvised was chiefly the office premises and the establishment of the various services.

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In 1915, in fact, the methods evolved. In that year the Agency was authorized to address inquiries directly to camp commandants in Germany and to officers in charge of military hospitals, a measure which reduced delays and prevented errors of transcription. 1915 also saw the first exchanges of severely wounded prisoners and publication of the first reports of visits to POW camps—activities at that time associated with the Agency. Italy’s entry into the war on 23 May 1915 meant that a new card-index had to be established in the service dealing with the Allies, which already assembled the information relating to Great Britain, France, Belgium, Russia, Serbia and Montenegro. The work continued as usual, the general questions having been settled. The Agency was even considering whether it should bring its activities to a close, but this was evidently a mere matter of form, since its report concluded: “Our Agency was created to provide a service. Nobody has yet proved to us that we no longer do so or that others can do as well.”

But while the procedures for handling information, correspondence and replies were being amplified, the most difficult cases—hostages and civilians in occupied territories—were being transferred elsewhere. A Commission for Hostages was set up in Basle and, like the International Agency in Basle in 1870, placed under the patronage of the ICRC. Its main function was to forward news and correspondence to and from the hostages. The civilians in the occupied territories (Belgium, Luxembourg and the parts of northern France invaded by the German forces) were cut off for a long time from any communication, since all direct contact was forbidden between the inhabitants of the occupied zones and their families living elsewhere. The German authorities then asked the Frankfurt section of the Red Cross to collect information in one place and reply to inquiries. In addition, the Spanish Embassy in Berlin accepted the task of receiving and forwarding to the recipients in the invaded territories the requests for news sent to the Embassy by the French Ministry of Foreign Affairs.

The ICRC was frequently consulted on the various possibilities of forwarding correspondence, on the fate of prisoners of war and internees, and on the various bodies able to act on their behalf. In order to provide regular information to the families of captives, the International Agency began in January 1916 to publish a weekly

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1 Bull. int. CR, October 1915.
2 The Hostages Commission was headed by Dr. A. Stuckelberger.

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When two more States, Portugal and Rumania, entered the war in 1916, the Agency set up special sections for them. The Rumanian section expanded greatly during the Austrian-German counter-offensive in August 1916, and by the end of the war it had made out 200,000 cards.

On the western front the battle of Verdun was raging. Mobile warfare had given way to static warfare. The numbers of dead, wounded and missing exceeded the numbers of prisoners. The Agency established a new system of collective inquiries, the "regimental searches".

It had been realized that after two years of war the lists of prisoners of war and civilian internees were being forwarded regularly and that most of the information received had been utilized. However, there was a group of some tens of thousands of missing men whose names did not appear on any list, whether of dead, wounded or prisoners. The Agency therefore embarked on a systematic review of these cases, writing this time not to the official bureaux or the camp commandants but to the comrades of the missing men. One such attempt had already been made by displaying in the prison camps lists of men of whom there was no news, but this random form of inquiry gave poor results. Better results might be obtained by a systematic approach to the missing men's comrades-in-arms. This tremendous task was begun by the Agency in July 1916: with considerable patience the staff reconstituted, regiment by regiment and company by company, the lists of names of captured or missing soldiers, before sending the lists to every prisoner in the same unit as a missing man, with a note attached: "Have the persons listed below been wounded, captured or killed? Where and when? In what circumstances? Please pass this list among your comrades. Each reply should be signed by the witness, with his address (camp or hospital). Return the list as soon as possible to RED CROSS, GENEVA."

The prisoners replied promptly and painstakingly to this new form of inquiry. For the French prisoners alone, the collected reports on their missing comrades filled 228 volumes of 400 pages each, containing 90,000 reports not included in the official lists.

* * *
With the renewed intensity of submarine warfare, the entry of the United States into the war, and revolution in Russia, 1917 marked a turning point. We shall see how this affected the work of the ICRC. Protests were forwarded, notes sent to governments concerning the torpedoing of hospital ships, an appeal was made against reprisals, the repatriations of prisoners was urged, appeals were made in favour of captured officers and political detainees, and severely wounded prisoners were repatriated. Co-ordination was the keynote of the Agency's activities according to the editor of the ICRC Bulletin international. The different national sections had by now been grouped in two departments, one for the Entente and one for the Central Powers. In the absence of Gustave Ador, elected to the Swiss Federal Council on 28 June 1917, the Vice-President, Edouard Naville, was in charge of the Agency. Dr. Ferrière, head of the Agency's civilian section, and Professor Alfred Gautier were appointed Vice-Presidents of the International Committee. The Conference of Red Cross Societies of neutral countries, held in Geneva under ICRC chairmanship from 11 to 14 September 1917, concluded its proceedings with an urgent appeal in favour of war victims—prisoners, civilians, internees, deportees, those living in the occupied territories, and medical personnel.

A new tracing method was then devised by the French section of the Agency, to give greater accuracy of information concerning soldiers presumed dead. This was the geographical index listing graves and places of death. Like the regimental index, the geographical index was compiled before the invention of mechanical systems, by hand-sifting of the lists with the utmost perseverance.

As the war dragged on, prisoners found their captivity weighing more and more heavily. Years of detention gave rise to a depressive condition which became known as "captivity neurosis". At last it was realized that improvements had to be made in the rules for the treatment of prisoners and internees and that provision should be made for releasing the oldest, those longest in captivity, heads of families and medical staff. A number of conferences were held under the auspices of neutral States or the ICRC and were attended by delegates from the belligerent countries. In Copenhagen, Christiania, Stockholm, The Hague and Berne, bilateral or multilateral agreements were signed between adversaries. The agreements between France and Germany signed in Berne in December 1917 and April 1918 were the forerunners of a convention on the treatment of prisoners of war.
It was in application of Article 52 of these agreements that the Agency created a special form for prisoners who had received no news from home for over three months: this was the “express message”, twenty words asking for news, and the reply.

During the same period, Professor Alfred Gautier made a survey of disciplinary measures in the camps and drew up what was a veritable “code for prisoners of war”. The Geneva Convention of 1929, while not accepting the principles *in toto*, is sometimes referred to by that title.

* * *

In this way, the International Agency in Geneva centralized and forwarded the lists of prisoners of war, wounded and dead for most of the belligerent nations on the western front. The *Entente* department had to deal with nationals of 30 countries at war or having broken off diplomatic relations with the Central Powers; by the end of the war it contained 12 national sections, the largest being those of France, Britain, Rumania and Belgium, followed by the Portuguese, American, Greek, Japanese and Brazilian sections which were less extensive. The Italian, Russian and Serbian sections had had to conduct a number of searches, but were only supplementary to the agencies set up in Rome, Copenhagen and Geneva by the Italian, Danish and Serbian Red Cross Societies.

The department dealing with the Central Powers was comparable: the German section, with one and a half million cards, and the Bulgarian section, with 100,000 cards, being the largest. The Austro-Hungarian section had 25,000 cards and did not grow greatly, since exchanges of official information took place directly between Vienna and Rome, while the Ottoman section, owing to direct contact between Constantinople and London, did not establish a card index and made only a few hundred searches.

At the end of the war, the International Agency had made out 4,895,000 index cards and forwarded 1,884,914 individual parcels and 1,813 wagonloads of collective relief supplies.

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The methods and procedures of the civilian section of the Agency were copied directly from those used by the national sections, though it was a separate entity. In fact, it very soon became evident that for many civilians circumstances were just as distressing as for military

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prisoners, and that it would be only fair to make representations for them too, whether they were interned in enemy countries, held in occupied or invaded territories, refugees in allied or neutral countries, or had fled or been evacuated to unoccupied parts of their own countries. Thus the civilian section of the Agency carried on, as far as possible, the same kind of activities as those undertaken by the Agency in favour of military prisoners: forwarding correspondence, tracing missing persons, exchanging news, transmitting official documents. In addition, it dealt with the repatriation of sick persons, invalids, women and old people in internment, their transfer to hospitals in neutral countries, the release of persons held in occupied territory, the repatriation of children, the amelioration of detention conditions for political and penal-law prisoners. This range of activities required a special approach arising from the fact that the existing Conventions dealt only with relations between civilians and the occupying power and that there was still no official document giving civilians a status comparable to that of prisoners of war. In view of the scale of the ICRC's work in favour of the various categories of civilians, a separate section of this chapter has been devoted to the subject.¹

The armistice of November 1918 did not end the activities of the International Agency. During the final operations of the war more than 400,000 German prisoners fell into the hands of the Allies, and the compiling of lists and the dispatch of relief were to continue for some time. Nevertheless, 1919 saw a steady reduction in the work of the Agency's information services, counterbalanced by the ICRC's large-scale post-war operations of repatriation, aid to the civilian population and medical missions.

The armistice agreements provided for the prompt release—within one month—of Allied prisoners in the hands of the Central Powers, the task being entrusted to the Inter-Allied Commissions. One after the other, the information bureaux set up by the National Societies closed down, after transferring their archives to the appropriate Ministries. From 1 April 1919 the Copenhagen Agency no longer updated the card index on German and Russian prisoners, though it continued to forward mail to them. After 20 April the Geneva Agency ceased to deal with prisoners from the nations of the Entente.

¹ See pp. 83 ff.
Under the Armistice agreements, prisoners who were nationals of the Central Powers were to be repatriated only after signature of the peace treaty, so the Agency departments dealing with such prisoners did not cease their work immediately. For practical reasons, the ICRC set 31 December 1919 as the date on which the International Agency would cease to function, at least with the name and the structure which the Committee had given to it five years earlier; but the fate of the prisoners of war—numbering two and a half million, one and a half million from the forces of the Central Powers and one million Russians—had still not been settled. The relatives of missing persons, the released prisoners and internees, the families separated by war, all continued to seek the help of the Agency’s records. The ICRC therefore maintained a special service, named the Tracing Service, which, in the period between the two World Wars, carried on the work of the International Agency, making individual searches, tracing missing persons, supplying former prisoners and internees with the documents they needed to justify their claims under national legislation. The Service, from that time, became a permanent part of the ICRC.

3. Application of the Geneva Convention

Appeal of 21 September 1914 to the belligerents

The ICRC, as we have seen, was not explicitly designated to supervise application of the humanitarian conventions, whose protection, moreover, did not extend to all categories of war victims. But its vocation, its tradition and the moral authority attributed to it prompted the Committee from the beginning of the war to make approaches to the belligerents on its own initiative or in response to requests from National Societies or, as the conflict continued and spread, at the request of governments.

This was the more essential as accusations of breaches of the Conventions, or even of the elementary rules of humanity, were numerous and specific. The areas covered by the combat zones, the prolonged occupation of huge tracts of territory, the widespread use of heavy or long-range artillery, the introduction of aerial and submarine warfare, the appearance of chemical weapons, meant more and more numerous cases of violation, while the campaigns of propaganda and counter-propaganda, adding to the confusion, created an atmosphere of distrust and reciprocal recriminations, the effect of
which might have irretrievably impeded the application of the Conventions.

In August the ICRC received the first complaints concerning an attack on a hospital; and on 21 September 1914, at the explicit request of the Austrian Red Cross, which was anxious to ensure that the humanitarian principles of the Geneva Convention should be better understood and better applied, it addressed the following appeal to all belligerents:

“To the governments of the belligerent powers.”

“The International Committee of the Red Cross takes the respectful liberty of recalling to your government the necessity of ensuring strict and loyal application of the Geneva Convention of 6 July 1906. The accusations made by the opposing sides and reproduced by the press appear to show that the provisions concerning the respect due to the sick and wounded, without distinction of nationality, and the protection of medical personnel and equipment of the armed forces or the Red Cross Societies are not being properly observed.

“The size of the battlefields and the magnitude of the armies engaged undoubtedly make it difficult at times to enforce observance of the provisions, but we are convinced that if specific instructions are given to army commanders, the Geneva Convention will be respected everywhere and at all times, to the greater benefit of the belligerents.

“In appealing to your Government, the International Committee, the central body of the Red Cross Societies, whose intervention is based solely on the moral authority bestowed on it, is nevertheless conscious of fulfilling the humanitarian mission with which it has been entrusted.

“It hopes that all nations will listen to its appeal which is intended, by reminding them of the humane provisions of the Convention, to help improve the lot of sick or wounded soldiers.

International Committee of the Red Cross
G. Ador, President”

The French War Ministry had previously issued a communiqué on 18 September stating that “the obligation we have to provide appropriate treatment to the German wounded, many of whom the enemy has been unable to remove owing to the gravity of their condi-
tion, is our bounden duty for several reasons. It is laid upon us not only by our respect for international law and the rules of the Geneva Convention but also by a feeling of humanity which we should hope will be entirely reciprocated in the treatment of our own wounded in Germany”.

Despite orders issued by the belligerents to remind their armed forces of the humanitarian rules and enforce their observance, protests and accusations continued to be numerous throughout the war. Many of them, referring not only to the 1906 Geneva Convention or the 1907 Hague Convention but also to methods of combat, were sent directly from the government making the complaint to the government allegedly responsible, or were addressed in the form of notes to the Parties signatory to the Hague Convention or to neutral Powers. At times they were the subject of memoranda or reports by official commissions of inquiry, whose statements, wrote the editor of the Bulletin international des Sociétés de la Croix-Rouge, “even if only partly true, are a medley of indescribable horrors producing uncontrollable revulsion”. The Bulletin cited the documents in question. Specific allegations of violation of the Geneva Convention received by the ICRC and forwarded for investigation to the governments concerned related chiefly to the bombardment of hospitals and medical installations by artillery or aircraft, the illegal treatment, attack or execution of military or Red Cross medical personnel and of casualties. Between August 1914 and July 1920, the ICRC received, forwarded and published complaints relating to 80 separate breaches of the Convention.1

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Repatriation of medical personnel

“The persons mentioned in Articles 9, 10 and 11 shall continue, should they fall into the hands of the enemy, to carry out their duties under the latter’s direction.

“When their assistance is no longer indispensable, they shall be sent back to their own army or country, at such time and by such route as military considerations permit.”

1 Including complaints concerning violations of the Convention during the revolutionary wars in 1919 and 1920.
These words are taken from Article 12 of the 1906 Convention. The persons designated in the three articles mentioned are personnel engaged exclusively in the collection, transport and treatment of the wounded and sick, chaplains and, under certain conditions, auxiliary nurses and stretcher bearers, the personnel of Voluntary Aid Societies duly recognized and authorized by their governments, and the medical personnel of a recognized Society of a neutral country.

Under the terms of these articles, permanent military medical personnel and, in certain specified conditions, those having comparable functions who fall into enemy hands "shall not be treated as prisoners of war".

The essential rules, therefore, are three: medical personnel are not prisoners; they continue to carry out their duties and, when they are no longer indispensable, they are sent back to their own armed forces or countries.

Practice, however, in 1914 was very different. "At the end of 1914, some hundreds of doctors and well over a thousand medical orderlies and stretcher bearers, as well as many male and female members of Red Cross Societies and hundreds of army chaplains were held captive for months after the battles of August and September, almost or entirely inactive in concentration camps or fortresses.

"The reason given to justify this was that the care of prisoners in the camps might, in the event of generalized disease or epidemics, necessitate doctors' being present in numbers proportional to the total of prisoners while, because of the war, the number of military or civilian doctors of the detaining country in the vicinity of the camps had been reduced to a minimum.

"Whatever one may think of this argument, to reduce to a minimum the number of detained doctors, nurses, medical orderlies, stretcher bearers and chaplains required, by sending back to their own countries and armed forces the medical personnel who are urgently needed in the areas of hostilities, appears in keeping with the spirit of the Geneva Convention. This is a question of law, of justice and of charity. It is also of benefit to all the belligerents." ¹

The International Committee showed particular firmness since it was dealing with the protection of military and auxiliary medical personnel—the cornerstone of the Conventions and of all the work of the Red Cross—and as a consequence with the treatment of sick and wounded persons of the armed forces. This was pointed out by Dr. Ferrière later in the article quoted above: "Keeping army medical

¹ Bull int. CR, January 1915, p. 75.
personnel far removed from their normal and primordial duty is precisely what the States which signed the Geneva Convention wished to prevent. How long will it be before we remember this?"

We shall see that the ICRC, bearing in mind what had been learned from the camps, was later to agree that it might be necessary to retain some captured medical staff, provided they were not left idle. But at the time in question, the ICRC adhered strictly to the terms of Article 12 of the Convention:

"When they approved this article the representatives of the contracting States unquestionably had in mind the release of medical personnel as soon as it was no longer necessary for them to be with the wounded they were tending or with the fallen on the battlefield at the time of their capture. They should continue to give care to such casualties, but in point of fact this means to those who have been taken to medical units in the combat zones or to nearby hospitals behind the lines. However, there can be no question of retaining personnel for service in hospitals far from the fighting and to which the wounded are taken." ¹

But the ICRC was forced to recognize that the repatriation process which had been going on between France and Germany up to November 1914 remained suspended; by that date it had received almost 3,000 requests for the repatriation of French medical personnel and some hundreds concerning German medical staff. By the end of March 1915, the total number of medical personnel repatriated through Switzerland was about 600 for each army.

In April 1915 the International Committee was able to note at least that all the belligerents had accepted the interpretation given by the Committee, in its note of 7 December 1914, to Articles 9 and 12 of the Convention. Yet despite this, the return of medical personnel between France and Germany remained at a standstill, the personnel in question being treated as prisoners and generally kept idle in the camps. In July 1915, nearly 4,000 French and almost 1,000 German medical staff were repatriated; but again the movements ceased. In reply to repeated requests from the ICRC, both belligerents protested that they had fulfilled the obligations under the Convention, and placed the responsibility for violation on the adversary.

In March 1916, the Committee asked National Societies to take action with their governments to speed up the repatriation of medical personnel held prisoner since August and September 1914. The ICRC

¹ Note dated 7 December 1914 from the ICRC to the War Ministries of the belligerent States.
was then informed that negotiations were in progress between the
French and the German Governments with a view to early repatria­
tion of medical personnel held by each side. In a letter dated 30 June,
the War Ministry of the Imperial Government informed the Commit­
tee that it had sent to the French Government lists of the medical per­
sonnel held prisoner in Germany and had proposed the exchange,
between 20 and 30 June 1916, of all medical personnel held by each
side, provided that France would notify Germany of the names of all
captured German medical staff.

The negotiations were at last concluded towards 20 October and,
in the days following, repatriation convoys passed through
Switzerland, comprising:
— 180 officers and 2,790 non-commissioned officers and other
ranks of French medical personnel,
— 250 officers and 900 non-commissioned officers and other ranks
of German medical personnel.

The situation of captured medical personnel on the eastern front
was examined at the conferences held in Stockholm in November
1915, May 1916 and August 1917, under the chairmanship of Prince
Charles of Sweden, President of the Swedish Red Cross, and
attended by delegates from the German, Austrian and Russian Red
Cross Societies.

The November 1915 conference, which dealt mainly with matters
concerning relief and prisoners of war, adopted the following resolu­
tion on the subject of sick and wounded combatants and medical per­
sonnel:

“The Conference expresses the wish that captured doctors should
be treated and employed as such. Doctors for whom no medical oc­
cupation can be found should be returned to their own countries.
Elderly doctors could be returned home if colleagues among their
compatriots volunteer to replace them.”

In confirming this wish, the May 1916 Conference stated that the
decision taken on this matter did not in any way invalidate ar­
rangements already made for an exchange of medical personnel.

Meanwhile agreements had in fact been concluded between Ger­
many and Russia for the exchange of medical personnel, reserving
the right to retain one doctor and ten medical orderlies for every
2,500 prisoners, and between Austria-Hungary and Russia, allowing
one doctor for every 1,500 prisoners. Similar agreements were signed

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1 Bull. int. CR, January 1916, p. 133.
between Italy and Austria-Hungary, while agreements were reached in Berne by representatives of the Ottoman Red Crescent and the British Red Cross for the repatriation of medical personnel, while reserving the right to retain one medical officer and ten non-commissioned and other ranks from the medical personnel for every 2,500 Ottoman prisoners, and one medical officer and five non-commissioned and other ranks from the medical personnel for every 1,000 British prisoners, the medical personnel in each case “to be employed exclusively in caring for these prisoners”.

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The repatriation of Belgian medical personnel in German hands was also encountering obstacles. Belgium was almost entirely occupied by the German armed forces, and the military governor was opposed to the departure of Belgian medical personnel who wished to rejoin their army units. In January 1916, the ICRC had received from the Belgian Minister in Berne a protest from the Belgian doctors in the Antwerp medical unit describing the position in which they had been placed and demanding the right to rejoin their own armed forces: the Committee, emphasizing that Article 12 of the Convention provided that members of protected personnel should be returned “to their own armed forces or their own country”, forwarded and supported the request by the Belgian medical personnel. On 4 September 1916, the prisoner-of-war commission of the German Red Cross wrote to the ICRC that Article 12 did not cover medical personnel of an occupied State but allowed for the return of captured medical personnel either to their army units or to their country. The commission added: “The German military authorities have resolved the question by leaving the decision to the medical personnel whose return is under consideration. Captured medical personnel will therefore not be returned to their country, if this is occupied by the German army, without their agreement.”

Nevertheless, the return of Belgian medical personnel was in many cases to encounter serious difficulties.

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In March 1917, the repatriation of medical personnel between France and Germany was still suspended. The President of the ICRC

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then communicated to the German War Ministry the official offer by the French War Ministry of an immediate exchange of all medical personnel still held prisoner; at the same time, he asked National Societies to make representations to their governments against the practice of taking away from medical personnel when captured the identity cards which gave evidence of their functions.

Finally, in July 1917, the German Government proposed to establish a standard certificate, which was accepted by the French Government. The representatives of the two governments, who went to Berne in December 1917 to negotiate the question of prisoners of war, sick and wounded persons and medical personnel, reached an agreement which specified that personnel protected under the Geneva Convention would thenceforward be repatriated by means of regular convoys every two months, travelling alternately in either direction between Lyons and Constance, and granting, for the purpose of repatriation, the status of army medical officer to any civilian doctor drafted into a military unit and not occupied in attending to the medical needs of the civilian population where he was living.¹

The repatriation of Austro-Hungarian medical personnel captured by the Serbian forces in 1916 and later transferred to Italy gave rise to extensive correspondence before an agreement was at last concluded in 1918, while in the summer of that year the procedure for repatriation of captured medical personnel from Italy and from Germany was settled under an agreement between the two countries, signed in Berne.

Thus, new situations created by world war—the capture of millions of soldiers, the uncertain health situation, the shortage of military and civilian doctors in the territories of the detaining Powers, the desirability of prisoners being treated by doctors who understood their language—induced most of the belligerents to make bilateral agreements on the status of medical personnel fixing the proportion of those allowed to be retained in a reasonable relationship with the number of prisoners of the same nationality as themselves. This practice born of the circumstances was a new development in the traditional concepts. But as the ICRC rightly commented: “It is undoubtedly important to protect military medical units as they are constituted under the regulations, with all the complex pattern of medical staff they may comprise, but it is no less vital to ensure that proper medical care is given to prisoners of war and to the popula-

¹ Bull. int. CR, April 1918, p. 270.
tion of occupied countries by qualified medical personnel of their own nationality. Here it would seem to be in accordance with the spirit of the Convention for the enemy to retain a proportion of doctors and nursing staff in prisoner-of-war camps and, in addition, to abstain from transferring or deporting for any reason the doctors and medical personnel trained as nursing staff who are occupied in a place where they are necessary to the population.¹

**Sick and wounded combatants:**
*Repatriation and hospitalization in neutral countries*

Beginning in October 1914, the ICRC concerned itself with the possibility of exchanging wounded soldiers incapable of returning to combat. The 1906 Convention, which dealt with sick and wounded soldiers in the same way as prisoners of war, stated that belligerents remained free to reach their own agreements concerning exceptions or concessions, with a view to exchanging wounded left on the battlefield, returning to their own countries those they did not wish to keep or sending them to a neutral country for internment.

The ICRC therefore wrote, on 11 November 1914, to the President of the Swiss Confederation, A. Hoffmann, asking him to approach the representatives of the belligerent States for the purpose of an exchange of severely wounded prisoners. The Swiss Red Cross, when consulted, at once stated that it was willing to provide and accompany medical trains across Switzerland, while a committee was formed in Geneva headed by Eugène Pittard, an ethnologist.

ICRC President Gustave Ador and Dr. Ferrière then went to Berlin, from 9 to 16 December. On his return to Geneva, on 19 December, Gustave Ador wrote to Baron d’Anthouard, President of the French Red Cross Prisoner-of-War Commission:

“The question of the exchange of severely wounded combatants is regarded with favour in Germany. The President of the Swiss Confederation is waiting merely for an unofficial reply from France to undertake an official approach to the two countries. To my astonishment, I gathered, when talking to Mr. Beau² yesterday, that France was not in favour of this exchange, which is nevertheless explicitly provided for in your regulations relating to prisoners. Do you not think that the French Red Cross should make vigorous representa-

² French ambassador to Switzerland.
tions to the Government to ensure its participation in this humani­
tarian work? I beg you to discuss this with the Marquis de Vogüé and I count on his and your intervention to bring this matter, which I consider of great importance, to a successful conclusion."

The French legislation concerning prisoners of war, dated 21 March 1893, was ahead of international law on this point: it provided, in Article 5, that sick and wounded soldiers incapable of resuming arms after their recovery should be returned to their own country, with some reservation relating to the officers. The last shreds of reluc­tance were removed by the intervention of Pope Benedict XV, who sent messages to monarchs and heads of state on 1 January 1915.

After that, convoys of wounded soldiers travelled at intervals from Constance to Lyons and from Lyons to Constance, through Swit­zerland. The men being repatriated were accompanied by medical teams belonging to the Swiss Red Cross, whose chief medical officer, Colonel Bohny, was in charge of the operation. The first repatria­tions in both directions took place between 2 and 11 March 1915.

The ICRC had created its own special service and kept a register of the sick and severely wounded for the purpose of consulting the doc­tors treating the wounded prisoners it had been asked to repatriate. Finally, in order to standardize the decisions of the repatriation com­missions, France and Germany signed an agreement on 5 June 1915 defining the injuries entitling prisoners to be repatriated or interned in Switzerland.

Similar representations resulted in the first exchange of wounded between Italy and Austria, via Switzerland, on 28 November 1916.

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The most seriously sick and injured, therefore, although they had to have patience, could hope for a return to their own country. But there were still prisoners who, though not eligible for repatriation, could not expect recovery to be certain or rapid in conditions of cap­tivity. In addition, the medical criteria for the repatriation of officers were more severe than for other ranks. This was to prevent repa­triated officers who were still able to work from being employed in the general staff or the depots and thus releasing able-bodied officers and men for the front.

To reply to this objection, President Gustave Ador proposed to the French War Minister, Alexandre Millerand, that the less seriously

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1 President of the French Red Cross.
wounded, sick or invalid prisoners should be interned in a neutral country. Having been assured of the Minister's consent, he communicated the proposal to the head of the Swiss political department on 4 February 1915. The French Ambassador in Berne, Mr. Beau, notified the President of the Confederation, Giuseppe Motta, of his Government’s favourable attitude:

“The exchange of permanent invalids having been accepted by each of the two sides and their repatriation being in progress, thanks to the generous assistance of the Swiss Government, the French Government’s attention has turned to the distressing situation of those less seriously wounded.

“In this matter it has recalled the idea suggested by Mr. Ador, consisting in the release by either side of this category of wounded also, who could be interned in Switzerland until the end of hostilities.

“The French Government would be willing, on a reciprocal basis, to release the less seriously wounded and to entrust them to the care of the Swiss Government if the latter consented to take them into its custody.

“I would be very grateful to Your Excellency if you would let me know your feelings in this matter.”

The Political Department then got in touch with the diplomatic representatives of France and Germany, in order to reach an agreement on the principle and on arrangements for its application. The talks went on throughout 1915. The initial plans provided only for hospitalization of tuberculosis cases. Protection was later extended to “officers and non-commissioned officers less gravely affected by other diseases or by wounds”. On 1 May, Count Charles Sanducci, the envoy of the Holy See, presented his own wider programme for the hospitalization of sick or wounded officers, non-commissioned officers and other ranks.

It then remained to reconcile the viewpoints of the French and German Governments, at times very far apart, especially on whether the persons to be hospitalized should be equal in number on each side, as the French Government wished, or by categories without matching the numbers, as proposed by the German Government. On 15 January 1916, the head of the Political Department announced to the Federal Council that negotiations on the subject of the internment in Switzerland of the “slightly wounded” had come to a

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1 Note of 3 March 1915. Quoted by Major Edouard Favre, head of the internment documentation service, in: L' internement en Suisse des prisonniers de guerre malades ou blessés, Berne, 1916, p. 3. A full account will be found in the three volumes of this work, 1916, 1917 and 1918.
practical conclusion, and on 26 January 1916 101 French prisoners (100 men and 1 officer) and 100 German prisoners, all suffering from tuberculosis, were admitted to hospital, the former in Leysin, the latter in Davos. Later, hospitalization was carried out according to the criteria of category, and not in equal numbers; those who benefited were designated by medical examination boards and itinerant committees composed of Swiss doctors and doctors from the detaining State; internees could not be repatriated (i.e., released) except in accordance with the same medical criteria as their comrades in captivity and with the consent of the State which had captured them. The categories of sick persons eligible for internment were defined in successive agreements, eventually extended to cover other categories, in particular sick or injured civilian internees.

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The “service for the internment in Switzerland of sick or wounded prisoners of war” had to shoulder considerable responsibilities, including the problems associated with internment: transport, distribution of prisoners, accommodation, pay, work, studies, correspondence, food, etc., as well as the medical treatment of the prisoners of war in hospital. From January 1916 until the war ended, the number of those admitted to hospitals in Switzerland totalled 67,726 prisoners of war and civilians, of whom 45,922 belonged to the Entente States and 21,804 to the Central Powers. The average number in 1918 was about 30,000. Their repatriation took place after the armistice up to the end of January 1919 for those from the Entente States, and until the following year for those from the Central Powers.

The ICRC followed this massive operation with the greatest interest, though taking no direct part, since the authorities in charge were the Federal Political Department and the army medical service, with the Swiss Red Cross responsible for transport. Federal Councillor Gustave Ador was head of the Political Department from 2 July to 31 December 1917 and attended the negotiations in this capacity, having temporarily handed over the Presidency of the ICRC to Edouard Naville. In the same way, it was as secretary to the Conference that Frédéric Barbey-Ador, a member of the ICRC, took part in the negotiations between French and German plenipotentiaries in April 1918.¹

¹ Maj. E. Favre, op. cit.
Like the Swiss Red Cross, the National Societies of neutral States in northern Europe—the Netherlands, Denmark, Sweden and Norway—helped to repatriate or hospitalize sick or wounded prisoners. German and British wounded were exchanged mainly through Holland, which organized transport by train and boat. Dutch and British hospital ships carried repatriates between the English port of Boston and the Dutch ports of Flushing and the Hook of Holland. A total of 13,000 wounded men were carried in 27 sea crossings.

Sweden was the country of transit for sick and wounded Russian, German and Austrian prisoners as well as for convalescents for hospitalization in Norway and Denmark. Four hospital trains were allocated to take prisoners through Sweden, while specially fitted ships were used for the Baltic crossing between Trelleborg and Sassnitz. The number of sick and wounded prisoners who travelled through Sweden totalled 65,000.

* * *

Not only sick and wounded prisoners were repatriated or interned, but also able-bodied prisoners who had undergone long captivity or were fathers of families. Authoritative voices had proposed similar measures in their favour. As early as April 1916, the Pope, acting on a suggestion by a French delegation, had mooted the idea of repatriation or internment for prisoners who were heads of families.¹

In December 1916 the Committee was informed that General Friedrich (of the German War Ministry), who was about to meet Gustave Ador in Berne, had promised to study the question of an exchange of a category of prisoners who had been in captivity for over 18 months, who were suffering from neurosis or who were heads of families. At the beginning of March 1917, the chief medical officer of the Swiss army proposed to Federal Councillor Hoffmann a plan to extend the internment and exchange measures to include heads of families. In fact by 4 April, 104 French prisoners who had children were interned in Switzerland, and by 20 April an equal number of Germans. On 26 April, the ICRC appealed to the belligerents to “repatriate the largest possible number of prisoners, beginning with those longest in captivity”, and adding:

"The International Committee is so convinced of the urgent necessity to take immediate measures to keep the prisoners alive and in good health that it appeals earnestly to all belligerents to proceed

without delay to exchange a large number of them and return them to civilian life.

"The war has piled up so many ruins, so many bereavements, and has caused so much blood to flow, that we must listen to the call of the heart, the voice of pity, and give back to their own countries all those who can still be saved." ¹

* * *

During 1917, the Swiss Political Department and the army chief medical officer entered into negotiations with representatives of the Imperial Government and the French Republic, in order to settle most of the problems concerning repatriation and internment. In the working sessions held in Berne during the year, hope alternated with disappointment. At the beginning of December, while the talks were still going on in Berne with the French and German delegations, separately as usual, Major Edouard Favre wrote: "Several times we asked Gustave Ador, head of the Political Department, to act as chairman or to mediate. Simultaneous sessions were held in two different rooms in the Federal Parliament building, and Mr. Ador or Mr. de Pury, or the army chief medical officer, moved from one to the other with proposals." ²

A draft agreement in French was ratified by France on 19 January 1918. The Political Department submitted new proposals on 25 January, leading to the Berne agreement ratified on 15 March 1918 by the two governments. However, as Major Favre pointed out, "many matters—reprisals, large-scale exchanges of able-bodied prisoners, and especially the exchange of civilian captives—had not been discussed".

The German Government indicated its willingness to resume the talks on condition they took place without intermediaries and included not only the question of prisoners of war but also that of civilian internees. The French Government accepted the proposal for direct talks chaired by the head of the Swiss Political Department or his representative, and negotiations progressed rapidly. On 4 April the French and German delegates met under the chairmanship of the President of the Swiss Confederation, who was also head of the Political Department, Mr. Calonder. These negotiations, which

¹ Bull. int. CR, January 1917, p. 144.
continued with Mr. Dinichert, Minister in charge of the Division for representation of foreign interests and for internment, in the chair and Colonel Hauser assisting, resulted in the Berne agreement of 26 April 1918, an important document dealing with most questions relating to prisoners of war, civilian internees, repatriation and internment.

To emphasize the importance of the document, the ICRC sent telegrams of appreciation to the Emperor of Germany and President Poincaré of France on 13 May; and on 15 May it addressed a manifesto to the belligerents, to the National Societies and their Prisoner-of-War Commissions and to the press:

"Today the Committee is able to rejoice in the realization of its wish and to express to Germany and France its satisfaction that these two great nations have resolutely embarked on a course which is that of mankind as well as that of their own interests. The Franco-German agreement concluded in Berne on 26 April 1918, at once ratified by the two governments and due to come into force on 15 May, is one of the outstanding events of this war, since it affords great relief from a number of evils engendered by the prolonged conflict.

(...)"

"It will doubtless be necessary to supplement it in many ways, but if all belligerents accept and ratify it with the promptitude shown by the two Powers concerned, the resulting unanimity will mean the inclusion in the law of war of at least four of the decisions adopted:

"A prisoner of war, whether sick or able-bodied, should not remain in captivity for more than 18 months.

"No retaliatory measures may be exercised against a prisoner without at least one month's prior notice.

"There shall be no civilian captives. Any foreigner residing in an enemy country shall be entitled to return to his country of origin or to retain his original domicile, with the single proviso that his place of residence may be specified.

"Finally, deportation shall be abolished.

"The International Committee earnestly hopes that the Berne accord will be applied strictly from 15 May and that its beneficent influence will spread rapidly and be felt by all the nations at war."

4. The war at sea — The 1907 Convention

The ICRC was called upon to forward numerous protests concerning violations of the Hague Conventions relating to war at sea, as it
had done in the case of breaches relating to war on land. The belligerent States were able to invoke the Hague Convention of 1907, whose applicability, as we have seen, they did not contest but whose implementation and interpretation gave rise to serious disputes. The seizure, attack, bombardment and torpedoing of hospital ships and complaints that these vessels were being put to unlawful use formed the subject matter of reciprocal protests and accusations, with many separate instances being forwarded directly by the Committee. The General Report of the ICRC listed them as follows:

a) right of free passage in the Black Sea claimed for the hospital ship *Gul-Nihal*, belonging to the Ottoman Red Crescent, November 1914;
b) shelling of two transports carrying Russian wounded and flying the Red Cross flag, autumn 1914;
c) attempted torpedoing of the British hospital ship *Asturias*, 1 February 1915;
d) seizure of German military hospital ship *Ophelia*;
e) attack on Austrian hospital ship *Elektra*, 18 March 1916;
f) torpedoing of Russian hospital ship *Portugal*, 17 March 1916;
g) torpedoing of Russian hospital ship *Vperiod*, 8 July 1916;
h) sinking by torpedo or mine of the British hospital ships *Britannic* and *Breamer Castle*, November 1916;
i) torpedoing of British hospital ships *Gloucester Castle* and *Salta*, February 1917;
j) torpedoing of British hospital ships *Donegal* and *Lanfranc*, 17 April 1917;
k) unlawful use of hospital ships by the Entente for the transport of troops and munitions;
m) torpedoing of Austrian hospital ship *Baron Call*, 6 August 1918;
n) shelling of Austrian hospital ship *Metkovitch*, 16 August 1918, at St. Jean de Medua.

The Entente powers having set up a naval blockade to obstruct the food supply to the Central Powers, the Imperial Government retaliated with submarine warfare and, in a note dated 31 January 1917, stated that this would be extended to all vessels sailing in specified waters.

Three days after this note was issued, the President of the United States took the decision to break off diplomatic relations with Germany and on 6 February 1917 came recognition of a state of war.
On 29 January 1917, the German Government had delivered an order under which all hospital ships marked with the red cross and sailing in a particular area of the Channel and the North Sea would be considered as warships and attacked and sunk as such. The German Government declared that the British Government had habitually used its hospital ships to convey troops and arms and that Germany regarded itself as freed from its obligations under the Geneva and Hague Conventions in respect of these ships.

Leaving aside any investigation or discussion of the alleged facts, the ICRC did not consider the Imperial Government’s argument justifiable in law and expressed its view firmly in a note dated 14 April 1917:

“Every hospital ship marked with the external signs laid down in the international Conventions and duly notified to the belligerents as having been placed in service shall benefit from a legal presumption and must be respected by the belligerents.

“The latter, if they have good reason to fear that a hospital ship is being used in part for military objectives, have the right, under Article 4 of the Hague Convention, to examine and visit such a ship; they are entitled to compel it to set a particular course and to place a supervising officer on board, even to detain the ship, if the gravity of the circumstances demands it. In no case have they the right to sink it and endanger the lives of all the hospital staff and wounded on board.

“The Asturias appears to have been torpedoed regardless of her character or her destination.

“Even if the truth of the facts alleged by Germany to justify its order were admitted, the International Committee considers that nothing can possibly excuse the torpedoing of a hospital ship.

“Consequently, since it regards the order of 29 January as contravening the international Conventions, the Committee expresses the hope that it will not be applied in future.”

Further grave incidents occurred. On 17 April, according to an Admiralty communiqué, the hospital ships Donegal and Landfranc—the second carrying German prisoners—were sunk without warning, having, as a result of circumstances, been sent to sea by the British Government without the markings laid down under the Conventions and without night navigation lights. The French Government intimated that as a reprisal it would place German officers on board hospital ships. A bombing raid on Freiburg-in-Breisgau by a

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1 Bull int. CR, April 1917, p. 141 (excerpt).
squadron of French and British planes was announced as being retaliation for the torpedoing of the *Asturias*. The German Government then announced that it had moved captured French officers to Freiburg.

Meanwhile, as the result of a move by the French Government, the ICRC had stated its willingness to appoint a delegate who, together with a representative of the King of Spain, would inspect the use made of hospital ships by the Allied States. France and Germany began negotiations through diplomatic channels and agreed to take on board every hospital ship Spanish officers responsible for establishing and certifying that the ship was not being put to any unlawful use. This news arrived in Geneva during the Conference of Red Cross Societies of neutral countries which expressed its thanks and satisfaction to the King of Spain for his practical assistance. Once the German officers had been removed from French hospital ships, Germany was encouraged by these measures to end its reprisals, as it informed the ICRC by telegram on 14 September 1917. The inspection of Italian ships in the Mediterranean seems to have been settled in a similar way.

But more hospital ships were to be sunk: on 11 January 1918, the Committee received and forwarded a protest from the British Red Cross concerning the torpedoing of the *Rewa* on 4 January in the Bristol Channel, and on 4 March another protest against the torpedoing of the *Glenart Castle* and the *Guildford Castle*. In its reply, forwarded by the German Red Cross on 6 June 1918, the German Government denied that the ships had been torpedoed by a submarine and recalled the provisions concerning the forbidden areas, as follows: "The forces of the Imperial Navy have strict orders to respect the terms of Article 10 of the Hague Conventions of 18 October 1907 in dealing with hospital ships encountered in areas not strictly prohibited by the German public announcements. Hospital ships therefore have nothing to fear, even at night, if, in accordance with the terms of Article 5, paragraph 6, 1 c, they take the necessary precautions for their distinguishing marks to be visible."

A further protest was sent to the ICRC on 8 July, following the torpedoing of the *Llandovery Castle*, when only 24 passengers and crew out of a total of 258 were rescued. The Austrian Red Cross also protested to the ICRC against an attack with torpedoes and bombs

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1 Letter from the President of the Central Committee of the German Red Cross Associations to the ICRC, 6 June 1918 (excerpt), *Bull. int. CR*, July 1918, p. 326.
by the Italian Air Force on the Austrian hospital ship Baron Call, fortunately not seriously damaged. The question was consequently far from settled, and only the Armistice in November 1918 put an end to these distressing recriminations.

5. Prisoners of war

During the first weeks of the war, the Committee had concentrated its work for prisoners on the creation and expansion of the Agency in Geneva: information, correspondence, relief, all the connective machinery providing the links between the world of captivity and the outside world. But all this would not have had its full effect had it not led to knowledge of the conditions of detention, and so to the hope of improving them, and had such knowledge not been based on personal visits to prisoners and places of captivity.

It is true that the ICRC was not directly designated by the international Conventions to mediate between the belligerents in the hope of improving prisoner’s conditions. These Conventions, the Committee recognized, were a matter for the governments. But the ICRC could at least take its authority from the Hague Convention of 1907, which allowed agents duly accredited by the societies for relief to prisoners to visit places of internment to distribute relief supplies; and, as we have seen, Resolution XII of the Washington Conference had requested the ICRC to handle the distribution, by neutral delegates, of individual and collective relief.1

The Regulations annexed to the Fourth Hague Convention of 1907, in the 17 articles dealing with the conditions for prisoners of war, enumerated the main rules for their treatment. Apart from the fundamental principle, taken over from the Regulations annexed to the Hague Convention of 1899 and retained in similar terms to the present day, according to which prisoners of war are in the power of the enemy government but not of the individuals or units which captured them and must be treated with humanity, the Regulations contained provisions relating to places of detention, work, maintenance, discipline, penalties in the event of escape, release on parole, interrogation, information bureaux, the activities of relief societies, postal concessions, pay, religious observance, wills and death notices, and repatriation after the conclusion of peace. On these essential points, the annexed Regulations had laid down important

1 See page 21.
instructions for the effective protection of prisoners of war, but without entering into details as to their application.

These provisions were sometimes supplemented, depending on the country, by internal orders and rules. In France, for example, the status of prisoners was established by various orders, among them the War Ministry Instructions dated 21 March 1893 (and thus prior to the Hague Conventions), defining the categories of captives recognized as prisoners of war and granting them a status analogous to that of soldiers in the national armed forces.\footnote{No doubt it was over-literal interpretation of these provisions which led some depot commanders, according to reports at the time, to dress German prisoners in French uniforms, drawing a protest from the Prime Minister Georges Clemenceau (see Georges Cahen-Salvador, \textit{Les Prisonniers de Guerre}, Paris, Payot, 1929).} These instructions, brought up to date in 1908, were supplemented after the war broke out by the circular of 14 October 1914, dealing with prisoners’ correspondence, the distribution of parcels and money orders, and death certificates.

In the case of Germany, the Committee noted the absence of standard rules on detention, regulations being left to the depot commanders. Nevertheless, on 22 December 1914, the War Ministry of the Imperial Government published a service order under which postal packages for French prisoners of war were admitted to the country free of postal charges and Customs duty and could be distributed through the Spanish Embassy in Berlin and the Central Committee of the German Red Cross.

The Russian Government, soon after the start of hostilities, published from 7 to 14 October 1914 the body of laws relating to prisoners of war, a voluminous document with 5 chapters and 74 articles dealing with the definition and status of prisoners, the Information Bureau of the Russian Red Cross, correspondence, convoys of prisoners, their allocation, work, pay and maintenance\footnote{\textit{Bull. int. CR}, April 1915, p. 246.}.

The Committee therefore was primarily concerned with forwarding and distributing relief parcels, which entailed being present in the camps and knowing the prisoners’ needs. At the beginning of October 1914, the ICRC was asked to visit camps in Germany, and Horace Micheli, who discussed the plan with the Dutch Ambassador in Berne, was able to report to the Committee that Baron de Ramberg, the German Ambassador, while dubious about the chances of success, would nevertheless inform his Government of this request. In November, Minister d’Anthouard, President of the Prisoner-of-War Commission of the French Red Cross, visited a
number of camps of German prisoners of war in France and concluded his report to the ICRC:

"The foregoing information is supplied by the French Red Cross in the hope of reassuring German families as to the plight of German prisoners in France. We will send similar information in the course of subsequent visits to POW camps.

"The French Red Cross expects the same service from the German Red Cross in respect of French prisoners in Germany and their families in France."  

On 9 December, President Ador—to counterbalance his visit in September to the French authorities in Bordeaux—travelled to Berlin in the company of Dr. Ferrière. On the basis of his various talks with the German Red Cross and with ministers concerned, he was able to send his conclusions to the French Red Cross:

"A Committee is to be set up for relief in France and another in Germany. Each will have as its chairman a delegate of the National Red Cross Society.

"Each Committee will co-opt eminent persons of its choice. The Ambassadors of Spain and the United States, as well as the International Committee of the Red Cross, will have honorary representatives on each of these Committees, which will be responsible for distributing to prisoners the collective gifts not addressed to individuals. Such distribution will naturally take into account the directives of the camp commandants relating to discipline and security.

"The Committees will report on their activities to the International Committee, which undertakes to obtain the promise of reciprocity from France with regard to Germany.

"On 14 December, the Spanish Ambassador guaranteed reciprocity in the name of France.

"The undersigned is authorized by Mr. d’Anthouard, minister plenipotentiary delegated by the French Ministry of War, to state that if the proposals submitted in its name to the German Red Cross on the 10th of this month are accepted by Germany, full and complete reciprocity is guaranteed in France for all packages sent to German prisoners."  

Gustave Ador was also able to produce a copy of a letter from the German Ministry of War to the Ministry of Foreign Affairs in Berlin, containing the words: "With reference to my letters of 7 December

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1 Bull. int. CR, January 1915, p. 58.
1914, I have the honour to inform Your Excellency that the goods for
distribution arriving from France for French prisoners of war in Ger­
many will no longer meet with any difficulties, since we have been
informed, by verbal note from the Spanish Ambassador on 11 De­
cember 1914, that the French Government will permit the distribu­
tion of gifts sent from Germany to German prisoners of war in all
prison camps in France."

General Friedrich added that the starting date for distribution of
gifts in Germany would not be decided until preparations to
distribute gifts from Germany, through the United States Embassy in
France, were sufficiently advanced for simultaneous action to be
taken.

While on his first visit to Germany, Gustave Ador had also been to
four prison camps, in Magdebourg (French, British, Belgian and
Russian prisoners), Torgau (French and Russians) and two camps at
Zossen. "Very depressing" wrote Ador, "but feel that commandants
mean well and are doing their best to improve conditions."

From then onwards, Relief Committees were organized in
France and Germany. The ICRC's representative on the French
Committee was Dr. de Marval, whose missions in the Balkans in
1912 and 1913 had given him valuable experience concerning
relief measures and the realities of war. In Germany, the former
"landamann" of Appenzell, A. Eugster, was ICRC representative
on the Berlin Committee. The honorary chairman was Mr. Polo
de Barnabé, Spanish Ambassador, the members being represen­
tatives of the Spanish Embassy, the Prisoners' Commission of
the German Red Cross, the Central Committee of the German
Red Cross, the Military Inspectorate of voluntary assistance, and
the United States consul. "Replacing to some extent, the
delegates and agents envisaged under Article 15 of the Hague
Regulations" the ICRC reported "these Committees exist to
ascertain the needs of prisoners, ensure that they receive the col­
lective gifts and try to improve as much as possible their condi­
tions of detention."

In turn, the Protecting Powers, mandated by the belligerent States
to represent their interests, had in this capacity undertaken activities
in favour of prisoners. They now began to visit the prison camps
systematically and increasingly as the war went on, even before the
principle had been included in the Conventions. The function of the
Protecting Powers was then recognized in diplomatic practice,
although not the subject of any international treaty. Not until 1929,
and specifically in the Geneva Convention relating to prisoners of
war, was the notion of a Protective Power introduced into an international agreement.  

Representatives of Spain in Berlin had earlier visited the camps of French prisoners at Ingolstadt and Königstein\(^2\) in November 1914, and later visited Zossen. The Spanish Ambassador in Vienna, Mr. A. de Castro y Casaleiz, representing Russian and Serbian interests in Austria-Hungary, visited camps of Russian and Serbian prisoners in that country from 3 to 20 December 1914. In the course of the war, Spain's representatives visited more than 200 camps and 250 labour detachments.

But as long as there were no rules to ensure uniform treatment for all prisoners, supervision and, particularly, comparison were unreliable. Public opinion from the very beginning of the war was extremely sensitive on this matter and governments, anxious not to be accused of weakness or excessive tolerance, reacted strongly to any unfavourable reports. This, noted Gustave Ador, was why Germany was keen to have simultaneous distributions of relief: "The Minister wished in this way to avoid anyone in Germany saying that France was mindful of her children before Germany had done anything for her sons." There was therefore a danger that reciprocity as a system might lead to steady deterioration of the situation in the camps as it would be governed by the position of the least favoured prisoners. In a rhetorical flourish unusual in the ICRC, the editor of the *Bulletin international* wrote: "Reciprocity, that implacable and unbending deity, [is] the only one to which, during this war, universal and servile homage has been paid."

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The Committee consequently, in its 163rd circular, dated 15 January 1915, appealed to the Central Committees of the National Societies:

"The International Committee, relying on the experience gained and the information obtained in operating its International Prisoner-of-War Agency, would greatly wish to encourage an agreement among all belligerents for the purpose of guaranteeing the same treatment for all prisoners of war. It therefore takes the liberty of submitting to the Central Committees, and through them to the different governments, the following proposals:

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\(^1\) See Antonio Janner, *La Puissance protectrice en droit international*, Basle, 1948.

\(^2\) Visited by the US Consul in Dresden acting on behalf of the Spanish Embassy.
"Pay and remittances. All officers should receive the pay appropriate to their rank and be allowed to use it freely (Art. 17, Hague Regulations).

"It would also be desirable for a modest allowance to be made to non-commissioned officers and men.

"Sums sent to prisoners should be taken in charge by the camp commandant and a deposit account opened for each prisoner, to whom the commandant should hand over, as the need arises and is duly established, the money necessary to pay for articles prisoners are permitted to purchase. 

"A prisoner with money in his account should, subject to the commandant’s supervision, be permitted to draw on it to help comrades in need.

"Correspondence. This should be allowed at least twice a month, and letters sent to or written by prisoners should, when duly censored, be distributed and forwarded as quickly as possible.

"Telegrams, information and news. The commandants should be asked to answer the reply-paid telegrams sent by the International Committee.

"They should supply the information requested on the health of prisoners and give the prisoners the family news forwarded by the International Committee. They should indicate to which camp a prisoner has been transferred, if he is no longer in the camp mentioned in the lists.

"Parcels. All parcels addressed to prisoners should be delivered to them in their entirety, without anything being taken out or held back, provided that inspection shows they contain no prohibited items.

"Books. Prisoners should be allowed to receive books in their own language, apart from newspapers and topical publications. A list of books or categories of books permitted to be distributed or circulated between camps might be drawn up by the Central Committee of the Red Cross in each country.

"Work. Officers should be allowed to carry out some clerical work, of their own choice: catalogues, copies, inventories, or such light manual work as bookbinding, cartography, etc.

"It should be permissible to employ other ranks in work to improve the camp (Art. 6, Hague Regulations). Inaction and idleness should be avoided above all else, as they needlessly increase the mental suffering of the prisoners.

"Religious ministry. The prisoners should be able to receive religious ministry from clergy of their own denomination, as far as possible in their own language (Art. 18, Hague Regulations).
"Lectures. It would be desirable for officers or other ranks to be allowed to overcome the boredom caused by idleness by organizing among themselves, if they so wish, lectures on neutral subjects (science, for example).

"Hygiene. Prisoners should be permitted to take walks and physical exercise, play games, etc.

"Prisoners should be allowed to take baths to keep themselves clean.

"Material care. In relation to food, bedding and clothing, prisoners should be treated like soldiers of the same rank in the country where they are held (Art. 7, Hague Regulations).

"Their living accommodation should be suitable heated.

"We take this opportunity to repeat the interpretation of Articles 9 and 12 of the Geneva Convention of 1906, by virtue of which military medical personnel and staff of the Red Cross services must not be treated as prisoners of war, but should be returned to their country as soon as their assistance is no longer indispensable. Such personnel should receive pay corresponding to their rank (Art. 13).

"We earnestly hope that the above recommendations, prompted by some months' experience, will be taken into consideration by the competent authorities. Equality of treatment among prisoners seems to us to be most desirable, and the facilities granted in each State to prisoners are for that State the best and most honourable way of encouraging similar treatment for its own citizens in captivity."

On 15 February, the German War Minister published a general instruction on prisoners of war, defining the principles in force, with regard not only to food and clothing, but also to other essential points: hygiene, correspondence, parcels. The instruction likewise dealt with clothing of civilian internees, men and women: the men were to be dressed in the same way as the military prisoners, once their own clothes had worn out, while the women would receive "other appropriate garments, as worn locally".

The War Ministry added: "The army administrative services would be very grateful to the ambassadors representing our interests in the belligerent States if they could arrange for German prisoners in enemy countries to be treated similarly with regard to accommodation, food, clothing and correspondence."

Prisoners' correspondence, fixed at two letters per month and one card per week, was regulated by the order of 3 February 1915, a copy of which had been sent to the ICRC by the German Red Cross.

Other replies to the circular on the treatment of prisoners soon arrived at ICRC headquarters. The Central Committee in Vienna
answered on 27 February by forwarding a note from the War Ministry of the Austro-Hungarian Government generally approving the ICRC proposals and regretting that the hope of encountering a welcome reciprocity on the part of the adversary "had in no way been justified by experience to date". Attached were reports of visits by the Spanish Ambassador to prison camps in Austria and Hungary —reports which were published in the Bulletin international.\(^1\) The reply from the Spanish Ministry for Foreign Affairs, forwarded by the Committee in Madrid, stressed the role already played by Spain’s representatives appointed to protect the interests of the various countries involved in the conflict, and assured the ICRC that the Ministry "would not fail to pay to the International Committee’s wishes all the attention they deserve and to take timely action appropriate to the circumstances". Serbia replied on 12 March, giving details of the rules for prisoners’ treatment, adding that "in accordance with a decision of the Council of Ministers dated 25 July 1914, enemy officers and other ranks taken prisoner should be treated in Serbia, with regard to accommodation, food and general maintenance, in the same way as Serbian officers and men."

The President of the Japanese Red Cross, Viscount Hanabusa, informed the Committee on 23 April 1915 that the proposals put forward in its circular were in agreement with the rules applied by the Japanese Government for the treatment of prisoners of war. Italy, which went to war against Austria-Hungary on 23 May 1915 and against Turkey on 21 August, in its turn communicated its rules for the treatment of prisoners of war, as decreed by the War Ministry on 29 August 1915 and the disciplinary regulations concerning health inspection of prisoners.\(^2\)

From then on, the machinery began to function. Between 4 and 14 January 1915, National Councillor Eugster had visited 10 prison camps in Germany, accompanied by representatives of the German Prisoner-of-War Commission (Abteilung für Gefangenenfürsorge),\(^3\) the Spanish Ambassador and the Embassy attaché. Most of the prisoners were French, but there were also Russian, British and Belgian prisoners in the camps and civilians, totalling 83,555 prisoners and internees, 4,000 of whom were civilians. In France, between 13 and 23 January 1915, Dr. de Marval visited 17 prison depots and hospitals housing 14,285 German prisoners of war and 1,040 civilians of

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\(^1\) *Bulletin international*, April 1915, pp. 203 and ff.


\(^3\) They had themselves visited 17 camps in all in January 1915.
military age; and in February, accompanied by Baron Villiers du Terrage of the French Red Cross, and for part of the time by President Gustave Ador, he visited 14 prison camps housing 5,666 men, of whom 350 were civilians.

In Britain, in January 1915, Edouard Naville and his son-in-law, Victor van Berchem, of the German section of the International Prisoner-of-War Agency, visited 5 military depots and 3 civilian camps, accompanied by Lord Robert Cecil, of the British Red Cross.

In this way, from the beginning of 1915, the custom of visiting prisoner-of-war camps was progressively established. And while the delegates of the Protecting Powers and of the ICRC were making these visits, the Red Cross Societies of the neutral countries were also providing assistance. The Danish Red Cross made contact with the Russian and German Governments and National Societies, and in September 1915 was able to send missions of three delegates to visit prison camps in Russia and Germany, while Sweden also sent missions to Russia to make visits and distribute relief.

The ICRC was also concerned with the eastern sector of the war in Europe. An ICRC delegation composed of Mr. F. Thormeyer, tutor to the imperial children, and Dr. F. Ferrière, junior, who had served in Serbia in 1912, left Geneva on 14 October 1915 and arrived in Petrograd on 22 October, where they were welcomed by M. Edouard Odier, Swiss Minister in Russia and Vice-President of the ICRC. The governors of the Russian Red Cross gave a friendly reception to the delegates, who on 27 October were presented to the Dowager Empress Marie Feodorovna, Protector of the Russian Red Cross Society and founder of the international fund which bore her name, intended to reward the best discovery relating to assistance for the sick and wounded on the battlefield. Between 4 and 30 November 1915, the ICRC delegation visited thirteen camps of German and Austrian prisoners and some hospitals in Russia and Turkestan and, from 3 to 23 January 1916, five camps in western Siberia. It was noted that several groups were working in Siberia, visiting camps or distributing relief, in particular missions sent by the United States Embassy in Petrograd and delegates from the Swedish and Danish Red Cross Societies, accompanied by nurses from the German and the Austrian Red Cross.

Yet there was still no multilateral agreement standardizing the rules for treatment of prisoners and regulating the numerous details which remained subject to arbitrary decisions or improvisation. The German and Austrian Red Cross Societies having proposed a meeting with the representatives of Russia, delegates from the Red Cross
Societies of Austria, Germany, Hungary and Russia met in Stockholm in November 1915 under the patronage of Prince Charles of Sweden. On 27 November, the Conference chairman, Mr. Lagerheim, informed the ICRC that the conference was “well on the way to reaching complete agreement on various proposals, to be recommended to the respective governments, for improving the lot of prisoners of war and thus helping to fulfil the high aspirations pursued by the Red Cross movement for fifty years”. In fact, the Conference succeeded in concluding a final Protocol in the form of recommendations to the governments concerned, dealing in detail with all the problems relating to the treatment of prisoners and wounded. The methods of application of the Protocol were supplemented and clarified at further meetings in Stockholm in May and December 1916.

During the years which followed, when the numbers of prisoners rose to levels never envisaged and their situation deteriorated owing to difficulties in ensuring food supplies, the governments of the belligerent countries attempted increasingly to conclude bilateral agreements on the treatment of captured troops, aided by the National Societies of neutral countries. One such agreement was that signed on 2 July 1917 at The Hague between British and German representatives. Preceded by a declaration from the Netherlands Government that it was willing to accept within its territory a large number of British and German prisoners and internees, the agreement, with its 22 articles, was a kind of condensed convention on the treatment of military and civilian captives. In Copenhagen, under the chairmanship of Prince Waldemar and with the assistance of the Minister of Foreign Affairs, a meeting of delegates from Austria-Hungary, Germany, Rumania, Turkey, Denmark and Sweden took place from 15 October to 2 November 1917. A meeting in Christiania between delegates from Austria-Hungary, Germany and Russia was able, with the help of the Norwegian representatives, to reach an agreement on 11 November 1917 relating to the internment in Norway of sick and wounded prisoners and their repatriation. On 28 December in Stockholm, representatives of the Danish, Norwegian and Swedish Red Cross Societies, meeting under the chairmanship of Prince Charles of Sweden, founded the Nordic Red Cross Committee *(De Nordiska Röda Korsens Kommitté)*, whose purpose was to coordinate the efforts of the three National Societies in evacuating German prisoners from Russia. In Geneva, from 14 to 23 November 1917, the ICRC held a meeting attended by delegates from the Bulgarian and Serbian Red Cross Societies to discuss questions
relating to prisoners of war and civilian internees and the exchange of severely wounded prisoners. In Berne, where the Franco-German conference on internment in Switzerland was being held under the auspices of the Federal Political Department, the Anglo-Ottoman conference opened on 3 December under the chairmanship of Federal Councillor Gustave Ador. This resulted in the conclusion of reciprocal agreements on the repatriation of wounded prisoners and in general on the forwarding of lists, the treatment of prisoners and visits to prison camps.

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The Holy See made repeated appeals during the war in favour of prisoners of war and civilian internees. One of these, already mentioned, was the appeal at the end of 1914 by Pope Benedict XV for the exchange of prisoners incapable of taking up arms again; and action was taken by the Holy See to secure the hospitalization in Switzerland of wounded prisoners not eligible for repatriation and prisoners who had been in captivity for a long period. At the beginning of January 1915, the Vatican created a special service to trace missing persons. In collaboration with the secretariats set up in Paderborn in Germany and in Fribourg in Switzerland, it carried on inquiries in prison camps and kept in continual touch with the information bureaux established in belligerent and neutral countries and, of course, with the International Prisoner-of-War Agency. In January 1916, Gustave Ador, on a private visit to Rome, was received in audience by the Holy Father and discussed with him the various problems relating to prisoners and captive civilians. Delegates of the Holy See also gave spiritual and material help in many prisoner-of-war camps in Italy, Austria, Germany—where Mgr Pacelli, papal nuncio to Bavaria and the future Pope Pius XII, visited camps and military hospitals—and Turkey, as well as in hospitals in Switzerland where prisoners had been sent.

The Holy See was also active in other areas of concern to war victims, especially exchanges of severely wounded prisoners, hospitalization of prisoners in neutral countries, the exchange of prisoners between Austria and Italy, exchanges of interned civilians, hostages, forced labour, repatriation operations, requests for clemency,

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1 See page 55.
2 See page 60.
and, after the war, in supplying food to people suffering from famine.¹

Another organization which took part in this international aid movement was the World Alliance of Young Men's Christian Associations (YMCA). During earlier wars the Alliance had acquired some experience in this field. In the Great War it considerably extended its services for prisoners of war and civilian internees. Because of its religious origins and recruitment field, it was particularly well qualified to bring effective help to prisoners in the spheres of religion, education (by organizing courses, distributing books and musical instruments), leisure pursuits, sports and organization of work. The link between the YMCA and the ICRC was easily maintained, since the World Committee of the Alliance had its offices in Geneva and its President was Paul Des Gouttes, who was also General Secretary of the ICRC and a Member of the International Committee from April 1918.

A network of benevolent organizations, very various in their origins, structures and principles of operation, was thus consolidated, sometimes working together, sometimes independently, but having a common purpose and taking part, each in its own way, in the struggle against the misery of detention, one of the ICRC's fundamental functions. The beginning and progress of its activities and visits have been described; these were to continue throughout the war and after, until all prisoners had been repatriated, in 1923. During this period, the 41 delegates of the ICRC visited 524 camps, in Metropolitan France, Great Britain, Germany, Tunisia, Morocco, Austria-Hungary, Italy, Russia, Egypt, India, Burma, Bulgaria, Rumania, Macedonia, Poland, Bohemia and Japan. The number of visits could no doubt have been greater, but during the early years of the war the Committee's delegates were obliged to obtain the necessary authorizations, draw up an itinerary, sometimes follow an assigned route or, under reciprocity agreements, restrict the number of prisoners seen in a single series of visits. In addition, the delegates had to travel from Geneva (to visit camps in Europe). The ICRC therefore tried to keep permanent delegations in the countries at war, so that contact with the authorities and travel would be easier.

In July 1917, for example, the International Committee designated as its representative in Athens Mr. E. Muller, a Swiss citizen. In July

In 1918, in order to have a representative with the Allied GHQ in Salonika and because of the difficulties of transport in the military zone, the ICRC called on the administrator of the Lyons field hospital in Salonika, Mr. de Chabannes La Palice, a Frenchman, to represent the Committee in that sector, with the agreement of the GHQ. His activities were of great assistance, especially to the ICRC mission (Dr. Ferrière, Georges Werner and Lt-Col. Redard) in Salonika and in occupied Bulgaria. Mr. de Chabannes La Palice also took charge of a prisoner-of-war agency dealing with everything relating to Bulgarian prisoners in the Salonika military zone.

In Japan, Dr. Paravicini, a Swiss doctor living in Yokohama, acted as the ICRC representative, as he did again during the Second World War.

Most of the agreements concluded by the end of the war also provided for Red Cross delegations from neutral countries to be assigned to aid prisoners of war. The ICRC was asked by the French Government to organize the neutral delegation in Germany. This was done only at the end of 1918, while the German Government entrusted its interests to the Danish Red Cross. No permanent delegations were organized in other countries owing to the cessation of hostilities.

The reports drafted by the ICRC delegates were, and still are, normally sent to the two States concerned: the detaining State and the home State of the prisoners. During the First World War, they were also published and offered for sale, a custom later dropped. Under special agreements, the ICRC received copies of the reports compiled by certain Protecting Powers and Red Cross Societies of neutral countries, in this way adding to its knowledge of the state of the prison camps.

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This well established and fairly extensive system of visits might well have given hope of providing general protection for prisoners and help to improve their conditions despite economic difficulties due to the war and the blockade, the lack of detailed rules and the cases of nervous depression due to prolonged detention. But the Committee did not have access to all the camps—it had no control over the camps inside the military zones and those used for reprisals.

The French and German Governments agreed late in the day, in 1917, to move the prisoners they took to 30 kilometers behind the
firing line; but the military zone, the extent of which was decided by the military authorities, remained closed to the ICRC and prisoners there did not enjoy the same guarantees as those in camps outside this zone. This was a matter of great concern to the ICRC, as evidenced by the following passage from the Bulletin international: 1

"The International Committee protests vehemently against the isolation in which prisoners confined in the strategic areas are held. Except in France, where the President of the Committee was able, in August 1916, to visit the prison depots behind the front line, and in Italy, where the ICRC Vice-President, in June 1917, inspected the Bagnaria depot, the main camp for classifying newly captured men, the delegates of the International Committee, like the delegates of the Protecting Powers, have met with a complete refusal to allow them to enter the military zones in Germany, Turkey, Bulgaria and Russia.

"The belligerent States should make it a point of honour to allow visits to be made to prisoners, wherever they may be, by representatives of the Protecting Powers or by delegates of the International Committee."

Only in December 1917 did the Franco-German agreement in Berne provide for these principles to be put into practice, by laying down that prisoners should be moved immediately to the interior, except for casualties who could not be moved and labour detachments employed in the military zone. The agreement gave those retained there the same guarantees concerning correspondence and notice of capture, and forbade the employment of prisoners less than 30 km from the firing line.

Yet no inspections could be organized before the armistices in November, as Germany had delayed in applying the agreement and the other States were unwilling to give authorization as long as reciprocity was not forthcoming. The Committee pointed out that this constituted a serious disregard of the principles of justice, and that future conventions should give legal force to the system of visits to prisoners of war wherever they were to be found. Only after the armistice, in fact, did a medical mission from the International Committee discover among French prisoners in hospital in Germany a disease described by Dr. Frédéric Guyot as "hitherto unknown to me, I am glad to say"—famine oedema. He wrote: "The prisoners suffering from "famine oedema" whom we saw had been employed for 5 to 7 months in the military zone, near the front, on gruelling

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1 Bull. int. CR, July 1917, p. 287.
work, building a railway. Throughout this time they were without any communication with their families and unable to receive parcels. We shall remind the authorities that the International Committee several times requested, in vain, permission to visit the prisoners employed in zones close to the battlefield.”

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On reprisals, too, the ICRC took an unequivocal stand. Reprisals, a negative form of reciprocity (reciprocity grants an advantage if the same advantage is granted by the adversary, while reprisals tend to apply treatment normally contrary to the law in order to end a practice considered illegal), are a great threat to the efficacy of the humanitarian conventions, since they create an emotional climate which leaves no room for objectivity or negotiation. The Committee had had an initial success in mediating between France and Germany when the Imperial Government, in retaliation for the detention of German prisoners in Dahomey and Morocco in climates regarded as unhealthy, made French prisoners work in peat bogs and marshy areas. In these circumstances the ICRC tried to arrange agreements between the belligerents to regulate the conditions of the prisoners. Gustave Ador approached Federal Councillor Hoffmann on the matter and proposed the convening of a conference between representatives of the French and German and of the British and German Red Cross Societies to discuss the treatment of war prisoners. The proposal came to nothing owing to opposition from the French and British Governments.

Nevertheless, the Committee, notified by the National Societies of various protests against reprisals inflicted on prisoners, sent an appeal on 12 July 1916 to the belligerent and neutral States in which it condemned reprisals as unjust and cruel, and stated: “Faithful to our duty as the International Committee of the Red Cross, we therefore beg the belligerents to renounce reprisals against prisoners and reject the principle which motivates them. We would say to these Powers: abandon all further attempts to exert pressure on your enemies by inflicting hardships on those of their forces whom you hold captive. Surely such methods mark a relapse into barbarity, unworthy of nations which have given the Red Cross the position it holds in their armies.

“You take great care of the wounded, lavishing medical treatment on them regardless of the flag under which they fought—the evidence
is everywhere unanimous. Why should prisoners be treated quite dif-
ferently? You complain that some of your own men are suffering un-
justly in their captivity: why not appeal to your adversary’s sense of
justice? Why not suggest that if your enemy agrees to your request
you will grant a similar favour to his troops? And if you have trouble
getting in touch with the opposing side, why not have the message
sent through a neutral agent? The rivalry which should replace the
present reprisals, in our view, is rivalry in justice and humanity,
which would leave behind grateful memories and help to extinguish
hatred, the major obstacle to making peace.

“We therefore have no hesitation in proposing that the belligerents
follow this line of conduct in relation to prisoners. By putting into
practice towards them the Red Cross motto “Inter Arma Caritas”,
the nations will render war less inhuman and will encourage the fur-
ther progress of civilization.”

But in that month of July 1916, civilization had strayed very far
from the path of progress. The battle of Verdun was at its height.
Along the hills bordering the Meuse, from Béthincourt to Eparges,
60 divisions—almost a million men—were locked in combat, with no
thought of withdrawal or manoeuvre, fighting for a fort or a farm,
taken and lost and retaken time and time again. Haumont, La Mort-
Homme, Cauress Wood, the fort at Vaux, Douaumont, came to be
names designating this battle, in which half a million men were killed
or wounded.

The battle was a massacre not only because of the large armies
involved, but principally because of the intensive artillery barrages:
these were so heavy that nothing within range of the guns was left
standing, but gave no immediate advantage to one side or the
other, since neither General Staff would yield to this endless pound-
ing, but made up for the losses by continuous replacement of the
men and weapons lost. At the front at Verdun, on the Somme,
where the Franco-British offensive had begun, on the Russian
front, where fierce fighting had resumed from Pinsk to Loutsk
and at Czernowitz, on the Austro-Italian front, at Salonika and in
the Near East, in the first six months of 1916 hundreds of
thousands of prisoners were brought to swell the ranks of
prisoners taken earlier. In making its appeal of 12 July, the ICRC
expressed the anguish felt by all nations at this new outburst of
blind violence and, taking as an example the Geneva Convention
for the protection of sick and wounded persons, tried to obtain
other agreements to safeguard prisoners against deterioration of
their conditions.
A short time previously, further incidents had occurred between France and Germany, the German Government demanding the return of all German prisoners detained in Togo and Cameroon, and threatening to send French prisoners to the occupied areas of Russia.

On 21 July 1916, France told Germany that it would bring back German prisoners held in North Africa provided that Germany sent back to their original camp the French prisoners transferred to Russia, that only miners should be sent to work in mines, that prisoners be no longer forced to work in the marshes, and that no reprisal measures be taken against prisoners until one month after a warning. At the beginning of September 1916, the ICRC was informed that Germany had accepted the French proposal and the reprisal camps would be closed down as soon as the German prisoners had been brought back from Africa.

The principle of reprisals was not in fact officially rejected at that time by international usage. The annex to the British-Ottoman agreement of Berne, dated 18 December 1917, mentioned the possibility of reprisals: the Ottoman Government declared that if the British Government did not close the civilian internment camps within two months, the Ottoman Government would consider itself obliged to take reprisal measures.1 It was therefore towards regulation of such measures that action would be directed. The agreement signed in Berne on 2 July 1917 by Great Britain and Germany laid down that a period of one month should elapse after notification of reprisals before they were actually put into effect, and that before the threat of reprisals was even made, personal discussions should take place at The Hague to attempt to reconcile the parties. The Franco-German agreement concluded in Berne on 28 April 1918 prescribed that no retaliatory measures “contrary to the law of nations or to existing agreements between the States” should be taken until a month’s notice had expired.2

But the wish expressed by the ICRC in its appeal of 12 July 1916 was not fulfilled until embodied in the 1929 Geneva Convention relating to the treatment of prisoners of war: “Measures of reprisal against them are forbidden.”

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1 Annexe I, art. 6, letter a, Bull. int. CR, July 1918, p. 437.
6. **Civilians**

The extension of the war to all categories of the population brought much suffering to civilians. In past wars, it is true, they had been the forgotten victims of the fighting, their tribulations not mentioned in the history books or shown in the paintings of battles, though they had been depicted in the drawings of Jacques Callot and Goya. They had always had to endure pillage, burning, killing and destruction; but as long as they managed to get away from the scene of the fighting in time, they could at least hope to retain their liberty and their lives.

In 1914 civilians were protected by the Regulations respecting the Laws and Customs of War on Land, annexed to the 1907 Hague Convention. Articles 42 to 56 of the Convention dealt with military authority in occupied territories and safeguarded the population within such territories against certain abuses. In addition to these Articles, there was the preambular declaration, known as the "Martens clause", in which the High Contracting Parties stated that "in cases not included in the Regulations adopted by them, the inhabitants and the belligerents remain under the protection and the rule of the principles of the law of nations, as they result from the usages established among civilized peoples, from the laws of humanity, and the dictates of the public conscience".

Yet from the first few days of the Great War it became clear that there was not sufficient guarantee of protection for civilians. The sudden invasion and occupation of Belgium, Luxembourg and northern France by the German forces, the destruction of towns and villages by bombardment and fighting, compulsory evacuation, deaths, arrests and the separation of families—all these shocks and misfortunes were heightened by the absence of news and the uncertain future.

Civilians living within enemy territory, even when not resident in military areas, even those living in colonies or countries overseas, were usually interned.¹

Civilians held in the occupied territories were cut off from their compatriots and subjected to the rigours of occupation, deportation or forced labour. Those who had managed to escape found themselves refugees in an allied or neutral country, or even in their own

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¹ Austria-Hungary limited the internment of civilians from Western Europe to those who were suspect; the United States, when it entered the war, interned only citizens of the Central Powers who were suspected of espionage.
country. In all such cases, the ICRC was duty bound to extend to civilians the protection it attempted to obtain for prisoners of war. The first step it took in this direction was to create within the International Prisoner-of-War Agency a civilian section to reply to requests concerning civilian victims of the conflict.

The ICRC's work in favour of civilians during the First World War is inseparable from the name of Dr. Frédéric Ferrière. Ever since, as a young man, in 1870, he had responded to the appeal of Dr. Louis Appia and gone to the Franco-Prussian front to care for the wounded.¹ Dr. Ferrière had devoted a large part of his time to humanitarian work in parallel with his career as a physician. In 1876 he was sent by the ICRC on a mission to Montenegro, where he witnessed the sorry plight of tens of thousands of refugees who had come from the provinces of Herzegovina and Bosnia, where the war was raging. Appointed to the International Committee in 1884, he took an active part in International Red Cross Conferences and, as we have seen, he was again sent to the Balkans on mission in 1913, at the end of the Second Balkan War, when he travelled in Serbia and Greece and to Salonika. As soon as the Great War broke out he offered his services to the ICRC and took responsibility for questions relating to civilians and medical personnel. For ten years more, until his death in 1924, Dr. Ferrière was to be the pioneer, defender and promoter of protection for civilians: he took part in every type of activity directed to this purpose and wrote the draft Conventions presented at the 1923 Conference. In the pages which follow he will be found time and again bestowing on the wounded, on disaster victims, on children, the bounty of his unstinting generosity, his wise goodness, his honest and dependable advice.

One of the difficulties was that the special Commissions formed by National Societies were, in conformity with the Washington Conference resolution, concerned in principle solely with military prisoners and the International Committee was designated only to centralize and distribute relief supplies intended for them. The free postal service also was granted only to captive soldiers. Was it possible to plunge into this gigantic task—the search for civilians scattered all over Europe—without any support whatever? That of the National Societies at least being considered necessary, the ICRC sent messages to them on 17 October 1914 proposing that civilian internees should be placed on the same footing as prisoners of war. The Red Cross Societies of Austria, Russia and Great Britain agreed;

others found the work too much or too lacking in any legal basis for them to accept it, or simply failed to reply.

By the end of August 1914, Belgium and Luxembourg were under German occupation. On 6 September the Imperial forces reached the Marne and occupied 8 French departments. Several million people thus became cut off, scattered or subjected to the military law of the occupying armies, unable to communicate with civilians in unoccupied territories. Requests for searches and news, as well as complaints, poured into the Agency. These were collected and dealt with, at first in his own home, by Dr. Ferrière aided by a small team of helpers, then later in the Musée Rath when the Agency moved there. Nevertheless, the civilian section retained its own character all through the war, forming a separate service which was never integrated into the national sections.

Did a "legal basis" have to be sought for its activities? Faced with a new situation, the Committee enunciated a new principle, which it immediately put into application. It was declared in the first report, published in February 1915, on the operation of the International Agency: "The Civilian Prisoners' Bureau has been set up within the Agency under the humanitarian principle which considers as prisoners of war all those, whoever they may be, held and interned as nationals of the enemy State. By extension, the Bureau has been led to deal also with persons retained in countries which have been invaded and who are hence virtually prisoners of war."1

This was probably the best solution in the circumstances. The States had not defined the conditions of internment of civilians, but it was not because they wished to leave these to the whims of the captors—it was because, as stated earlier, they had not foreseen that civilians would be interned. Naturally, the first hope was that such people would be repatriated or released, but if they had to be interned, the simplest solution would be to apply to them the agreements already drawn up for prisoners of war. This next step was taken by ICRC Circular No. 163 dated 15 January 1915, requesting the belligerents to guarantee the same treatment "to all prisoners of war": the circular bore the title "Equality of treatment for military and civilian prisoners of war". The intention was that civilian internees would be considered as a sub-group of prisoners of war.

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1 Organisation et fonctionnement de l'Agence internationale des prisonniers de guerre à Genève, 1914 et 1915, Geneva, February 1915. The quotation is from Dr. Ferrière.
There were few affirmative replies. Nevertheless, most of the belligerents quickly became convinced that it was desirable to give the same material treatment to civilians as to prisoners of war.

By then, repatriation of civilians had begun, for those not capable of being called for army service: women and children, and those unfit for military duties owing to their age or state of health. Men of military age were usually interned. In September the Swiss Federal Council had offered its services to the belligerent States. On 22 September the Federal Political Department, which had been in touch with the representatives of France, Germany and Austria, stressed that it felt its duty as a neutral State to be "the alleviation as far as possible of the unhappy situation of these unfortunate people and assistance in returning civilian internees to their countries of origin where these bordered on Switzerland". It announced the creation of the Bureau for the Repatriation of Civilian Internees, in Berne. The following year, when the number of persons for repatriation increased sharply, the operations were entrusted to the Swiss military authorities, and until the end of the war they arranged the passage through Switzerland of civilians being repatriated between France and Germany and between Austria and Italy.

But those returned to their countries were only a relatively small proportion of the civilians in enemy territory, and consequently the work of the civilian section of the Agency relating to this question grew steadily until well after the war was over. Not until 1917 did the belligerents conclude agreements on the treatment and repatriation of enemy nationals, most of which covered both troops and civilians.

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The civilians living in occupied areas were in no better position. The ICRC, from the outbreak of war, felt that it should give them as much attention as it gave to internees. They were not allowed to correspond with persons outside the occupied territory, and this made it extremely difficult to obtain any reliable news. In the case of occupied Belgium, the Committee occasionally received replies to its inquiries through the Belgian prisoner-of-war and internee information agency and the Belgian Red Cross medical committee in Brussels. But there was an official ban on inquiries and information relating to civilians. The International Committee continued till the end of the war to protest against these restrictions. There was a similar situation in the occupied areas of France: until 1916 only a small amount of information reached Geneva. From January 1916, the Agency was able
to send news for the occupied areas through the Red Cross in Frankfurt, and later the exchange of information took place between the Frankfurt Red Cross and the Ministry of the Interior in Paris. Letters could not be sent: it was 1919 before about 100,000 letters, held by the Agency, could be distributed in the liberated areas of France. In the other occupied territories correspondence was likewise difficult, in varying degrees. It was organized by the ICRC or by the agencies set up by National Societies. The Copenhagen Agency was chiefly responsible for the exchange of news between Russia and Germany. For Italy and Austria, the Red Cross Societies of the two countries corresponded directly, as they did for prisoners of war. For occupied Serbia, the Serbian Red Cross delegation in Geneva acted as intermediary, in liaison with the Agency.

In addition to the regulations restricting the correspondence of civilians living in the occupied territories, there were sometimes bans by other countries on contact with these areas. The United States, for example, as soon as it entered the war, prohibited all correspondence with the Central Powers. Here again, the Agency was able to get round these obstacles by summarizing and translating the texts of messages and acting as an intermediary.

For want of agreements, the work done by interned civilians was not governed by any rules. Some persons were able to find in work a means of avoiding the mental strain of internment, as well as of earning cash, and they were better off for doing so. However, many civilians were deported and forced to perform work which was arduous or a danger to health, often with no pay. The Agency forwarded a large number of complaints on this subject, but rarely to any useful purpose, since it knew of no lists of civilian deportees or of any competent body which it could approach.

For those taken hostage, arrested or deported to punish or prevent acts in which they had had no part, action by the ICRC was specially difficult. The civilian section of the Agency was very often asked to intervene in their favour and, as far as France and Germany were concerned, was assisted by the Hostages Commission in Basle.1

There were many civilians held in prison, in enemy and occupied territories—the latter case being in some ways worse, as they were not allowed to receive letters or parcels from outside the occupation zone. The ICRC frequently mediated to obtain suspended sentences or pardons for civilians serving prison terms.

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1 See page 43.
Particularly vulnerable as they were, with no recourse against a hostile government or the occupying military authority, civilians suffered intensely from the direct and indirect effects of the war. They had less protection than military prisoners, who formed a homogeneous group, similar in age and training, accustomed to camp life, retaining their organization in captivity, with rights and also duties laid down in the international agreements. Civilians, on the other hand, formed a disparate group, difficult to identify, less able to withstand captivity, more easily divided. Their ordeal during the First World War might at least have served as a warning, and have induced the powers to conclude, immediately after the peace treaty, conventions based on the bilateral agreements which they had signed by the war's end and on the draft texts which the ICRC, acting on a mandate from the Tenth International Red Cross Conference in 1921, was soon to prepare.

It was Dr. Ferrière who, in one of his last articles, wrote the draft convention. The experience he had acquired as head of the civilian section during more than four years of war had qualified him to do this; but it also meant that he discerned the difficulties and the obstacles ahead. The warning which he addressed to heads of State in 1923 might have appeared at the time to be stamped with pessimism and bitterness, but the passage of time compels us to recognize its prophetic quality. He wrote:

"First of all, while we cannot fail, as defenders of the humanitarian attitude of the Red Cross, to subscribe completely to the principles enunciated by the Tenth Conference that there should be no civilian prisoners other than those capable of bearing arms, those fit for military service in the strict meaning of the phrase; that deportation of civilians must apply only to individuals who have committed offences which have been duly defined; that hostages should not be taken from among the civilian population; that reprisals should be strictly prohibited and that any State committing them would be committing a violation—yet we find ourselves obliged to admit that modern warfare is no longer war between armies but a struggle between nations and that in future wars the civilian population is likely to be spared as little as it was in the last.

"It will be difficult to request national leaders, above all politicians and army commanders, who have introduced mass destruction by aerial bombardment and long-range shelling, asphyxiants and poison gas, and who have moreover perfected the repellent practices of espionage, to have a care in future for the civilian population. In the name of the humanitarian principles of the Red Cross, we should
proclaim aloud that war conducted in this way is inhuman, immoral, contrary to the law of nations and revolting to every decent human conscience. Military men will reply that all war is inhuman and that logically all methods should be employed to win. Let us be content to hope that international agreements like the Hague and Geneva Conventions for the military will one day ameliorate also to some extent the lot of the civilian population, people unconnected with the cause of war, passive victims with no means of defence.”

But this appeal, as we shall see, fell on deaf ears at that time. Not until the slaughter of the Second World War, in which over 20 million civilians died, did the Powers finally acknowledge the need to protect them by a new international convention.

7. Chemical warfare

“One of the most distressing characteristics of the war at present causing so much misery to the human race is the daily violation of the most solemn undertakings, of what are known as the laws of war, of the agreements made in the hope of diminishing war’s cruelty. Far from alleviating the evils which war brings in its train, it may be said that scientific progress in aeronautics, ballistics and chemistry have merely aggravated the suffering and, above all, extended it to the whole population, so that war from now on will be nothing but a ruthless work of destruction.

“Today we wish to raise our voices against a barbarous innovation which science is in the course of perfecting, that is, making it more murderous and more refined in its cruelty. We are speaking of asphyxiant and poisonous gases, the use of which, it seems, is growing to a scale hitherto unsuspected.

“The Regulations adopted at The Hague respecting the laws and customs of war on land contain the following: ‘It is especially forbidden to employ poison or poisoned weapons’, and ‘to employ arms, projectiles, or material calculated to cause unnecessary suffering’. Asphyxiant or poisonous gases are without any doubt one of the poisons forbidden under the Convention. Medical personnel who have recovered troops affected by these gases from the battlefield, not to mention the nurses who have treated them in the hospitals, are all unanimous in testifying to the terrible suffering caused by these

1 Dr. Ferrière, Projet d’une Convention internationale réglant la situation des civils tombés à la guerre au pouvoir de l’ennemi, Rev. int. CR, June 1923, pp. 560 and ff.
gases, which is more harrowing to see than that resulting from the worst of wounds.”

These were the words of the International Committee in the appeal which it made to the belligerents on 8 February 1918, exhorting them to eschew the use of poison gases. It went on to state that whoever tried to make this method of combat even more cruel would “carry a steadily increasing weight of responsibility for having driven warfare in a direction contrary to the humane ideas which seemed to be gaining ground, the living proof of which appeared to be the Red Cross”. It warned against the manufacture of new volatile poisons and of projectiles filled with these poisonous gases “scattering death in atrocious form”. The appeal went on to predict a chain of counter-attacks and reprisals leading to a conflict “the ferocity of which will exceed the greatest barbarity the world has known”. It concluded:

“We are unable to believe that decent people in every country are not repelled by this prospect, and for this reason we unhesitatingly demand a ban on this appalling method of waging war. This requires an immediate agreement which the various armies must undertake to observe faithfully. If the International Red Cross succeeds in bringing about this agreement, if it could be signed under the Red Cross flag, it would be a return to the principles which prompted the Conventions of Geneva and The Hague, and such a document, able to save thousands of lives, would do great honour not only to the armies but also to the nations which sign it.”

In launching this appeal the ICRC was committing itself to a new venture and was aware of the responsibility it was assuming. The appeal was exceptional in being signed by all the members of the Committee but Gustave Ador and Edouard Odier, whose functions, as Federal Councillor and Minister in Petrograd respectively, prevented them from signing. Those to whom it was addressed were the sovereigns, the governments, the generals and even, over the heads of all these, “the nations now pitted against each other”. All the indications were that the Committee, entering an area not within its traditional sphere of activities and conscious of the obstacles it would encounter, wished to take up this responsibility by common consent and relied on the support of the public conscience. The ICRC was here dealing with a highly controversial issue which had been the subject of vehement accusations by each side against the

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1 Actes du CICR, p. 73. The text published in the Bulletin international of April 1918 replaces the words “Medical personnel” in the last sentence by the word “Comrades”.

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other and was difficult to deal with objectively. In addition, it might have been thought at first sight that regulating the methods of warfare and the choice of weapons was more relevant to the law of The Hague than to the law of Geneva.

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The first massive use of poisonous substances in the fighting came in the spring of 1915. Harmful gas or smoke—tear-gas, perhaps—had probably been used by belligerents before that, whether in the current war or previous wars. But the tactical use of deleterious gases on a wide front dated from 22 April 1915. On that day, on the Ypres front, between Bixschoote and Langemarck, the German army launched waves of chlorine gas emitted by pressure cylinders and carried by the wind into the enemy lines. The attack, because of its surprise effect and the fact that the victims were not wearing masks, poisoned 5,000 men, according to French estimates, and many died.1 On 24 April, another chlorine attack was made against two Canadian brigades.

From then on, the use of asphyxiating gases became more sophisticated and spread, limited only by the risks involved in handling them. Spreading a blanket of chlorine remained hazardous, since it required a favourable wind. In July 1915 there appeared the first poison shells, filled with harmful gas or liquids, able to be fired at troops behind the lines and add their effect to those of high explosive.

In 1916 and 1917 the opposing armies on the western front redoubled their research efforts and amassed huge quantities of poison projectiles, which they fired along with the high explosive. At Verdun, in October 1916, the French artillery used special shells filled with phosgene, which, claimed the general commanding the artillery, silenced about 40% of the opposing batteries.

In July 1917, again in the Ypres area, the Germans first used shells marked with a yellow cross and containing dichloroethyl sulphide, known as mustard gas or yperite, after the battle.

Early in 1918 each side was expecting the other to make a major offensive on the western front. The previous year, in fact, had been a disastrous one for all the belligerents. The losses in men and material, the blockade, the collapsing economies, had sorely tried the

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adversaries. The nations were sick of war. Strikes and mutinies broke out everywhere. On the Entente side, the entry of the United States into the war gave hope of significant help in men, munitions and material. On the other side, Germany had been able to transfer to the French front the divisions released from the Russian front after the treaty of Brest-Litovsk. Each side was still capable of winning, but it had to be done quickly—1918 would probably see the final battles. However, over the preceding years, the two sides had so strengthened their defences that winning a few kilometres of front entailed troop losses out of all proportion to the results obtained. The danger therefore was that the belligerents would be tempted not only to use new poison weapons but also to extend the effects of such weapons, by the use of long-range artillery and aircraft, behind the front lines and to the people in the towns.

The ICRC decided at that point to consult Professor H. Staudinger, a German chemist on the staff of the Federal Polytechnic Institute in Zurich, who was expected to know from reliable sources about the development of chemical weapons.\(^1\) He confirmed the fears of the Committee. "Volatile poisons", he told Dr. Ferrière, "can be very easily produced in great quantities." He thought that "the growing use of these frightful means of destruction made it essential for the Red Cross and the Pope to intervene".

On his way back from Zurich, Dr. Ferrière had a meeting in Berne with Gustave Ador, Horace Micheli and Frédéric Barbey, all three of whom supported the idea of a circular to be sent to the belligerents and the Red Cross Societies. The Committee agreed and decided to make an immediate protest, which was drafted by Edouard Naville.

At the next meeting of the Committee, on 6 February, the text of the appeal was read out and adopted. Dr. Ferrière added that he had received the report and the samples promised by Professeur Staudinger and had handed them to Professor Guye of the Geneva University School of Chemistry.

The appeal was sent out on 8 February, with personal letters addressed to the sovereigns or heads of state of belligerent and neutral countries and to various religious leaders. To ensure its wide dissemination, the ICRC also called on the services of the National Red Cross Societies, the President of the Reichstag in Berlin and the press.

\(^1\) H. Staudinger, born in Worms on 23 March 1881, professor in Zurich from 1912 to 1926; awarded the Nobel Prize for Chemistry in 1953.
The neutral countries gave encouragement and support. Prince Charles of Sweden, Prince Waldemar of Denmark, and the Norwegian Red Cross gave their approval. The Pope, through the Secretary of State Cardinal Gasparri, stated that he greatly appreciated the laudable initiative taken by the ICRC.

In the press, alongside favourable comment, reservations appeared. Some writers asked why the Committee had waited for three years, while others wondered why the move had been made just at that time. Some newspapers supposed that the ICRC had been influenced by Germany which, having been surpassed by the Allies in the manufacture of combat gases, was now seeking, through the ICRC, to have their use banned. The Times wrote: “Reports show that the movement is being strongly supported by German pacifists resident in Switzerland.” Other journals took the opposite view and ascribed these motives to the Allies. Philosophically, the International Committee later wrote: “Each side accused us of having worked for the other. We could not have wished for a more splendid testimonial of neutrality.”

What made the Committee sure of itself and impelled it to act was the threat of escalation of chemical warfare. This was stressed in its appeal and repeated in the accompanying letters. “It now appears”, wrote the Committee to Cardinal Gasparri, “that poison gas is to be used to spread death over a wide area, leaving nobody alive.” It drew attention to the effects of the new combat methods on the population in towns and villages. In future, it would in fact be impossible to distinguish between combatants and non-combatants, between the law of The Hague and the law of Geneva. This was the reason that the ICRC had embarked on a new stage in its international mission, extending the initiative it had taken, at the time of its creation, in favour of medical personnel to cover the limitation of arms. In making its appeal, as it pointed out in its letter to Kaiser Wilhelm II, the ICRC “was obeying the principles which, fifty years before, had given birth to the Geneva Convention”.

In an effort to obtain a rapid response, the International Committee redoubled approaches to the major powers. Sent on mission to Paris from 4 to 16 March, Edouard Naville and Dr. Ferrière were received by President Poincaré, who announced that the Entente was considering making a declaration foregoing the use of gas if the Central Powers would make a solemn undertaking to abstain from its use.

The joint reply from the Entente Governments to the ICRC was made on 8 May, stating that they associated themselves in general
with the Committee’s noble ideas, and imputing to Germany the responsibility for chemical warfare. They did not reject the principle of an agreement, but expressed grave doubt concerning their adversaries’ good faith. The note concluded: “Nevertheless, if the German Government today declares that it agrees with the Red Cross proposal relating to the cessation of the use of gas and offers fresh, detailed and workable guarantees that it will observe any agreement reached, the Allied Governments will not fail to examine this proposal in the most liberal spirit. But in the absence of such guarantees the Allied Governments would be failing in their duty if they did not have recourse to all methods which might seem to them appropriate to reduce their adversaries to impotence.”

The Ottoman Red Crescent forwarded the ICRC appeal to the Imperial Ottoman Government and replied on 9 March that such gases had never been used by the Ottoman armies. The Austro-Hungarian Legation in Berne informed the Committee on 22 May that “His Imperial and Royal Apostolic Majesty would be willing to prohibit the use of asphyxiating and poisonous gases provided that all the belligerent States issue the same prohibition for their armies”.

The ICRC had made renewed efforts on 22 May to obtain an official reply from the Central Powers. Without expressing any view on the terms of the reply from the Entente, the International Committee reminded the Central Powers that its appeal contained a formal proposal for a commitment by the army commanders-in-chief to renounce the use of asphyxiating or poisonous gases from a specific date. The ICRC concluded:

“We would therefore be very grateful to the Governments of the Central Powers if they would kindly let us know the answer they feel they must give to this clearly defined proposal. Once it has received the replies from both sides, the International Committee, acting completely independently and on its own responsibility, will examine the best way of following up its appeal.”

On 12 September 1918, the German Legation in Berne handed over the reply of the Imperial Government, in which Germany, after pointing out the position it had taken at The Hague in favour of a ban on poisoned weapons and protesting against the Allies’ use on the European front of troops belonging to “primitive races”1 who committed atrocities, proceeded in turn to throw responsibility for the invention and the use of asphyxiating and harmful gases on its

1 “Unkultivierte Völker.”
adversaries: “The German official communiqué of 1 March 1915 reported the use of asphyxiant gas by the enemy, while it was not until 24 April of that year that British and French communiqués were able to speak of gas attacks by the Germans.’’ The German note concluded:

“It is therefore quite obvious that there can be no question, for the German Government, of making any proposals of its own for the abolition or restriction of harmful or asphyxiant gases. On the other hand, the German Government, by refusing from the outset to examine any serious proposal which appears capable of alleviating the sufferings caused by the war, would be acting against the spirit of humanity which, in Germany, infuses the population no less than the army, and Parliament no less than the Government. Consequently, if the countries at war with Germany approach the German Government with proposals on the subject, the Government will undertake a through examination of the question of how far it is possible to agree to such proposals without harming the vital interests of the German people, and how far sufficient guarantees exist that any agreements which may be concluded will be properly observed by Germany’s adversaries."

The ICRC had decided to compile a booklet containing all the documents relevant to its appeal of 6 February, but owing to Germany’s late reply it was prevented from presenting a concrete proposal to the belligerents before the war came to an end.

The necessity for the complete prohibition of the new chemical weapons had nevertheless been officially proclaimed. The Committee, in the years immediately following the war, continued its studies and activities to this end. In May 1919, the Revue internationale de la Croix-Rouge published an article by Professor Staudinger describing the level of preparation for chemical warfare and proposing that the Red Cross “should find some means of emphasizing once again the danger in the use of poisonous gases and helping somehow to save humanity from another catastrophe, the consequences of which would be far more terrible”.

In the following year the ICRC made a proposal to the League of Nations containing, among various measures, an absolute ban on asphyxiating gases and, in 1921, drawing on the experience of the First World War, the Tenth International Red Cross Conference adopted a resolution requesting governments to make the following additions to the Fourth Hague Convention of 1907: absolute prohibition of the use of gases as a means of combat, limitation of war to military aims, a ban on the bombardment of undefended localities.
The work performed by the ICRC was to contribute directly to the drafting of the Geneva Protocol of 17 June 1925. However, this was only an initial approach to a problem which was subsequently to swell to an alarming extent: the problem of weapons with indiscriminate effects, today one of the foremost concerns of the International Red Cross.
CHAPTER III

The aftermath of the Great War

1. The ICRC and the Russian Revolution

Before the First World War had come to an end the ICRC found itself compelled to adjust rapidly to a new situation, the revolution in Russia.

The International Committee had already devoted some thought to the circumstances created by civil war, in which the victims were more than ever left to their fate because no outside organization came to their aid. The Washington Conference, as we saw, had included in its agenda reports on the work of National Societies in time of civil war and insurrection, and in view of the opposition raised by certain governments it had refrained from making any decisions on a subject considered too difficult and sensitive. Moreover the motions put forward in Washington were based on the hypothesis of a civil war in which the government being attacked would nevertheless have remained in power and the National Society would have continued its activities without interruption. The position in Russia in 1917 was very different: the entire political and social structure had been disrupted, and information was unreliable. It therefore proved extremely difficult to know whether local administrative services continued to function, as was subsequently found to be the case.

The first demonstrations in March 1917 in Petrograd were soon followed by strikes, and some of the troops joined the revolutionaries. One week later, on the night of 15/16 March, Tsar Nicholas II was forced to abdicate and a Provisional Government was formed, led by Prince Lvov, soon afterwards replaced by Kerensky, then Minister of Justice and later Minister of War and
the Navy. Meanwhile the war continued on the Russian front, and
despite a successful offensive by the Russian armies on the
Stanislav\(^1\) front, the German forces advanced steadily on the
northern front.

Yet there was still opposition to the authority of the Provisional
Government. On learning of the mass uprising, Lenin, then living in
Zurich, left Switzerland and travelled through Germany to Russia,
arriving on 3 April. A long period of dispute and internal struggles,
marked by harsh repression of disturbances in Moscow and the pro­
vinces—such as took place in July in Petrograd—was still ahead
before the councils (Soviets) of workers, peasants and soldiers which
had sprung up after 12 March 1917 took power and established the
Congress of Soviets on 25 October (7 November Gregorian
calendar). The new government then concluded a 28-day armistice
with the Central Powers on 15 December 1917; after the resumption
of hostilities in February, during which the German forces advanced
beyond Riga and entered Estonia, the Treaty of Brest-Litovsk was
signed on 3 March 1918.

The great empire had been overthrown, and everything had to be
rebuilt. Already afflicted by four years of war, the Russian people
were about to undergo a grim ordeal. The transport system had
broken down, food was in short supply, there were no communica­
tions between huge areas of the country; administrative units were
scattered, epidemics were spreading, carried by the large groups of
displaced persons, while more than a million men were held
prisoner by each side, and families were split up. Now came civil
war to add to the suffering. Counter-revolutionary movements
were formed under the leadership of ex-officers of the Imperial Ar­
my, some supported by Russia’s former allies, only to be crushed
one by one by the Red Army in violent clashes during 1919 and
1920, while the Russo-Polish conflict came to an end on 18 March
1921 with the Treaty of Riga. Finally, several million people were
stricken by famine in the lean post-war years and poor harvests of
1920 to 1923.

The ICRC could not remain indifferent. It could not intervene,
however, without the support of a government and a National Red
Cross Society. Thus in 1918 it sought to obtain this basis for action,
and at first made quite rapid progress. Then difficulties arose in the
relations it had begun to establish with the new régime. In a third
phase, the initial situation was restored with the recognition of the
\(^1\) Now Ivano-Frankovsk.
Soviet Red Cross and its membership of the International Red Cross.

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The Red Cross Society of Imperial Russia, founded in 1867, had been active and well developed. It had had substantial resources at its disposal and used them not only for aid to wounded soldiers but also to help victims of natural disasters and to support social welfare work. On the five war fronts, Red Cross field hospitals and ambulances and nuns were helping where they could. The Prisoner-of-War Information Bureau was working in Petrograd, directed by General Uchinnikov, who was assassinated early in February 1918.

The leaders of the Russian Red Cross, in the capital and in the provinces, were usually closely linked with the aristocracy and the imperial family. The National Society was therefore profoundly affected by the overthrow of the social and administrative systems.

In March 1917 the majority of its leaders were replaced and in July the Society was completely reorganized. Its structure was changed even more drastically as a result of the October Revolution, and its activities were even suspended for a time.

On 6 January 1918, a decree by the Council of People’s Commissars announced that Red Cross property had been declared to belong to the Russian Republic, that the central administrative committee had been abolished and that a committee had been formed with instructions to submit a plan for reorganization of the Red Cross to the Council of People’s Commissars.

Early in April 1918 Edouard Odier, ICRC Vice-President and at that time Swiss Minister in Petrograd, realized that action on the spot by the International Committee was becoming imperative and appointed as ICRC delegate a Swiss national living in Petrograd, Edouard Frick, who had been working as a volunteer with the Russian Red Cross since the beginning of the war and was familiar with its activities. The Committee lost no time in confirming this appointment. In the meantime, the new ICRC representative was informed by the Soviet authorities that all matters concerning prisoners of war—both Russians abroad and prisoners within Russia—had been placed under the sole responsibility of the military authorities at the Department of Prisoners of War, which formed part of the
Economic Demobilization Administration of the Military Economic Council.¹

The instructions which the International Committee sent to its delegate on 7 May, when it confirmed his mandate, left him great freedom of action: “The essential purpose of the mandate we entrust to you is to help the Red Cross of Russia, so that the humanitarian activities protected by the Geneva Red Cross may continue there, despite the changes which have occurred in the country. But we cannot venture to specify in any way the form they should take.”

The ICRC delegate’s first overtures were favourably received. Firstly the Council for the Administration of the Russian Red Cross, which had succeeded the Central Committee, asked the Council of People’s Commissars to allow the Russian Red Cross to remain unchanged “pending decisions to be taken once the difficulties of the war have been completely overcome”. Then the Soviet authorities issued a supplementary decree to that of 6 January 1918 which had abolished the former central administrative committee, announcing that the Russian Red Cross, as a special section of the international association of the Red Cross “has not ceased to exist” and retained all the prerogatives of the Russian Red Cross Society as a section of the International Society.²

Continuing his representations, Edouard Frick was received by Lenin and invited to join a commission specially formed to submit a draft decree on the reorganization of the Russian Red Cross and its position in the international Red Cross movement.³

This draft proposal served as the basis for the decree of 2 June 1918, of which the text is given below:⁴

“The Council of People’s Commissars of the Russian Socialist Federal Soviet Republic informs the International Committee of the Red Cross in Geneva and all the governments which have acceded to

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¹ Letter of 1 April 1918 from the War Commissar.
² Letter (undated) from the Council of the Administration of the Russian Red Cross to Edouard Frick.
³ The draft proposal presented by the commission has the following preamble:

“The commission which met at the request of the Administrator of the Council of (People’s) Commissars, R. D. Bonch-Bruevich on 25/12 May 1918, in the presence of Citizen Frick as representative of the International Committee of the Red Cross, Citizen Spassky as representative of the Central Committee for the Reorganization of the Russian Red Cross, and Citizen Zhdanov as representative of the Moscow Committee for Aid to Prisoners of War, and with the consent of Citizen Isaev as representative of the Central Council for Prisoners of War, has drawn up the following draft proposal addressed to the International Committee of the Red Cross and the Governments concerned.

⁴ Original in French.
the Geneva Convention that this Convention in its first version as well as in subsequent versions, and all the other Conventions and international agreements relating to the Red Cross to which Russia was an adherent until October 1917, are recognized and will be maintained by the Russian Soviet Government and that the Red Cross Society retains all rights and prerogatives based on the said conventions and agreements, and states that:

"As a result of the changes which have taken place in the organization of the Red Cross, details of which will be communicated at a later date to the International Committee of the Red Cross and the governments which have acceded to the Geneva Convention, the supreme body of all the Red Cross organizations is the Committee for the Reorganization of the Russian Red Cross Society, former Ermitage-Olivier building, Trubnaya Square, Moscow.

"This Committee has been made responsible by the Russian Government for fulfilling the obligations arising out of the Red Cross functions. It enjoys all rights and prerogatives under the Geneva Convention and other international agreements.

"Now that peace has been concluded, the special mission of the Red Cross is to give aid to the German, Austro-Hungarian and Turkish prisoners of war in Russia. For this purpose, the Russian Government has ordered the Russian National Society to devote all its energies to assisting the prisoners of war and to use all means available to help them.

"The Moscow Committee for assistance to prisoners of war (302 Krasnaya Srednii Riady Square) forms part of the National Society and has not ceased its activities directed towards assisting the prisoners of war in Germany, and continues to enjoy all rights and prerogatives recognized under the international conventions and special agreements of the various Red Cross institutions and to fulfil all the functions which it exercised previously. It has been specially ordered by the Russian Government and the Red Cross Society to devote all its energies to assisting prisoners of war held in other countries, and possesses the greatest measure of autonomy in this respect.

"The Russian Government and the Red Cross Society request the International Committee of Geneva and all existing Red Cross Societies and all governments which have acceded to the Geneva Convention to provide help and support and assistance to this Committee.

"The Russian Government, convinced of the exceptionally grave nature of the question of prisoners of war, considers it necessary to inform the governments and organizations concerned that it has
created a special body entitled “Administrative Committee for Prisoners of War and Refugees in Moscow” (No. 43, Nikitskaya Gr.) empowered to exercise all government functions relating to prisoners of war, civilian prisoners and refugees.

President of the Council of People’s Commissars: Y. Ulyanov (Lenin)
Commissar for Foreign Affairs: Chicherin
Administrator, Council of People’s Commissars: Bonch-Bruevich
Secretary: Gorbunov.”

The importance of this decision must be fully recognized. At a time when the new Soviet state was virtually excluded from the concert of nations, it was resuming its place in the international community of the Red Cross and thereby attesting that the humanitarian principles which governed this community transcended any political standpoint in their universality.

Finally, on 7 August, a new ruling by the Council of People’s Commissars confirmed “the uninterrupted continuation of the activity of the Russian Red Cross Society”, defined its objectives and announced that a general assembly of the Russian Red Cross would be convened to discuss the “reorganization of the Society’s statutes”.

Edouard Frick, meanwhile, was trying to put these administrative decisions into practical effect. He wrote to the International Committee that the decree of 7 August “above all guarantees one thing, namely, the existence of a Red Cross Society in Russia, and that is what matters most. I have since concentrated on two points: the internal reorganization of the Russian Society, and assistance to prisoners”. The conditions of prisoners were in fact deteriorating alarmingly.

The ICRC representative had already taken the initiative of forming a commission—first called the “International Conference”—of the Red Cross Societies of neutral countries which were still present and operative in Petrograd. Frick regarded it as an international relief committee which could serve as a prototype for the formation of similar committees in other countries:

“A necessity which seemed no less urgent to many was that of a truly international Red Cross society, whose members would all be really neutral, and without nationality in the presence of distress and suffering everywhere, a society which would simultaneously be respected by and transcend all parties.
“Greatly helped by the friendship and energy of Dr. Martini, official delegate of the Danish Red Cross in Russia, we tried to produce more cogent arguments for this idea of an international Red Cross, long personified by the Geneva Committee, whose shining example paved the way for the League of Nations. We tried to combine the available resources of the neutral powers in Russia in order to gain in a limited sphere of action an idea of the results which could be obtained by an international society. And as our minutes show, we unofficially founded the Conference of Neutral Red Cross Representatives in Russia.

“Its main purpose, the task it set itself at a time when Russian facilities seemed likely to prove inadequate, was to help prisoners of war; soon it was to help all people in distress.”

The commission met on 4 June 1918 at the offices of the Central Council for the Administration of the Russian Red Cross, which sponsored and chaired the meeting, attended by representatives of the Russian, Danish, Swedish and Norwegian Red Cross Societies and the Moscow Committee. The Dutch Red Cross and then the Swiss Red Cross were to be represented later. Finally the Red Cross Societies of Germany, Austria-Hungary, Turkey and Bulgaria were allowed to attend the meetings in an advisory capacity. The boldness of Edouard Frick’s concept is strikingly apparent. Concerned though he was with the immediate task in hand which required everyone to assist, he was already looking to the future:

“In this era of social change”, he told the Committee, “at a time when national organizations, however noble their aim, are constantly subjected to the exigencies of politics, at a time when there is greater need than ever for an organization whose neutrality is absolutely impartial and at the same time vigorously active, to restore contact between nations, we feel that the task of the International Committee is increasing steadily and assuming ever broader dimensions. We feel that the idea of an international Red Cross society is closer than ever to becoming a reality, and that if neutral and international committees such as the one we have tried to form were created everywhere as centres of assistance, as forums of conciliation, impartial justice and ever-present charity, they would be a magnificent means of accomplishing the reconciliation between nations which the entire world now feels to be vitally necessary.”

Despite the absence of an official mandate—for most of the delegates had not been given discretionary powers by their National

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1 E. Frick, Report to the ICRC, 1 November 1918.
Societies—the Commission nevertheless set to work. In November, Edouard Frick reported important results: a Swedish-Danish mission had been sent to Omsk to persuade the Siberian authorities to release hostages taken by the White Guards; safe-conducts had been obtained for children from Petrograd and Moscow still in camps in the Urals; protection had been provided for a medical mission which travelled to the Caspian and Black Sea coasts, accompanied by the delegate Paul Piaget, to try to check the spreading epidemics; in Moscow and Petrograd two special committees had been formed to aid those in prison; two delegates had been sent to the "Czechoslovakian front" to examine the position of the Russian Red Cross within the Red Army.

The formation of the special committees to give aid to those in prison is particularly interesting, for it was the first time that the ICRC had included prison detainees in its activities. The detainees concerned were in principle only foreign nationals and no distinction was made regarding the reasons for their detention. The main purpose was to provide aid: the shortages of food, medicines and accommodation affected everyone, and the detainees suffered more than others. But in assisting the detainees, representatives of the Conference of Red Cross Societies of neutral countries had the opportunity to visit prison infirmaries and places of detention housing both foreign and Russian detainees, and to request improvements which would benefit them all. When he left Moscow in November 1918, Edouard Frick had divided his duties among several Conference members, and had in particular delegated a Swiss, Dr. Boss, to "visit and help detainees in the Moscow prisons and on the eastern front".

A report by W. Wolkov, the Conference secretary, gives an idea of his activities:

"At present the Conference is giving particular attention to aid for foreigners interned in the prisons of Moscow. These prisoners are in an extremely distressing condition, and the Conference has undertaken to provide them with the necessary food (prison food being insufficient and of mediocre quality) and to obtain clothing, linen, shoes and books for them as far as possible. The money needed to buy supplies has hitherto been provided by the American Red Cross, the French Military Mission and the British Consulate, which handed to the International Conference when they left Russia the sums they had set aside for this purpose. The Czechoslovakian and Polish organizations have also given certain amounts to the International Conference for the same purpose."
"With regard to medical care, Dr. Martini and Dr. Boss have been authorized by the Extraordinary Commission to visit the prisons and prison infirmaries once a month, and are consequently able to ascertain the true state of the detainees."

A report on a visit made by Dr. Martini and Dr. Boss, addressed to the Commissar of Justice with a copy sent to the Extraordinary Commission, shows the procedure followed during these visits:

"As representatives of the International Conference of Red Cross Societies we visited the prison infirmary on 6 December jointly with Comrade Antonov, Commissar of the Extraordinary Commission..."

In their report the delegates stressed how precarious were the conditions in which patients in this infirmary were accommodated, with overcrowding, inadequate hygiene and sanitation, lack of linen, insufficient food of poor quality, unsuitable premises. They concluded:

"We propose that a commission be formed of Russian doctors, renowned for their experience, and of hygienists, whose duty would be to visit the said infirmary and state their opinion concerning the state and adequacy of the buildings for the purpose they serve, the food, the care given to patients and the general conditions in which the latter are accommodated.

"It would furthermore be desirable that this commission be entitled to visit the infirmary several times a year."3

The Soviet authorities replied to these comments on 12 December as follows:

"In reply to your report No. 259 of 10 inst., we inform you that the shortcomings indicated by the aforesaid report in the present state of the prison infirmary will be given our thorough attention, and that we shall take all necessary steps to remedy them.

"We also wish to announce that the prisons are currently being evacuated, and that during the past few days more than 1,000 persons have been released."4

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1 "All-Russian Extraordinary Commission for Combating Counter-revolution and Sabotage", i.e., the Cheka.
2 1918.
3 "Certified translation" (in French) by W. Wolkov, Secretary to the International Conference of Red Cross Societies of Neutral Countries.
4 The "General Chancellery" section of the Extraordinary Commission to the International Conference of Red Cross Societies of Neutral Countries, Moscow, 12 December 1918.
The foundation of the Soviet Russian Red Cross, however, confronted the ICRC with an unprecedented problem. Formed in a State which was signatory to the Geneva Conventions, using the Red Cross name and emblem and designated to assist the health service, the new Society fulfilled several of the requirements for recognition. One of the conditions, however, was that it should belong “to a country where there is no society already approved by the International Committee”. But what about the former Russian Red Cross, which began to reorganize in 1918 at various counter-revolutionary headquarters and abroad? The Committee’s standpoint was that the Soviet Red Cross was a newly formed Red Cross Society, whose admission as a National Society would have to be re-examined; the Soviet Red Cross, in contrast, stressed that the decree of 6 January 1918 had dissolved the Central Committee in its actual composition, but had not abolished the Russian Red Cross Society itself, which was “a legal entity independent of the form of government”.¹

On the other hand, the ICRC had not broken off contact with the committees which claimed to derive from the former Red Cross organization and which had resumed their activities, mainly for Russian prisoners and emigrants. The Committee was careful to refuse its official recognition, but nevertheless wished to maintain working relations with them.

Faced with a situation which was hardly conducive to any clearcut decision, the Committee preferred to wait until the troubled times gave way to a period of greater stability. Subsequently it was to apply a rule which was approved by the Stockholm Conference in 1948, namely, to postpone recognition of any National Society in time of war, while maintaining de facto relations with all societies evidencing genuine activity.

But when the time came to issue the invitations for the Conference of 1921, the ICRC had to make a decision. So it invited the representatives of the Soviet Red Cross and those of the former organization to attend in a personal capacity. The latter accepted but the president of the Soviet Red Cross refused, and addressed a telegram of protest to the Geneva Conference. Having noted the protest, the Conference expressed its approval of the approach adopted by the International Committee and instructed it to continue negotiations with the Soviet Government to obtain permission for its own delegates, and for those of National Societies which so wished and received Soviet

¹ Dr. Bagotzky to the ICRC, 19 May 1920.
Government approval, to enter Russia “in order to bring relief to the suffering people of Russia”.

The extensive international aid programme to bring relief to the famine-stricken regions of Soviet Russia began at this time. A former ICRC delegate, Voldemar Wehrlin, obtained a visa for Moscow, where he arrived on 2 March 1921. He was there not on behalf of the ICRC, but as a representative of the Save the Children Fund International Union and the Nansen Committee. He had been instructed, however, to get in touch with the president of the Central Committee of the Soviet Red Cross, and showed realism and diplomacy in his role as negotiator. On his return to Geneva in July he told the Committee that recognition of the Russian Red Cross was “useful and desirable”, and considered it urgent. Paul Des Gouttes was convinced, and requested Edouard Frick to submit a draft telegram to Gustave Ador for signature. In this telegram, sent to the Soviet Red Cross on 6 July, the ICRC stated that it was prepared to recognize the Soviet Red Cross, which it expected in return to establish genuinely active relations between itself and the Committee, and to authorize ICRC delegate Wehrlin to leave again immediately for Moscow. On 22 July the Russian Red Cross, noting the fact of its recognition with satisfaction, announced that it was making arrangements for the ICRC delegate to enter Russia and on 1 August President Soloviev informed the Committee by telegram that in view of the official recognition, the Government was willing to grant entry to the Committee’s delegate.

On 9 August, Gustave Ador thanked Soloviev for having expedited the entry visa and regarded it as a good augury of “the firm and fruitful relations which will surely develop between the Russian Red Cross and the ICRC”. He added that the ICRC would forthwith announce the official recognition of the Russian Red Cross to all National Societies, as it had already done via the press. The promised circular was issued on 15 October 1921. The collaboration between the ICRC and the Red Cross of the Russian Federal Socialist Soviet Republic—which was subsequently to become the Alliance of Red Cross and Red Crescent Societies of the USSR—was thenceforth assured by official representatives appointed by the two institutions.

* * *

Edouard Frick had returned to Geneva in November 1918 to examine the problems presented by the rapidly changing situation.
After his departure the authority of the International Conference of Red Cross Societies of Neutral Countries seems to have declined. Relations deteriorated between the Soviet Government and the foreign powers. In addition, the Armistice had been signed on 11 November, and the repatriation of prisoners had become a matter for the Entente Powers. The Red Cross Societies of the Neutral Countries no longer carried much weight, those of the Central Powers still less. The five major victorious Powers had taken over. And Great Britain and France were supporting the counter-revolution.

In June 1919 the foreign missions in Petrograd, and even the premises of the “International Conference of Red Cross Societies” were invaded and ransacked. The representatives of the Red Cross Societies of Neutral Countries were unable to continue their mission. The International Conference was dissolved. Edouard Frick could not obtain a visa to go back to Russia. A new approach had to be found.

In the meantime, nevertheless, the Soviet Red Cross had appointed a representative to the ICRC in Switzerland, initially Vladimir Rembelinsky, then, after 19 October 1918, Dr. Serge Bagotzky.1

The post of ICRC delegate in Soviet Russia remained vacant until August 1921, when the Red Cross of the Russian Federal Socialist Soviet Republic was recognized by the ICRC. From then on the ICRC was represented in Moscow by its delegate Voldemar Wehrlin, who occupied the post from October 1921 until June 1938.

### 2. General repatriation of prisoners

For the detainees in the camps, the Armistice announced in November 1918 brought the joy of victory or the bitterness of defeat, but in each case the hope that they would soon be free. Yet things did not go as fast as anticipated, and many prisoners had to endure long years of detention, all the harder to bear because they felt it to be so unjust. Moreover a lot of prisoners who thought they were well away from the camps soon returned there, unable to find either food or transport in countries ravaged by defeat, and still to learn that the end of war does not necessarily mean the end of captivity.

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1 When the Soviet mission to Berne (Berzine Mission) was expelled by the Swiss Federal Council in November 1918, Dr. Bagotzky was exempted at the request of the ICRC.
The Treaty of Brest-Litovsk certainly provided for the return of prisoners held captive on both sides, but implementation of this clause had only just begun when the Armistice was signed in November. At that time only 80,000 Russians had been repatriated by official means, out of a total of one and a half million held by the German Government. The position of prisoners of the Central Empires detained in Russia was no better. Some of them had been repatriated from the territory of European Russia, but there were still about 350,000 prisoners and civilians interned in Siberia, whose repatriation had been interrupted by the effects of the Russian Revolution. At the end of 1918 there was no news of them.

Under the terms of the armistice agreements, all Allied prisoners in the hands of the Central Powers were to be repatriated immediately and without reciprocity, whereas the prisoners in the hands of the Allied Powers were not to be repatriated until "after the conclusion of peace". This was the point in time set by Article 20 of the Hague Regulations, but the fact that the final date for repatriation was not applied equally to both sides gave rise to protests by the German Government.

In addition, the repatriation agreements concluded during the war were declared null and void by the Allies, and even repatriation operations in progress were suspended.

The prisoners' circumstances varied widely, depending on whether they belonged to the Allied forces or those of the Central Powers, or to the Russian armies; the Russian troops, although prisoners of the Central Powers, were no longer considered by the Allies as belonging to their side. Their situation also depended on the decisions of the peace conferences, the means of communication, transport and food supply lines, and the position of the new countries created by the Treaty of Versailles. The very nationality of prisoners was sometimes uncertain: Russians or Germans became Polish, Austro-Hungarians found themselves suddenly Czechoslovakian or Yugoslav. This uncertainty was aggravated still further by the emergence of revolutionary governments, which halted the repatriation process or changed its direction. There was thus an uneven, dispersed and disordered ebb and flow of operations to repatriate prisoners and maintain supplies, involving a multitude of organizations, varying from time to time and from place to place: governments, Allied Commissions, National Red Cross Societies, diverse associations, the ICRC, sometimes successively, sometimes jointly, with the result that the general repatriation was a tangle of uncoordinated operations of which the ICRC nevertheless retained an overall view, either
because it was involved or by keeping informed of their progress. To clarify the major events, the prisoners may be classified into at least five main categories:

a) members of the Allied and associated forces, held by the Central Powers, who had to be repatriated without delay;

b) troops who had belonged to the armies of the Central Powers, and were prisoners in Allied hands, whose repatriation was to take place only after the conclusion of peace treaties;

c) the Russians in Germany and the allied countries of the Central Powers, whose repatriation, provided for by the Treaty of Brest-Litovsk, was interrupted following Germany’s defeat;

d) the Germans, Austro-Hungarians and Ottoman Turks in European Russia, whose repatriation was likewise interrupted as a result of the Russian Revolution and the revolutionary wars;

e) the Germans, Austro-Hungarians and Ottoman Turks in Siberia, cut off by the shortage of transport and the counter-revolutionary fronts.

The first category, Allied prisoners in Germany, were repatriated within three months. The repatriation of the last Russian prisoners in Germany and of all German and Austro-Hungarian prisoners in Russia was not completed until four years later.

The International Committee played a major part in this repatriation. For four years, more than a hundred ICRC delegates, working from places as far apart as Hamburg, Trieste and Vladivostok with the help of assistants recruited on the spot, organized the return of 425,000 prisoners.

* * *

In order to arrange for the repatriation of Allied prisoners in Germany, the Allies formed an Allied Commission with its headquarters in Berlin, comprising General Dupont and Baron d’Anthouard for the French, General Edward for the British and Colonel de San Marzina for the Italians. Representatives of the Spanish Embassy and the Swiss Legation were able to continue their visits to the camps, while the ICRC provided assistance in various ways by keeping the camps supplied with food and sending medical teams. The Allied Commission repatriated about 800,000 prisoners—French (475,000), Italian, American, Belgian and Portuguese—though the operation was slowed down by the lack of transport, the disorganization of the German administration and the outbreak of the worldwide influenza
epidemic in July and August 1918. The ICRC medical team, led by Dr. Frédéric Guyot, wrote: “The most frequent complication is bronchial pneumonia, and in the large majority of cases the infection attacks the respiratory system. Morbidity has risen to 90% of the prisoners in some places, with a mortality rate of up to 25% in cases complicated by pneumonia.” ¹

The repatriation of German and Austrian prisoners held in Allied countries was considerably delayed. The number of men captured up to 15 July 1918 was increased by another 400,000 in the big Allied offensive which began on that date and continued until the Armistice, and the captor countries had still not passed on all their names. So the Tracing Agency continued to forward lists of new prisoners while the repatriation of others had already begun.

Here, too, the Detaining Powers were solely responsible for repatriating their prisoners; the Protecting Powers nevertheless continued to visit them. The ICRC also frequently made requests for their conditions to be improved, or for repatriation of the sick to be resumed, as it had been interrupted since the bilateral agreements signed during the war were considered null and void.

According to Articles 214 and 215 of the Treaty of Versailles, German prisoners could be repatriated only after ratification of this treaty, first by the German Government and then by three of the major Allied and associated Powers. Once the Treaty of Versailles had been signed by Germany on 28 June 1919, after its acceptance by the Weimar Assembly, prisoners of the Central Powers gradually began to return home, starting with prisoners in Italy on 18 July and prisoners in Serbia on 19 August. But the repatriation of German prisoners in France, which depended on the Supreme Council of the Allies, appeared to have been delayed. The International Committee therefore approached this Council on 22 August, requesting the immediate formation of the repatriation commissions for which provision had been made. On 28 August the Supreme Council announced that it had in fact decided to start repatriation operations forthwith.

* * *

One of the chief problems which arose at the end of the war was the repatriation of Russians who had been prisoners of war in Germany and Austria-Hungary, and troops of the Central Powers held captive in Russia. The Russians were no longer prisoners, because

¹ Revue int. C.R., February 1919, p. 141.
although provision had been made for their exchange in the Treaty of Brest-Litovsk, the Central Powers had then laid down their arms and were not considered as Detaining Powers. There were still two million men, idle and wretched, in the camps. They were regarded as internees, but still had need of the same protection and assistance they received as prisoners if they were to survive; at the same time, there had to be a camp administration, with acknowledged authority. Instead, everything fell apart. The conquered armies were disorganized, food was scarce, and after several years of hardship the prisoners no longer accepted the orders given by their guards. They left the labour contingents, abandoned their camps and wandered about the countryside, using the last trains still running whenever they could. The Russians tried to get back to their country, while the former prisoners of Russia tried to make their way home to central Europe. The two waves of emigrants were halted by the lines of the front in Poland or further north and there, famished, neglected and in rags, without identity papers, not even knowing what nationality the peace treaties would confer upon them, they waited in the snow or turned back towards the camps they had left. In that harsh winter of 1918-1919, tens of thousands of prisoners of war and civilians were scattered throughout the provinces of eastern Europe, where illness and death took a heavy toll.

This situation was already foreseeable in the final months of the war, but it was difficult to take any effective action due to the collapse of the local administrative systems, and reports of visits to the camps were very alarming. At the Cottbus depot, where there were still some Allied prisoners together with the Russians, the ICRC delegate wrote on 18 December 1918: “The French, British and Italians all agree that the Russians are in great distress and have been for a long time, particularly in the Arbeitskommandos (working parties), except for those working with the peasants. The situation, they say, is becoming dreadful, inconceivable; they are dying of exhaustion.” He described the Russian prisoners “in tatters, emaciated, apathetic or desperate”. At the Merzdorff field-hospital the heating was insufficient, medicaments and milk were lacking, the food was poor. A report by the Prisoner-of-War Bureau disclosed that at the Dyrotz camp there had been more deaths during the previous three months than during the preceding four years.

The ICRC thereupon formed a mission to bring relief to the Russian prisoners, with delegations in Berlin, Prague, Krakow, etc. In his first assessments Edouard Frick, who headed the mission, concluded that repatriation in its then improvised and disorderly form
was extremely hazardous. The situation in Russia was still precarious: repatriates were in danger of starvation or typhus. The important thing was to supply food to camps and delay repatriation until it was properly organized. He had made contact with the Inter-Allied Mission in Berlin, which, he said, "would warmly welcome the help of the ICRC" until all the Russians had been repatriated. The Inter-Allied Mission took charge of the arrangements for repatriation and food supplies; the ICRC missions were responsible for information, supervision and protection.

The Polish newspapers gave an appalling account of the repatriates' condition. "They are coming back without food, clothing or shoes", said the Ilustrowany Kurjer Codzienny of 21 November, "in unheated cattle-trucks, and just die of hunger and cold." And the Kurjer Codzienny (of Krakow) reported on 18 November: "Sosnowiec and the mining basin of Dabrowa are already flooded with these starving prisoners. There is a danger of these wretched people spreading throughout Poland and looting and pillaging simply to survive."

Also returning to Poland were farm workers who used to take temporary jobs in Germany during the summer months, and had been forced to remain there by the war.

"It is out of the question for these people to continue their journey, in view of (1) the severe cold here and (2) our total inability to send them back to their own country where everything has been devastated by the war. A failure to act in accordance with the above two considerations would evidently be tantamount to a death sentence for them.

"The Polish Government consequently has to feed all these people, who are increasing in number daily, and as it is unable to procure enough food for the country, it will find itself compelled to limit or even entirely discontinue the distribution of food to re-emigrants. Furthermore, the lack of milk is being cruelly felt, and could have disastrous effects among the thousands of babies already weakened by the privations they have suffered, by the cold and by a terrible journey."

In December 1918 Frick went to Paris, where he obtained a pledge from the French Government of financial aid for the Committee's endeavours, and announced that the British were joining the French to help the ICRC "financially and morally". On 19 December the Committee telegraphed Edmond Boissier, on mission in Berlin: "Frick back has obtained credits and is organizing repatriation, send to Dünaburg prisoners of Moscow origin only, other prisoners to
Kiev. Try obtain food from Denmark or buy if possible on the spot for any price for relief distribution to Russian prisoners in camps.”

* * *

An Allied commission responsible for supplying and repatriating Russian prisoners, headed by General Dupont, was formed at the same time by the Entente Powers in Berlin. Continuing his efforts, Edouard Frick went to Warsaw in January. He was received there by President Paderewski, who recalled that Switzerland, where he had lived for nineteen years, was his second homeland, hailed the principles of justice and humanity represented by the ICRC and promised that the Polish Government, “poor and attacked on all sides”, would do its utmost to help.

Poland was in fact completely impoverished, without any resources, and no longer able to feed prisoners who sought refuge there or hoped to travel through it on their way home. On 30 January 1919 the delegate in Warsaw telegraphed Geneva: “About 1,000 Russian and Polish women and children in sorry plight arriving daily from Germany. Milk consignment imperative to check terrible mortality especially babies. Urge immediate despatch two or three wagons condensed milk.”

It was also January when Frick, examining transport facilities on the Warsaw-Kiev line, went to Kovel, where he came across an “extremely bizarre” situation. The station had no less than three station-masters, one German, one Polish and one Ukrainian, but the real authority, he said, belonged to the Germans: they were holding on to this very important junction mainly, it seemed to him, to safeguard the passage of their troops still further east, who were gradually being evacuated to Germany via the Brest-Litovsk-Bialystok-Eastern Prussia Line.

The ICRC delegate-general was present at the arrival of a convoy of 1,320 prisoners conveyed by ship from Holland to Königsberg (Kaliningrad) and thence to Kovel.

“As typhus was raging in Hobult and Powarsk, and the lines were occupied by German transports, the station-master sent it back to Brest-Litovsk, where it was to be redirected to Pinsk. There it was to fall into Bolshevik hands. The men in the convoy were dressed in prisoners’ uniform, without warm coats. It was fifteen to twenty degrees below zero. This is flagrant, tangible proof that the Germans
are not respecting the agreements concluded with the Allies, or rather the orders received from them.”

The ICRC delegate-general evidently found it inadvisable to send Russian repatriates to the central areas of Russia, where the Soviet advance was continuing, and preferred to use the Odessa line or the Danube, which would take them into territory where the Allied presence had been maintained: he was to be criticized in this connection by the Soviet authorities. It must be added, however, that he was motivated mainly by safety considerations and by the more promising prospects of finding food along the southern route, also that he left the prisoners free to choose the area to which they wished to return.

The Inter-Allied Commission in charge of arrangements for Russian prisoners having been dissolved in February 1920, the German Government then became responsible for their repatriation, and asked the ICRC for help, in particular the diplomatic activity and the inspection and supervision of the camps.

The maximum number of Russian prisoners in Germany had been about 1,500,000, of whom 75,000 died before the end of 1918. Almost 100,000 had escaped by late September 1918. About one million had either been repatriated by the Allied Commission in 1919 to southern Russia or—the large majority—had been caught up in the disorganized evacuation, mainly via Poland, which followed the Armistice. When the ICRC mission went to Berlin in March 1920, there were still 200,000 Russian prisoners—or internees to be precise—still in Germany, dispersed in 43 camps.¹

In addition, the Soviet Government, having signed a convention with Germany on 19 April 1920 regulating the exchange of prisoners of war, sent a special mission to Berlin to deal with Russian prisoners who wished to return to their country.

At the same time the German Government had set up a mission in Moscow responsible for repatriating Germans from the territory of European Russia. As we have seen, it was not then possible for an ICRC mission to enter Russia, with the result that the German mission took charge of repatriating all the prisoners.

It was also at this time that the League of Nations appointed a High Commissioner for repatriating prisoners of war, Dr. Fridtjof Nansen. As Dr. Nansen gave his approval to the ICRC repatriation

¹ The prisoners were being kept in the camps only because it was not possible to repatriate them within a short time. The camp commanders and guards were “demilitarized”, and although the occupants were still considered as prisoners of war under international law, they were in practice treated as civilian internees or refugees.
programme, the International Committee continued its work with the collaboration of the League of Nations, which also provided financial support.

As the Ukraine's relations with Russia were still not clearly defined in 1920, and the route via Rumania could not be used for political reasons, it was decided that the main repatriation would take place via the Baltic. A fleet of 17 vessels was placed at the ICRC's disposal through the good offices of Dr. Nansen, and the repatriation was effected by sea between Stettin and the Baltic ports where arrangements had been made to receive the repatriates—Riga in Latvia, Baltiski, Reval and Narva in Estonia, and Ino-Björkö in Finland. In addition, prisoners from southern Europe were repatriated on ICRC ships plying between Novorossiysk and Trieste.

The German prisoners returning from Russia to Germany also passed through these transit camps, as did the Czech, Baltic, Russian and Turkish military and civilian repatriates.

According to ICRC statistics, the following numbers of people were repatriated between 10 May 1920 and 12 July 1922 (first and last transport by ship):

<table>
<thead>
<tr>
<th>Destination</th>
<th>Number of Repatriates</th>
</tr>
</thead>
<tbody>
<tr>
<td>to Russia and the Baltic states, via Stettin (Szczecin):</td>
<td>252,272 persons</td>
</tr>
<tr>
<td>to Germany and the former Austro-Hungarian monarchy, via Stettin:</td>
<td>154,878 persons</td>
</tr>
<tr>
<td>from Novorossiysk (Black Sea) to Trieste, incl. Russian refugees:</td>
<td>12,316 persons</td>
</tr>
<tr>
<td>Total</td>
<td>419,466 persons</td>
</tr>
</tbody>
</table>

Added to these groups were prisoners repatriated from Siberia via Vladivostok, bringing the total number of repatriates up to 425,550. For the ICRC it was the biggest transport operation it had ever undertaken and completed. In a confused legal situation it had seized the initiative and launched an operation apparently beyond its means, but resulting in the co-operation of the League of Nations and several governments. "Its delegates", Mrs. Frick-Cramer wrote, "took up contact with all governments, legitimate or not, which had de facto authority, provided that they acknowledged the principles upon which the delegates' activities were based, namely absolute neutrality and equal treatment of all parties and all belligerents. On these conditions, the ICRC delegates were in contact with the Moscow government and those of Béla Kun in Hungary, Petlyura
and Skoropadski in the Ukraine, Kurt Eisner in Munich, Denikin in southern Russia, Kolchak and Semionov in Siberia, etc." In the same way the ICRC made contact with Red Cross Societies newly formed or in the process of formation. The ICRC furthermore did its best to respect the wishes of prisoners of war and civilian internees as to their return and their choice of destination, determining priorities on the basis of the repatriates' personal situation.

* * *

While the Allied commissions, the National Red Cross Societies and the ICRC were working together to repatriate prisoners from Central Europe and European Russia, there remained the question of nationals of the Central Powers still held prisoner in Siberia. Several thousand prisoners, since the beginning of the war, had been transferred to camps in eastern Siberia where the central administration was unable to exercise effective control owing to their remoteness and the unreliability of transport. For the same reason they did not attract the attention of the European powers to the same extent, and found their captivity dragging on in conditions which became more deplorable day by day.

On 17 February 1919, the ICRC, bearing in mind the forthcoming conference at the Princes Islands to discuss the Russian question, addressed a memorandum to the Allied Powers mentioning the prisoners of war from the Central Powers held in Siberia and pointing out the urgent need for their repatriation. At the end of March 1919 the Committee, in response to the requests of the Austrian and Hungarian governments, assigned Dr. George Montandon and Dr. Jules Jacod-Guillarmod as delegates to Vladivostok, their first objective being to obtain complete information on the situation of prisoners from the former Central Powers in captivity in Siberia, and the possibility of their repatriation.

Dr. Montandon travelled to Siberia via the United States. When he reached Japan on 7 June he was warmly welcomed by Baron Ishigura, president of the Japanese Red Cross, who gave him medical supplies and clothing for the prison camps, while the Minister of War, General Tanaka, arranged for the transport of goods to Vladivostok and their storage there.

At the end of June 1919, when Dr. Montandon disembarked in Vladivostok, the political and military situation in Siberia was turbulent. Clusters of counter-revolutionary armies, threatened by partisans, controlled or claimed to control vast territories, consolidating
their positions particularly along the Trans-Siberian Railway. "There is a state of war all along the line", wrote George Montandon. During his fact-finding tour, the ICRC delegate left Vladivostok, which was still under Japanese administration, crossed the Maritime Province, Manchuria, the territory controlled by Ataman Semionov, then the Far Eastern Republic, and beyond Lake Baikal finally reached the territory of Admiral Kolchak, whose furthermost advance had reached the Ural Mountains.

Amid this chequerboard of provisional governments there were still some tens of thousands of Austrian, Hungarian, German, Czechoslovakian, Turkish and Polish prisoners.

Several relief organizations were already on the spot: the American Red Cross, represented at several stations along the Trans-Siberian Railway from Vladivostok to Omsk, was channelling relief supplies and keeping medical trains running all along the line; the representatives of the Royal Danish Legation, taking care of the Austro-Hungarian prisoners; the Swedish Red Cross and the Danish Red Cross, which took part in aiding German and Turkish prisoners. All these delegations, often cut off from each other, were working in difficult and perilous conditions. One of the delegates of the Swedish Red Cross, Mr. Hedbloom, was arrested and summarily executed by Kalmukov’s troops at Khabarovsk.

The relief operation on behalf of prisoners in Siberia is inseparably associated with the memory of Elsa Brandström, the daughter of the Swedish Minister in St. Petersburg, who had already dedicated herself during the war to helping German prisoners of war in Russia, and who continued to care for them after the Armistice, particularly during the great typhus epidemic of 1920.

* * *

From his very first visits Dr. Montandon was deeply dismayed by the deplorable state of the prison camps, except for the camps in Japanese hands, which had better food supplies. He visited Nikolsk-Ussuriysk, "a notorious name in the memory of thousands of prisoners of war of every nationality from Central Europe who succeeded each other there during the various Russian revolutions, the convoys of prisoners eastwards and westwards, their embarkation for Europe via Vladivostok—the big Russian camp at Nikolsk was where they had to stay until their fate was decided". Under the effect of his first reports, the ICRC addressed an insistent appeal to the National Societies on 28 November 1919:
“The war is over, yet it continues to take its toll. Prisoners who are no longer enemies are dying of hunger, cold and sickness thousands of miles from home! There are still 200,000 prisoners like this in Siberia, mostly Austrian and Hungarian. Many of them were captured in 1914 and, as if five years of privation and suffering were not enough, they are now on the verge of their sixth winter. So many years of exile in a hard climate are enough to break the bravest heart.

“Do people realize the conditions these poor wretches are still in, owing to local circumstances and the war which is still raging in those regions? Reduced to digging holes to shelter underground, or crowded together 500 at a time in huts built to hold 300, without light and almost without heat, huddled on their pallets for days on end, swathed in rags which serve as clothes, without shoes to wear and only insufficient food to keep them going. (...) In the Troitsk camp alone, 12,000 out of 16,000 prisoners have died of typhus. In Krasnoyarsk typhus has killed 6,000. The rare letters which arrive from the survivors are heart-rending: “So nobody in Europe”, an officer writes, “wants to hear that 60,000 men are struggling for survival in Siberia in conditions which even animals could not endure, men, only men, not soldiers but men who want to live and see those they love once again! We have no hope left, we have lost faith in man and in God.”

The Committee then pointed out that it had drawn the attention of the Allied Supreme Council to the urgent need to speed up repatriation of the exiles in Siberia. But “the situation is such that if it is not improved, the prisoners of war are doomed to complete annihilation”. The ICRC therefore asked the Central Committees of the National Societies whether they could provide material and financial resources, whether they were prepared to appeal to their governments and to the public, whether they contemplated sending delegates who would distribute relief supplies themselves. The ICRC expressed its willingness to centralize the money and material collected and channel them to Vladivostok, and suggested that an action committee be formed there consisting of representatives of Societies already on the spot (American, Danish, Japanese and Swedish Red Cross and the ICRC), and of those whom other Societies felt in advisable to send.

* * *

Dr. Montandon’s mission was divided in two parts: during the first part, from June to September 1919, he was mainly concerned with
relief supplies, visits to camps and repatriation arrangements; during the second part, from November 1919 to January 1920, he organized the transfer of prisoners to Vladivostok and their embarkation.

It became obvious, indeed, that it would be extremely difficult to keep the prisoners supplied from abroad, or would certainly involve long delays, and that the best solution for them would be their repatriation. But here, too, there were grave obstacles: the Trans-Siberian Railway was already being used to its fullest capacity, and there could be no thought of evacuating the tens of thousands of prisoners near the front who would soon be engulfed by the advancing Bolshevik armies. Dr. Montandon had no illusion about the outcome of the fighting: “Kolchak’s recent successes on the front”, he wrote on 9 October 1919, “should not mislead us. The day that the Allies, and in particular the Czechoslovakians, who are guarding the Trans-Siberian Railway, leave the country... the present government of Siberia will be swept away in a flash.”

He consequently requested that the prison camps located in the region of the front should not be evacuated when the Red Army advanced—a request which was not accepted by the Siberian Government. The prisoners in the Irkutsk region and eastern Siberia, according to his plan, could be transferred to Vladivostok and repatriated by ship to Europe.¹

* * *

In September 1919 Dr. Montandon, who was back in Japan with the intention of returning to Europe, received fresh instructions to continue his mission, and left again for Vladivostok on 16 January. There he found that the situation had already changed considerably. Whilst Admiral Kolchak’s forces were retreating before the Red Army’s advance, revolution broke out in Irkutsk in December 1919 and cut off their withdrawal. Kolchak was captured and executed at Irkutsk on 20 January. The Czechoslovakian army was able to withdraw to Vladivostok and await repatriation there. The situation was described by George Montandon as follows:

“Ataman Semionov in Chita, the leader of the Transbaikal Cossacks, succeeded Kolchak and took over the remnants of his

¹ Dr. Montandon estimated that out of a total of about 170,000 prisoners in camps in Siberia (148,000 Austrians and Hungarians, 18,500 Germans, 3,500 Turks and some Bulgarians), about 30,500 could be evacuated by sea.
forces. Out of an army of 100,000 men, 20,000 at most, under the leadership of General Kappel, reached Chita, half of them in a state of complete exhaustion.

“Semionov in Chita, Rosanov at Vladivostok and Kalmukov, chief of the Ussuri Cossacks at Khabarovsk, were the last defences of the former regime when we landed again in Vladivostok on 21 January 1920. The above details will explain the fact that the atmosphere there was extremely tense.”

Ten days later, on 31 January, Dr. Montandon witnessed the arrival of the Bolshevik forces in Vladivostok:

“We were descending the wooden steps leading down from the delegation to the main road when all of a sudden the Red Army emerged: cars, cavalry, infantry, artillery, Red Cross vehicles, all moving at speed...

“On Sunday 1 February, the entire population of Vladivostok was in holiday mood. The weather held fair, and in the gentle sun everyone was out walking with red ribbons in their buttonholes. The red flag flew from all public buildings.

“The new government was the ‘Provisional Government of the Maritime Province, Zemstvo Authority’, headed by Citizen Medvedev and the commander-in-chief of the army, Lieutenant-Colonel Krakovietsky. On 3 February we went to greet the new government in the person of the said Medvedev, the first of the missions to do so.”

The Government of the Maritime Province, confirming a measure taken by Semionov, then published a pricaze decreeing the release of prisoners and requesting the doctors of the “International Red Cross” and the German Red Cross to issue certificates to sick prisoners and invalids who wished to be repatriated at their own expense. On 20 March 1920, the Conference of Ambassadors authorized the repatriation of Austrian and Hungarian prisoners. Dr. Montandon had been empowered by the Austrian Government in early March to negotiate the repatriation of prisoners of Austrian nationality, and was given similar powers by the Hungarian Governments shortly after.

In the meantime the fate of the prisoners still in Siberia was attracting more and more attention among National Societies and governments in Europe. It was in Geneva that the General Council of the League of Red Cross Societies, which had just held its first conference from 2 to 8 March, declared that it “vigorously supports the

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1 Montandon Report, 1921.
League of Nations and the International Committee of the Red Cross in the efforts these organizations are making to obtain the repatriation of these prisoners” and announced that the 27 National Societies represented undertook to request their governments to take immediate action.

Meanwhile Dr. Montandon was continuing his efforts for the release of the prisoners. On 14 May he was able to send off 1,132 repatriates on the Shunko-Maru. The prisoners in camps in eastern and central Siberia still had to be brought to Vladivostok. Thus began the saga of “Medical Train No. 114”, which left Vladivostok on 18 June. It was made up of 38 coaches comprising everything needed to convey and care for several thousand men: luggage van, baths, laundry, bakery, infirmary, restaurants, kitchen, pharmacy, electric generator, ice storage, stable, etc. On its journey west it carried 300 Russian refugees who wished to return to Russia, and goods to be distributed among the prisoners or handed over to the authorities: relief supplies, medical equipment, food, clothing, leather. The journey from Vladivostok to Vyerkhnye-Udinsk took a month, for the route lay across the territory controlled by Ataman Semionov, who was living in Chita: the train stopped for one week at Harbin, where it received permission from Semionov to proceed. Beyond Mansonia, Semionov’s territory began. The first two stations were controlled by Baron Ungern-Sternberg, his second-in-command. Dr. Montandon persuaded General Suzuki, commanding the Fifth Japanese Division and the area of the front facing the Far Eastern Republic to provide the train with a military escort for this dangerous journey. He got through quite well, losing only one coach, the electric generator and some of the clothing transported by the Russian Red Cross. From Sokhondo, the last Japanese outpost, Dr. Montandon travelled on a locomotive detached from Train No. 114 to reach Gongota station, where the flag of the Far Eastern Republic was flying—red with the letters DVR (Dalne-Vostochnaya-Respublika) in one corner. On arrival at Mozgon, the train was received with military honours by the Communist troops.

On 15 July Chatov, the diplomatic representative of the Far Eastern Republic, signed an armistice with the Japanese, the latter vouching for Semionov. Montandon, who arrived at Vyerkhnye-Udinsk on 18 July, took up negotiations with Chervonny, Acting Minister of Affairs of the Far Eastern Republic, who was to be replaced by Krasnochokov on 5 September, and signed a repatriation agreement that same day.
Under this agreement the ICRC was virtually given the sole right to organize repatriation within the territory of the Far Eastern Republic “from the western borders up to and including the city of Vladivostok”, which was somewhat anticipatory, since the authority of the Far Eastern Republic did not extend beyond the Pribaikal at the time.

It was in the afternoon of 5 September that the first convoy of invalids left Vyerkhnye-Udinsk. Repatriation eastwards had begun.

But the military situation continued to change fast. After the armistice signed in July 1920 with the Far Eastern Republic, the Japanese troops evacuated eastern Transbaikalia. Chita was taken again by the partisans, then occupied by the Far Eastern Republic, while Semionov retreated into Manchuria.

The repatriation operations were then able to proceed steadily. Between 6 September and 19 October, 10,200 prisoners were moved to Vladivostok in 12 successive stages. The convoys included 2,078 Austrians and 3,309 Hungarians, together with German, Czechoslovakian, Rumanian, Polish, Yugoslavian and Turkish prisoners. A number of sick and invalid Russians and some Chinese were also able to return home to Manchuria.

By then the repatriation of prisoners had been entrusted to the League of Nations and High Commissioner Nansen, whose programme provided for their return westwards. Since the Soviet Government expressed its approval of this new programme, transfers of prisoners from central Siberia to Vladivostok were suspended.

Dr. Montandon returned to Europe via Soviet Russia. In Moscow he was arrested by the Cheka and spent 15 days in preventive detention, which in no way diminished his interest in the new régime. It gave him an opportunity to write a report on his cell mates, most of them political detainees, but he did so in a private capacity, since his function as an ICRC delegate had finished with the end of his repatriation mission.1

3. *In Revolutionary Hungary (1919)*

At daybreak on 22 March 1919 the inhabitants of Budapest learned from their newspapers that President Mihály Károlyi had resigned during the night, replaced by a social communist government. The

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1 According to George Montandon’s report to the ICRC, and his book: *Deux ans chez Koltchak et chez les Bolchéviques*, Librairie Félix Alcan.
revolutionary leader was the Transylvanian Béla Kun, a former prisoner of war in Russia, liberated during the Russian Revolution, who was converted to Marxism and became one of Lenin's most fervent disciples. After returning to Hungary in November 1918, he founded the Hungarian Communist Party at the end of the same year and immediately assumed a dominant position in his country's revolutionary movement.

The night had been disturbed by demonstrations and shots, but according to witnesses the takeover was accomplished without fighting. It was not yet civil war, but a coup d'état. However, the new government's first decree was already in evidence on the walls of Budapest, ending with the warning: "Any contravention is punishable by death".

Among the crowds gathering round the notices was the new ICRC delegate in Hungary, Rodolphe Haccius, who had arrived in Budapest four days earlier to take the place of the mission delegates who were carrying out the repatriation of Russian prisoners of war. Possibly he felt, at that moment, a presentiment that his responsibilities were to become extraordinarily extensive and that he was to bear the heavy burden of representing the International Committee in a country in the throes of revolution.

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The ICRC had opened a permanent mission in Budapest in late January 1919 in response to the request of the Inter-Allied Mission in Berlin, which in December 1918 had asked the ICRC to take charge of the programme of information, supervision and protection for Russian prisoners. The International Committee had therefore sent delegates to the principal capitals concerned: Berlin, Vienna, Bucharest, Warsaw, Prague and, naturally, Budapest.

There were still 700,000 Russian prisoners in Hungary at the end of the war, including 290,000 outside the camps working in agriculture and industry. The new régime had at once released the prisoners, many of whom had tried in very severe conditions to get back to their country through Galicia. But tens of thousands of prisoners and internees were still in Hungary.

Due to its geographical position, Hungary could serve as a crossroads in the repatriation of prisoners. It offered direct access to Rumania and the Ukraine by the Vienna-Budapest-Szeged railway, and to the Black Sea via the Danube. So the Committee's intention in
establishing a delegation in Budapest at the beginning of the year was to examine the prisoners’ situation and the travel possibilities.

But Hungary lacked locomotives, ships, coal: transport could be arranged only for very small numbers in the first three months of the year. It became clear that only a central organization responsible for repatriation, with substantial technical and material resources at its disposal, and wielding unquestioned authority, could successfully carry out an operation covering more than a million men in Europe alone.

The situation in Hungary at the beginning of 1919 was as desperate as it could be, and the Swiss delegates, arriving from a country spared by the war, were shattered by what they saw. Visiting a hospital, Dr. César Sillig reported: “The mattresses, for want of laundry materials, heating or soap, are soiled with the blood of previous births and in this filthy state receive the next mothers-to-be. The new-born babies themselves are wrapped in anything at hand, old scraps of cloth, torn old sheets or towels; some lie in cradle quilts without covers and soon smeared with meconium and revolting to see. The new-born infants are sent home with their mothers after 8 to 10 days, to make room for more, and are generally destined to die there of hunger and cold.” He demanded as a matter of absolute necessity and extreme urgency “that the blockade be raised” and that deliveries of coal, dressings, medicaments and food be resumed. The visit he made by night to the workers’ districts of Budapest, in the company of police officers, revealed the same scene of abject poverty and distress: “The people are crowded together in filthy conditions where vermin abound; these poor wretches earn too little to buy sufficient food, and the sick receive no medical treatment.”

In spite of the growing difficulties—in particular the general strike—the plans for repatriating the Russian prisoners nevertheless seemed to be taking shape. The ICRC mission was put in charge of medical arrangements. Since it had to leave Budapest for Bucharest, it asked the ICRC to appoint a delegate for Hungary, as it felt that permanent representation there was necessary.

The new delegate’s first action was to ensure the protection of the Inter-Allied Mission, composed of French troops commanded by Colonel Vyv. The political crisis, which had resulted in Károlyi’s fall from power, having been triggered off by an Entente demand insisting on Hungary’s evacuation of further territory, the French mission was not very popular in Budapest and had been disarmed and placed under military guard. Haccius acted at once, negotiated the release of the 40 members of the mission and accompanied them to

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Szeged, where they were handed over to the French high command on 27 March.

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Following a procedure which was subsequently to become routine for the delegates of the ICRC—and which Edouard Frick had already applied in Moscow—Rodolphe Haccius first sought, as the country’s institutions crumbled, to uphold the enduring nature of the Red Cross. He lost no time in seeing Dr. Krcyrsik, secretary to Béla Kun, on 24 March and explained the humanitarian purpose of the relief mission. Dr. Krcyrsik replied that he recognized “the tremendous service rendered by the International Red Cross, and that the Government’s desire was to remain on good terms with it”. Haccius telegraphed the same day to Geneva that the “Government wishes to recognize me as delegate of International Red Cross. Can render useful service to Russian prisoners and members of Allied missions”.

The situation, moreover, differed from that in Petrograd and Moscow in October 1917.

“The transition to the dictatorship of the proletariat in Hungary”, Lenin wrote, “was accomplished in a completely different manner from that in Russia: voluntary resignation of the bourgeois government, immediate restoration of the unity of the working classes, the unity of Socialism on the basis of the Communist programme.”

There was yet another difference: the Hungarian Red Cross was able to continue its activities to a certain extent; its structure was not disrupted. True, the People’s Commissar appointed two representatives of the revolutionary government as members of the governing body, which was a new council chosen from among the Society’s employees. The former president of the Hungarian Red Cross prisoners’ committee, Ignátz de Darányi, was arrested. But the Board of Directors which replaced the former Central Committee included several Committee members, among them Louis Léopold, former delegate of the Hungarian Red Cross, now in charge of international affairs for central Europe and able to be of considerable assistance to the ICRC delegate.

First reports from Haccius were moderately optimistic: “The Government appears to have the approval of the population: it stands for national defence. ... The Hungarian point of view is to

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1 “Greeting to the Hungarian workers”, 27 May 1918.
resist by all possible means the dismemberment of Hungary, to get
the Allies to have the contested territories occupied by a force other
than that of the States claiming them, and to give the inhabitants the
chance to state their wishes by means of a plebiscite. There is no in­
tention of merely submitting to amputation.” But he concludes:
“The saddest thing is that this armed resistance springing from
reckless patriotism will cause a great deal of bloodshed.”

The armistice signed at Villa Giusti and the Belgrade Convention
had allowed Rumanians, Serbs and Czechs to penetrate into ter­
ritories which were previously part of Hungary: the Czechs had oc­
cupied part of Slovakia, the Serbs were in Croatia and Transylvania
had been made part of Rumania. In these territories of the former
monarchy, with their economic wealth of coal and timber, there re­
mained, mingled with the numerous ethnic groups of the Austro-
Hungarian Empire, several clusters of Hungarian nationals, who
were thus separated from their country of origin and subjected to the
authority of new states. Fighting soon broke out again along the
frontiers, while in the interior counter-revolutionaries were hunted
down. In addition to the war victims—prisoners, internees, refugees
and the destitute—there were now political detainees and hostages.

Would the International Committee be able to do anything for
them, since they were nationals of the country? As the delegate
Georges Burnier wrote, the ICRC did not even have “the possibility
of invoking an article of the Geneva Convention, however obscure
and inadequate”. Louis Léopold gave a clear analysis of the situation
created by the revolution: “And how could a foreigner, who by the
very fact of his extraterritoriality was the instrument of international
relations, be justified in becoming involved in political activity which
the traditional principles of law see as a purely internal affair? The
problem was to get the people’s commissars to recognize this point
and extend the principles of the Geneva Convention, hitherto ap­
licable only to war between nations, to apply to the class struggle.”
This was what the ICRC delegation set out to do. In practice,
however, it had an extremely difficult task ahead of it, for while it is
acknowledged that prisoners of war in traditional warfare are no
longer enemies once they are hors de combat and that the conflict is
not one of man to man, the opposite applies in ideological warfare,
in which every captured adversary, unless and until he is won over,
remains an enemy.

So the ICRC first had to extend the competence of the Budapest
mission, which had been until then only a “relief mission to Russian
prisoners”. Directly informed of the situation by a member of the
mission who left Budapest on 23 March and arrived in Geneva on 26 March, the Committee sent a telegraph to Béla Kun the same day: “Inform you that Haccius delegated by us to deal with questions of Red Cross concern relating to Hungarian Russian and Allied prisoners”, and another at the same time to Haccius: “Prjewalinsky arrived safely we give you general mandate deal with questions of Red Cross concern and those relating to Hungarian Russian and Allies have telegraphed Béla Kun”.

The ICRC was thus placing the country’s citizens—the Hungarian prisoners—under its delegate’s protection. Was this already a matter of political prisoners? Haccius had not yet made any reference of this kind. But it was perhaps the Committee’s intention, for when it subsequently published Haccius’ first reports on visits to political detainees, it inserted a heading: “Visit initiated by the International Committee”. 1

But first, official protection for the delegation had to be secured. On returning from Szeged, Haccius, accompanied by Louis Léopold, went to the People’s Commissariat for Foreign Affairs, installed in the former royal palace, to meet Béla Kun and his deputy, Professor Ágoston. The draft decree, prepared by Louis Léopold, was favourably examined, and was the basis of the decree of 10 April 1919 defining the legal status of the ICRC in the Republic of Soviets:

“The ICRC in Geneva and all its institutions and representatives shall enjoy the protection accorded to neutrals. For its work in the territory of the Hungarian Soviet Republic, the International Red Cross is placed under the protection of the authorities of the Republic. The Red Cross of Geneva and the Hungarian Red Cross must not be exposed to any undue political or other influence in the accomplishment of their humanitarian task. Everything must be done to enable the International Red Cross to perform its humanitarian duties without let or hindrance in the territory of the Hungarian Soviet Republic, for only thus will it be able to afford assistance to the wounded, sick and prisoners of war.

“I decree that all civilian and military authorities shall treat the International Red Cross bodies with every possible consideration, and shall ensure that its institutions and emblems are protected from any violence and any abuse.

“The Hungarian Red Cross is represented by permanent delegates at the International Red Cross, with the latter’s consent.

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“In granting the International Red Cross privileged status within the territory of the Republic, the Government of the Hungarian Soviet Republic is fully aware that the Red Cross of Geneva is in no way an alliance of governments, but an alliance of peoples.

ÁGOSTON
People’s Commissar for Foreign Affairs.”

So, like his colleague Edouard Frick in Russia, Rodolphe Haccius obtained the Revolutionary Government’s immediate recognition of the international character of the Red Cross. Admittedly, between the terms of the ministerial decree and their practical application a number of obstacles still had to be overcome, but at least the ICRC delegation had a basis for embarking on its official activities. The Committee, which remained cautious, published the decree as “documentation”, with the introductory sentence: “Obviously, since this decree is unilateral, the International Committee, in publishing it, has no intention of commenting on the subject one way or another.”

On 8 April, after renewing its instructions to assist all prisoners of war (except for those who enrolled in the army) and the Allied missions, the Committee defined the limits of action: “The strictest political neutrality must be observed, whether in connection with internal relations or internal struggles between the parties, and aid must be given to any purely humanitarian work: these are the principles by which you must be guided.”

But Haccius needed more explicit instructions. The situation had deteriorated. The numbers of arrests and missing persons were increasing. On 23 April he communicated his alarm to the ICRC: “Hostages. I am getting urgent appeals to visit the prisons and inquire into their fate. Before doing anything, I must have your decision by wire. I need this telegram from the ICRC. There are apparently more than a thousand leading citizens, all Hungarian, of whom there is no news.” He did not wait for a reply to his letter—which did not reach Geneva until 1 May—but immediately requested permission to visit the prisons. Better still, he acted before any reply could possibly arrive and turned the time thus gained to his advantage in approaching the Revolutionary Government. “I have tried through an intermediary”, he wrote on 26 April, “to make the

1 Rev. int. CR, May 1919, p. 604.
Ministry understand how desirable it would be to authorize me to visit the prisons before I am instructed by the Committee to request authorization to do so, but I have obtained only an evasive reply.” Yet within two days, authorization duly received, he set off to visit Gyüjtőfogház Prison ten kilometres from Budapest, where 48 political detainees and 131 hostages were interned. In his report on this visit he wrote to the ICRC on 3 May: “I could not postpone this intervention any longer while awaiting your authorization from Geneva: it may have been somewhat risky and outside my competence, but now I at least have the satisfaction of doubly appreciating the charms of freedom!”

The ICRC therefore had now crossed the borderline separating it from the domain of internal conflicts, a line which the Washington Conference had hesitated to cross. It had embarked on a difficult course, beset with opposition and criticism, yet from which there was no turning back, especially since revolutionary conflicts were henceforth to alternate or intermingle with traditional wars, or even displace them. The Committee was consequently impelled more and more to give assistance to the victims of such conflicts, in the hope that eventually political detainees, like prisoners of war and civilian detainees, would be included under the protection of the law of Geneva.

But to return for the moment to Gyüjtőfogház Prison. The detainees, all from Budapest, appeared to be properly treated, except for food, which was insufficient. The ICRC delegate talked with the detainees, but took care not to question them about the circumstances of their arrest “to avoid reprisals after my departure”. He immediately asked for the release of the sick and of prisoners over 60 years of age, and this occurred on 3 May.

Haccius decided to continue “at all costs”, he wrote, “to concern myself with the hostages and political detainees”. He visited another two prisons on 3 May: the Margit Körut Prison with 60 detainees, and the Prison of the Court of Justice, where 50 political prisoners and hostages were held. Informed of his activities, the ICRC sent a telegram on 17 May encouraging him to persevere: “Approve your activities. Hope you can visit prisons with full support competent authorities to accomplish this part your humanitarian work.”

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Having thus established himself, Haccius did all he could to help the detainees and hostages, creating precedents in many fields. On
the lines of the capture card for prisoners of war, he created a Red Cross correspondence card for detainees to write to their families; he took action to have their treatment improved by obtaining their release or their transfer to hospital or house arrest. By skilful negotiation he also managed to arrange for the release and repatriation of all foreign hostages and political detainees. This operation was all the more difficult since the ICRC mission had to guarantee that no suspect person was among the repatriates, and also had to ensure their safety while travelling through hostile areas and across combat zones.

In this way 280 foreign political prisoners in all were repatriated in the occupied territories. The delegate Henri de Heiniger, repatriating prisoners to Rumania, successfully carried out a remarkable operation: he left Budapest by rail on 8 June with 92 hostages and arrived at Sâtoraljaújhely on 11 June to find that the main railway bridge across the Bodrog was cut; he thereupon continued the journey with twelve farm carts as far as Királyhelmeç, the revolutionary army's last control post, crossed the Rumanian border on foot with all his charges and finally arrived at Beregszász on 12 June, where the repatriates were released.

The mission was likewise able to provide protection and assistance for foreigners who had lost their livelihood, by creating a Committee of Aid to Foreigners, composed of consular representatives and headed by the ICRC delegate; it arranged for sick and aged people, children and members of religious congregations to be evacuated from Hungary; it organized the exchange of news, via Vienna or Geneva, with families who had remained outside the country; it furthermore dealt with assistance for the civilian population, hospital treatment for Hungarian children abroad, and the repatriation to Hungary of students resident in the occupied territories. These operations were conducted with the co-operation of the Hungarian Red Cross, which was able to carry on activities to some extent throughout the revolutionary period.

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However, Béla Kun's position was getting worse day by day. On 24 June there was an abortive putsch in Budapest itself: the cadets at Ludovica Military Academy mutinied, whilst the sailors on the Danube gunboats lowered the red flag and hoisted the tricolour instead. The cadets occupied the telephone exchange for one whole night, but could not withstand the assault and were soon defeated.
The rebels were arrested, and severe repressive measures were feared by public opinion abroad.

In Budapest, the head of the Italian Military Mission, Lieutenant-Colonel G. Romanelli, tried to protect the captured rebels. On 26 June he wrote to Béla Kun: "From the conversation he had with you yesterday evening, my captain had the impression that you were getting ready for violent repression by force of the insurrectionary movement which has at present been broken up. As the head of the Italian Military Mission, as sole representative here of my Government and of the Allied and associated Powers, I feel duty bound to inform you that I cannot remain indifferent to any such violent measures."¹

Lieutenant-Colonel Romanelli requested the People's Commissar to "respect without any exception the lives of the hostages and political detainees who fell into his hands following the recent events, as well as those who were captured bearing arms". Stressing that these were men who had fought for an ideal and for principles different from those upheld by the Government in power, he considered that it was "entirely legitimate that they be given the same treatment as that stipulated by the Geneva Convention for prisoners of war", and concluded by informing the People's Commissar for Foreign Affairs and all members of the Government that they would be held "collectively and individually responsible if the aforesaid violent measures were put into effect".

The head of the Italian Military Mission had thus acted independently of the ICRC delegate. The reason for giving details of his intervention here is that it gave Béla Kun the opportunity to state his attitude concerning the status of the captured rebels. His reply, dated the same day and published in the Pester Lloyd of 27 June, was peremptory. After rejecting "with indignation" his correspondent's threats concerning the country's internal affairs, the People's Commissar for Foreign Affairs went on:

"Even if it imposes its power by force, the Government of the Hungarian Soviet Republic will always act more humanely than the governments which released the barbaric floodtide of war upon mankind. Their blockade is intended to starve women and children, and they kill disarmed men for demonstrating against oppression and exploitation.

"I should add finally that I do not believe that your Government's desire is to see the provisions of the Geneva Convention applied to

¹ Original in German.
counter-revolutionary bandits, so that they are left free to continue molesting women and children and organizing pogroms.

"In view of Italy’s friendly relations with the Hungarian Soviet Republic, we do not suppose that Italy could consider as combatants armed gangs who, in the interests of the counter-revolution, massacre women and children and want to exterminate the Jews.

"The Hungarian Soviet Republic and its judicature act in accordance with their own laws, and protest against any interference designed to dictate without authorization the laws governing the internal life of the Hungarian Soviet Republic."

BÉLA KUN

People's Commissar for Foreign Affairs"

It was evidently the request to the Government not to apply the death penalty which was regarded by the People's Commissar as interference in the internal affairs of the state, whereas the request for "hostages and political detainees" to be given the treatment stipulated by the "Geneva Convention on prisoners of war" was undoubtedly designed to enable representatives of the neutral powers and the ICRC to visit them, as Haccius had been doing since April. But such activities were to become more difficult. The counter-revolutionaries were now referred to as "bandits", just as the revolutionaries had been called "criminals" by General Yermolow at the Washington Conference. Any system strikes back sharply when threatened.

In fact, after the failure of the putsch, the government’s attitude immediately hardened, as Haccius noted on 28 June: "The attempted counter-revolution by the sailors of the Danube fleet and the cadets of the Ludovica Military Academy on 24 inst. has had the most disastrous effects. Draconian measures have been taken to crush it. The Commissar for Justice, Mr. Rónai, has unfortunately resigned. In contrast to last March, I am unable to take any action to safeguard the prisoners. I encounter passive resistance, and cannot manage to see Béla Kun."

The ICRC delegate had the impression that the mission’s prestige was declining, and wrote to the Committee that if it wished to keep the mission going, "it would be wise to cut down our activities in

1 Pester Lloyd, 27 June 1919, original text in German.
2 To be more precise, the Hague Convention of 1907 and the customs established by the ICRC during the First World War, since a Geneva Convention for the protection of prisoners of war did not exist at that time.
favour of the bourgeois and the counter-revolutionaries”. Yet in other respects the Government continued to call on the services of the ICRC mission, which thus retained “its privileged position”. At the end of June the Government asked the mission to repatriate “all the schoolchildren, students and generally speaking all nationals of the occupied territories living in Budapest”. So Haccius and Burnier travelled to Szeged, Nagykikinda and Nagyszeben to negotiate the possibilities of repatriation in turn with Count Gyula Károlyi, president of the Hungarian opposition government, General Madaresco, Commander-in-Chief of the Transylvanian army, and General de Lobits, Commander-in-Chief of the French detachment in occupied Hungary. In July, the delegation was alerted by the head of the Budapest Anti-Epidemic Bureau: exanthematic typhus was spreading in Hungary. Disinfectants were needed and, above all, coal to ensure hygienic conditions and disinfection, and he asked the ICRC to supply them.

On returning from Transylvania, on 25 July, the delegates were at last received by Béla Kun—“a rare event nowadays” Haccius remarked. He felt that the delegation’s position had weakened “after recent events and in the present political situation”. Things were in fact moving fast, threatening the very existence of the régime. On 20 July the revolutionary forces, resuming the offensive, thrust across the Tisza and recaptured three villages, but soon broke before the Rumanian army’s counter-attack. For want of manpower, coal and machines, the harvest could not be gathered in, and as Haccius observed on 30 July, “the prospects of maintaining food supplies are very bleak”. On 1 August Haccius sent Geneva a long list of complaints received from people “tortured by inquisitional tribunals” and mentioning numerous executions. The delegate felt, however, that nothing could be done until one of the injured parties decided to complain to him, and authorize him to divulge the identity of the person concerned—and this had obviously not occurred.

But the end was at hand. The Rumanian army was closing in on Budapest. On 1 August Béla Kun abandoned power and fled to Vienna.

Thus the ICRC delegation in Budapest managed, in spite of extreme difficulties, to obtain recognition of its authority and appreciation of its presence in a country in the throes of revolutionary struggles. Admittedly, it had had little or no access to the provinces, and its activities had sometimes been hampered by the opposition of minor officials or restricted by the small number of staff. It had no control over the rulings of the revolutionary tribunals or the execu-
tions. Yet during the 134 days that Béla Kun was in power it managed to give assistance to political prisoners and the civilian population and to maintain contact with the neighbouring capitals.

However, in early August 1919 the work of the ICRC in Hungary was far from over. On 4 August, the Rumanian army occupied Budapest. On 16 November it was succeeded by the forces of Admiral Horthy. The erstwhile revolutionaries were now in need of ICRC protection.

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After the fall of Béla Kun, the ICRC kept its delegation on the spot, for instead of improving, the economic situation had become even worse. The war and the needs of the occupying army had consumed all the stores and even drained the hospitals of their last resources. There were still camps of prisoners whose status was indeterminate. On 2 September 1919, Major Lederrey, a member of the ICRC delegation in Budapest, visited the Pongrác-z-ut camp, where there were Russian prisoners of war and civilian internees. The prisons, meanwhile, were occupied by former officials of Béla Kun's government and in general by people suspected of having collaborated with his régime.

On 1 October Rodolphe Haccius, acting on instructions from the ICRC, requested permission from the Ministry of Justice “to visit the political prisoners detained in the prisons of Budapest and report on the treatment to which they are subjected”. Permission was quickly granted, and Haccius immediately visited 63 Communists in the Markó-utca prison and 82 at Margit-Körút.

His colleague Georges Burnier, visiting the police prison at Zrinyi-utca on 13 October, observed that two Communist detainees arrested the day before had been “violently beaten by prison employees”. He at once protested vigorously to the Ministry of the Interior: “Please institute an inquiry as soon as possible and inform me of the results, as well as of the names of the offending employees and the director responsible. I hope to have your reply by 16 inst.”

The matter had not been settled, however, by 19 November, and Haccius wrote to the Committee:

“Whereas the treatment of Communist detainees in prisons controlled by the Ministry of Justice is relatively acceptable, the treatment in the police prisons (Ministry of the Interior) is as bad as it can be. According to recent reports, prisoners there are beaten almost every day by detectives in order to obtain a confession.”
The delegates nevertheless obtained a pass from the Ministry of the Interior, countersigned by the Supreme Command of the army, asking them to make any visits which they might wish. The delegates then visited various other camps, including Hajmáskér, and Szekszárd prison. They did what they could to reduce overcrowding in the prisons, to arrange for medical care for the sick and to accelerate the investigation and trial procedures which had been slowed down by the shortage of magistrates in Budapest following the dismemberment of Hungary. In April 1920 Georges Burnier noted that there was at that time “no complaint to be made to the competent authorities concerning the treatment of prisoners”, and that none of them had complained to him. After pointing out that the “scandalous acts of violence” committed in the prisons by the officers, soldiers and police of Budapest had occurred in the first month following the change of régime, he added this comment:

“There are two distinct military organizations in Hungary: the national army, and a kind of civil guard which was formed when the Communist régime fell. It is the latter which is responsible for all the reprehensible acts committed. The Government managed to regain complete control of these organizations only a few weeks ago. They are now well-disciplined and collaborate with the municipal police forces.

“I have been given the most formal assurances by the Ministry of the Interior, and again yesterday by H.S.H. Admiral Horthy, Governor of Hungary, that the authorities would rigorously suppress any act of cruelty which might occur.”

The delegates found also that detainees were being subjected to corporal punishment: Georges Burnier reported on 15 May 1920 that this form of punishment had been forbidden immediately after his intervention with the Ministry of Foreign Affairs.

But 1920 was to be yet another year of hardship for Hungary: the poverty-stricken population suffered acutely from the lack of food, the loss of purchasing power and the distress of separated families. The delegates took care of the students, most of them destitute and housed in primitive conditions; some of them were Jewish students who were often the object of discrimination or persecution as a kind of reaction to the revolutionary period. The situation in the camps for political detainees remained precarious, despite the Government’s good intentions. The delegate Rodolphe de Reding-Biberegg still found detainees “underfed and dressed in rags” at Szekszárd prison in July 1920, and stated that the hospital of the
Gyüjtőfogház central prison “lacks essential items”. In May 1921, accompanied by Count Bethlen, Prime Minister, Count Raday, Minister of the Interior, and Prince von Hohenlohe, president of the prison commission, he visited 1,183 Communist and foreign detainees in deplorable conditions at Zalaegerszeg camp. Fortunately he received “considerable donations” of clothing, soap, insecticides, brushes, etc. from the American Red Cross and the Joint Distribution Committee and managed to arrange for almost all the foreign detainees to be repatriated. On a more encouraging note, he found during this period that the Maria Nostra (Márianosztra) women’s prison, run by the sisters of Saint Vincent de Paul, was “in perfect order, exemplary cleanliness, best possible spirit”, although there were still many cases of tuberculosis among the detainees.

The ICRC was not alone, however, in showing an interest in the fate of political detainees. After the fall of Béla Kun, the Soviet Government had declared its intention of holding as hostages the Hungarian officers who were prisoners in Soviet Russia, and had concentrated them in camps. On 28 July 1921 an exchange agreement was signed between the Russian Government and the Hungarian Government, providing for 400 Communists in Hungary to be exchanged for 2,500 Hungarian officers interned in Russia. The exchange operations began in November 1921, with ICRC delegates accompanying the convoys, which also included repatriated Russian prisoners.

So the ICRC’s activity in the prisons and prisoner-of-war camps gradually lessened. It was in fact only a part of the ICRC's work in Hungary, which covered many fields—aid to hospitals, assistance for tubercular patients, help for children, correspondence with the occupied regions, repatriation of invalids, action to help individuals—and was carried out in association with various relief organizations depending on the case, such as the American Red Cross, the Swedish and Danish Red Cross, the Save the Children Fund International Union, the World Alliance of YMCAs, the Quakers and the American Relief Association. The Budapest delegation remained operational until February 1922, when the Hungarian Red Cross took over. In this amazing venture, steadfastly pursued under four different régimes—the Károlyi administration, the Bolshevism of Béla Kun, the Rumanian occupation and the regency of Admiral Horthy—the ICRC had proved its ability to venture into the new areas of activity opening up after the war and to gain by its experience.
“The efforts of the International Committee and those of other neutral representatives in Russia and Hungary have proved that:

1. in the event of civil war it is possible to persuade new governments which are being organized of the supranational value of Red Cross institutions and activities;

2. action by neutral delegates, and possibly by a supranational body whose members do not go beyond their capacity as delegates of the Red Cross, may greatly help to ease relations between Red Cross institutions which have remained active or those of the various parties to the conflict and may even succeed in bringing these parties to acknowledge the apolitical and purely humanitarian character of all activities carried on under the Red Cross flag.

“Since civil war, when prolonged, gradually but inevitably becomes merely war, it seems that the two possibilities described above deserve to be officially adopted by a decision of an International Conference proclaiming the indispensable role of the Red Cross in a civil war.”

The “indispensable role” was in fact recognized by the Tenth International Red Cross Conference, held in Geneva in 1921.

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1 ICRC report of activities 1912 to 1920 (in French), p. 208.
CHAPTER IV

The International Red Cross
and the challenge of relief operations

1. Growth of Red Cross activities

As the ICRC extended its wartime activities beyond the Armistice, as civil wars and the need to repatriate prisoners required the Committee to maintain and indeed to expand its activities and missions, there emerged fresh disasters which the war had brought about or overshadowed. Part of Europe lay in ruins. The major epidemics, forgotten as hygiene and living standards improved, broke out anew: influenza—more lethal than the war—typhus and cholera were spreading, and in the midst of poverty and malnutrition tuberculosis flourished. The unemployed and the destitute swelled the ranks of the unfortunate—wounded and disabled combatants, impoverished families, demobilized servicemen without work, and refugees. Crops were poor, national economies were collapsing, and currency inflation hampered official assistance. The countries of Europe had reached the end of their war resources; they were loaded with debt and in disarray, unable to struggle singly against the misfortunes afflicting them. The time had come to undertake relief on a huge scale, transcending political differences and national boundaries.

It so happened that one effect of the war, in reaction to the forces of destruction, had been to develop to the highest degree the spirit of solidarity of the Red Cross, in the National Societies and the International Committee. The National Societies, having assumed a large number of new duties, associated not only with care of the sick and wounded but also with hygiene, disease prevention, social assistance and, for many of them, relief in the event of natural disasters, possessed by the end of the war a large number of employees who had proved their worth, experienced administrative services, and
considerable reserves of medicines and equipment. It would not have been reasonable to do away with this charitable force, whose entire organization could be put into service at any time for those in need of assistance.

Once the Armistice had been signed, the International Committee devoted its attention to the matter. A draft manifesto on the future activities of the Red Cross was drawn up on 20 November 1918 and, having been adopted, was addressed to the National Societies and governments on 27 November 1918, as Circular No. 174.

In the circular, the Committee said it had reflected "in what way its work should be modified and what would be the duties to be fulfilled in future". It recalled the activities carried on during the war in favour of prisoners, in accordance with the "great law of humanity which has inspired the Red Cross and which should dominate the Committee's field of action above and beyond the normal and original range of its activities". It went on to describe its potential new work:

"It is clear that with the return of prisoners to their homes this branch of our activities will cease to exist. But we are now faced with a duty which is just as urgent. In all the countries at war there are hundreds of thousands of disabled, limbless and chronically sick persons who have to be found some means of earning a living, some forms of employment which are not beyond their greatly diminished abilities. In addition, there is a battle to be fought against the ravages of tuberculosis which daily threatens to increase the number of its victims, especially among ex-prisoners suffering from lack of food. Finally, there are all the widows and orphans, all the elderly parents, who have lost the breadwinner on whom they depended: they all need help urgently. In some countries this help is already being provided, either by the state or by private societies. What are the most effective means to alleviate these countless evils? Could not the legislators do something?

"To attain the desired result, cooperation would seem to be a most useful method. Would there not be great advantage in a mutual exchange of experience among the various countries? A conference at which the states and the National Red Cross Societies described how they intended to resolve these heart-rending and perplexing difficulties might lead to a most profitable exchange of ideas.

"We put this suggestion to those concerned and ask them to let us know what they think of it and how they would act on it. The International Committee makes the proposal from its firm conviction that one of our first duties, now that peace has been restored, is to work
to mitigate some of the untold suffering caused by war, and from its
desire to do something for the unfortunate victims of the dreadful
scourge which, it is to be hoped, has devastated the world for the last
time.”

The circular was signed by the temporary President and three Vice-
Presidents of the Committee. Gustave Ador was still detained in
Berne by his duties as a Federal Councillor, and on 11 December
1918 he was elected President of the Confederation for 1919. Thus,
though he retained the title of President of the ICRC, he was unable
to take part directly in the Committee’s work until he resumed active
office in January 1920.

The cooperation and the extension of Red Cross activities which
the International Committee was attempting to accomplish through a
world conference attended by National Societies and governments
were being closely studied, in the same period, by some of the Na­
tional Red Cross Societies.

The Soviet Red Cross was probably the first to propose formally
the creation, after the war, of an international federation of Red
Cross Societies. A letter dated 9 November 19181 from the President
of the Central Committee of the Red Cross in Moscow gave the
following instructions to his representative in Switzerland:

“Russian Red Cross Committee 9 November 1918
Central Committee
To the Russian Legation in Berne

To Dr. Bagotzky

Begin talks at once with the International Committee for the con­
vening as soon as possible of an International Red Cross Conference
with the purpose of discussing the following questions:
1. Admission of representatives of the Red Cross to the Peace
Conference.
2. Organization of an International Red Cross Union.
3. Drafting of model statutes.
4. The results of the war from the technical and legal standpoints.
   (Additions and modifications to the Geneva and The Hague
   Conventions)
5. Preparation of a plan of activities for the Red Cross.

1 Probably old style, i.e., 22 November of the Gregorian calendar.
The Danish Red Cross has promised to assist in organizing a Conference in Copenhagen. We have received the complete agreement of the American Red Cross and request it to take the lead in bringing about this meeting.

Telegraph us the results of your talks.

You will receive a copy of our letter to the International Committee.

Central Red Cross
(Tsentrokrest)
signed: Swierdloff"¹

The Russian Red Cross proposals were expanded in Swierdloff's memorandum to the ICRC dated 12 November (25 November). In commenting on the first point in the instructions given to Bagotzky, the President of the Central Committee stressed that "the Peace Congress, which should be the final act in a war unparalleled in history, sets the National Societies a task of the utmost responsibility and generosity, namely, to help in liquidating the war by calling on the services of the various relief organizations to dress the myriad wounds of the victims". It was, he proceeded, essential for the National Societies to discuss in detail all the matters of concern to them and arrive at a uniform opinion; and it was urgent to convene an International Red Cross Conference.

On the second point, President Swierdloff had this to say:

"II. International Red Cross organization.

"However, if the Representatives of the Red Cross are not to take part in the International Peace Congress merely as technical experts, if the voice of the International Assembly of the Red Cross is to ring out there with all the authority which it possesses, and if the Red Cross members present are to attend, not as delegates of various National Societies but as delegates of a single Powerful Federation of the Red Cross, it is essential that at the next Red Cross Conference the National Red Cross Societies succeed in consolidating their mutual relations on the basis of International Law and transmuting the links formed by moral solidarity into legal ties by the formation, through representative and administrative bodies, of a single powerful international Red Cross association. Hitherto all such plans have met with national distrust and the jealous preservation of state sovereignty; but today, when the "Alliance of Nations"—to quote the national leaders of the Entente and the Central Powers—forms the basis of international relations, would seem to be a particularly

¹ Usually spelt "Sverdlov".

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favourable moment to give a sound legal foundation to the Red Cross Association.”

After discussing in detail matters such as more democratic rules for National Societies, a report on the advances in medicine, nursing and similar fields to be presented to the Peace Congress, and a plan for the future activities of National Societies, the President of the Central Committee of the Russian Red Cross concluded by requesting the ICRC to convene an International Red Cross Conference for the near future and to include the five items suggested on the agenda.

The memorandum from the Russian Red Cross was forwarded to the ICRC by the Swiss Legation in Russia, while a copy was sent, through Mr. Ruckmann, the Swedish representative on the Commission of National Red Cross Societies of Neutral Countries in Petrograd, to Prince Charles of Sweden, who was asked to recommend the foregoing proposals to the ICRC. At the request of the Russian Committee, Mr. Ruckmann also sent a letter in similar terms to foreign diplomats accredited to Stockholm.

Because of the time-lag in forwarding the memorandum, the International Committee did not receive the proposals until late December 1918 or early January 1919. It recognized their importance, and informed the Russian Red Cross that the ICRC itself, in its Circular No. 174, had proposed the convening of an International Red Cross Conference to examine the future activities of the Red Cross.

* * *

A federation of Red Cross Societies had often been envisaged, but without any definite result. Gustave Moynier had devoted much time and thought to the idea.¹ In his view, the National Societies already formed a confederation within which they were associated by “the commitments they had undertaken, more or less solemnly, to conduct themselves according to identical rules”. But he also admitted that the general treaty by which they might have become associated did not exist and had never been drafted. He wrote: “This is a deficiency which we will remedy at the first opportunity.”

Moynier was also anxious to draw up plans for the body he wished to make the supreme body of the institution. As early as 1867 he had a plan for a Supreme Council of the International Movement for Relief to Wounded Members of the Armed Forces, composed of representatives of the National Societies and the five members of the

¹ See Pierre Boissier, op. cit., pp. 444 ff.
International Committee, the latter to act as the permanent bureau. More than once—in his memorandum to the International Congress on Hygiene, Lifesaving and Social Economy in Brussels in 1876, and in his draft project, dated 1887 and published by the Russian legal expert Bogazhevski in the second part of his book “The Red Cross in the development of international law”1—Gustave Moynier returned to this theme or expanded it. By 1892 he even suggested giving all the National Societies a common badge which would show, along with the red cross and the motto *Inter Arma Caritas*, the words *Foedus universale* or, as he wrote, “International (or World) Federation of the Red Cross, in ordinary language”.2

This demonstrates how much importance the then President of the ICRC attached to the question. But he was also aware of the difficulties. At that time, the role of National Societies did not go beyond that of organizations for relieving the suffering of wounded combatants, their reason for existence;3 and it was precisely in order to confirm them in this role, to counter the danger of their scattering, turning to other activities, losing cohesion, that it was proposed to link them in a federation. But at the same time, the fact that in wartime they were auxiliaries of the army medical services and that they were mobilized and often placed under the orders of the High Command of the War Ministry would make it difficult for them to play an active part in a body of an international nature. Moynier therefore concluded that the system established “provisionally” by the 1863 resolutions remained the best and that it was not desirable to change it:

“First of all, it should be pointed out that the responsibilities of the International Committee could not be undertaken by any of the National Societies. If one of them were to agree to accept them, it would be probable that when called to active service it would find its dual nature embarrassing, either for the Society itself or for those who had commissioned it to take action. An international office not distinct from other Red Cross constituents would not seem neutral enough to ensure its freedom from dilemma in the accomplishment of its wartime duties. It would also be unable to devote itself to the interests of the movement as a whole and might well be expected to neglect them at times...
“So, despite earlier projects, there is a strong likelihood that no changes will be made in the system hitherto accepted, which, it must be admitted, does not present any appreciable inconvenience.”

The question of the international organization of the Red Cross had also been the subject of detailed discussion in International Red Cross Conferences. We need only mention the proposals put forward on the subject at the Conferences of 1884, 1887 and 1897, and the ensuing debates. The proposals, submitted respectively by the representatives of the Russian Red Cross and Government, by Councillor T. d'Oom and by Professor F. de Martens, were for the drafting of statutes for “an international organization which would be absolutely neutral”, recognized by the governments, and which would create “a legal and stable link” between National Societies. Once again, as in the past, most of the National Societies had considered it preferable to confirm the ICRC in its composition and functions.

So, although the phrase “the World Alliance of Red Cross Societies” was heard freely before 1919, it was used to designate the abstract entity formed by those who adhered to the same principles and were linked by the same commitments to the community, but who did not go so far as to recognize the authority of a central administration.

In 1919 the situation was very different. The co-operation which many National Societies had been unable to promise had been demonstrated by the war to be an aid to efficiency which could prove its worth in peacetime activities. Even the States realized that they would have to give up some of their sovereignty in favour of a worldwide association. Before the war had ended, President Woodrow Wilson, in enumerating the Fourteen Points of his peace programme, had included the creation of a general association of nations, providing mutual guarantees of political independence and territorial integrity to small States as well as large ones.

The time was therefore specially favourable for making another attempt to establish a federative union of Red Cross Societies, while the nations were still appalled by the disaster they had suffered and before the barriers of nationalism were re-erected. This unique opportunity was seized upon by Harry Davison, President of the War Committee of the American Red Cross.

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1 Gustave Moynier, La Croix-Rouge, son passé et son avenir, Paris, 1882, p. 252.
Born in Troy, Pennsylvania, in 1867, Henry Pomeroy Davison seemed the epitome of the "self-made man", with the dynamic character and decisive mentality typical of those destined for great enterprises. Having rapidly climbed the ladder of bank administration, he was, by 1909, one of the directors of the J.P. Morgan Bank. In 1917, when the United States entered the war, the Executive Committee of the American Red Cross was replaced by a War Committee, and President Wilson called on Davison to become its President.

Under his stimulating leadership, the American Red Cross, whose membership grew from 300,000 in 1914 to 28 million by 1918, collected and distributed in that period funds and relief supplies estimated at 325 million dollars. While the war was going on, it carried out huge relief operations for the population of Belgium, and later rebuilt devastated villages, provided temporary housing and helped orphans. In Europe it had a vast relief organization headed by Harvey D. Gibson, American Red Cross Commissioner for Europe.

Harry Davison was therefore in a good position to comprehend the potential of the Red Cross Societies and to deplore their recall just when they had reached their maximum efficiency and the need for them was about to become more urgent than ever. The Red Cross Societies, indeed, possessed incalculable possibilities in this respect, since, in addition to their administrative structure and their trained staff, they offered the prestige of a name and an emblem which had won universal recognition. Before the fighting ended—in late October or early November—Davison had drawn his colleagues' attention to the fact that as soon as peace had been re-established, the Red Cross organizations should assist governments in relieving the distress resulting from the war, and had proposed to collect funds from the American people for post-war aid.

During the month of November 1918, these plans took shape. Several members of the National Committee of the American Red Cross approached President Wilson in order to explain to him the outlines of the international aid plan devised by Davison and to suggest that the President appoint him to take charge of its implementation, as being best fitted for the task by his abilities, his experience and his reputation. Already, in fact, Davison had worked out how he intended to proceed:

"If the President should request me, I would accept the responsibility of representing the American Red Cross to go at once to Paris to meet there, by arrangements to be made, the representatives of the British Red Cross, the French Red Cross and the Italian Red Cross. If they were in accord with me, or possibly if they were not, I would
then go to Geneva and suggest to the International Red Cross that they immediately invite, by telegram and cable, delegates from the various Red Cross organizations throughout the world for a conference at a date which would give the most remote plenty of time to arrive. I would there organize a real International Red Cross with the idea that much good could come from such an organization.”

Harry Davison was received at the White House on 2 December 1918, and the President showed keen interest in his plans. Davison then travelled to London and Paris and within a short time, with the backing of the President and of America’s four main allies, he had formed a “Committee of Red Cross Societies” made up of representatives of the American, British, French, Italian and Japanese Red Cross Societies to present to all the National Societies a wide programme of activities “in the interest of humanity”.

The initiative taken by Davison followed the same line of thought which, at the same moment, was giving birth to the League of Nations, and the links between that body and the League of National Red Cross Societies are immediately evident, not only because of the nationality of their founders but because of the titles, the ideals and the administrative structure acquired at a later stage. In its humanitarian aspect, the League of Red Cross Societies tallied with the views of President Wilson, who was ex officio President of the American Red Cross, and those of his predecessor, William H. Taft. It also gave expression to the fact that the United States, which had kept somewhat aloof from European affairs until its entry into the Great War, now felt called upon to take the lead in the large-scale reorganization and reconstruction of post-war Europe.

Harry Davison had met William Rappard, a member of the ICRC, in January 1919, and had discussed his projects with him:

“The representative of the International Red Cross from Geneva came over to Paris and was with me on Wednesday. As he is the one I saw in Washington he was more or less familiar with the plan and had had an opportunity to talk it over with the International, and also with the Swiss Government. President Ador of the Swiss Government is also President of the International Red Cross. Both the Swiss Government and the International are fully alive to the importance to Switzerland of the plan and desire to co-operate to the fullest extent.”

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1 Harry Davison to Harvey D. Gibson, American Red Cross Commissioner for Europe. Headed “En route, 22 November 1918”.
2 Harry Davison to J. Pierpont Morgan, 18 January 1919. (Archives of League of Red Cross Societies.)
However, these talks were unofficial; direct discussions with the ICRC did not begin until February 1919.

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The representatives of the five Societies met at Cannes and drafted a joint plan of action for submission to the ICRC. Harry Davison wired the Committee on 4 February that its letter of 27 November had been considered along with other matters of interest to the Red Cross, and proposed a meeting in Geneva on 12 February. The acting President, Edouard Naville, replied by telegram the following day indicating the Committee’s agreement and at the same time suggested that a campaign of assistance be launched immediately:

“Receiving from all parts Eastern Europe urgent dispatches notifying appalling mortality due lack medical equipment in hospitals. Could Red Cross Societies represented at Cannes examine straightway organization of joint action to provide rapid relief?”

Harry Davison had likewise apprised President Gustave Ador, detained in Berne at the time by a meeting of the Federal Parliament, of the text of his telegram to the ICRC and suggesting a meeting with him in Geneva or Berne. There was no doubt that Davison wished to meet Ador while he was President of the Confederation, as he had already met the heads of the Allied and associated Governments: Woodrow Wilson, Lloyd George and Georges Clémenceau. “If I am even partially right in my vision of the possible future of Red Cross there is an opportunity for Switzerland to render an even greater service to mankind in the future than she has in the past.”1 William Rappard, afraid that Davison’s intentions had not been understood, alerted Gustave Ador: “I therefore take the liberty of suggesting that you send an additional dispatch assuring Mr. Davison that he will be well received by the Federal Government in Berne if he should go there. The importance of the national and international interests at stake embolden me to make this proposal to you.”

In the end, it was Gustave Ador who went to Geneva to take the chair at the first two sessions of the conference held from 12 to 14 February in the Athénée palace.

The chairman of the Cannes Committee had previously informed the ICRC of his projects:

“Lessons taught during war, and present world conditions, make it appear necessary that there should be co-ordinated Red Cross

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1 Telegram from Harry Davison to Gustave Ador, 4 February 1919.
organizations of world for peace activities. It will be proposed that a conference shall be called by you, at which conference there will be suggested a program for child welfare, for curative and preventive tuberculosis, for sanitation, hygiene and general health, for combating venereal diseases and other common enemies to physical welfare, with expectation that the Red Cross organizations will, within their respective countries, develop and stimulate activities along such lines for benefit of mankind."

The message stated that the five National Societies of the Cannes Committee would do the preparatory work for the proposed Conference and it outlined the future activities of the Red Cross if their proposals were accepted:

"1. International Red Cross located at Geneva will enlarge its scope and influence and become the medium of transmission of knowledge and the instrument co-ordinating the activities and resources of Red Cross organizations.

2. Through each Red Cross organization, the people within its own country will be awakened, not only to opportunity, but to sense of obligation of contributing to the welfare of their own people.

3. That through such co-ordinated efforts there may result cooperation in action to meet distress and disaster within a country beyond the power of its own people to meet.

4. A practical demonstration of number three may possibly be found in your suggestion that those to meet in Geneva February twelfth may co-operate to render services so urgently needed in Eastern Europe." ¹

The Committee of the five National Societies therefore also envisaged the immediate convening of an International Conference, to define the new duties of the Red Cross. But some of the Allied States were not yet willing to meet on an equal footing with representatives, whether Red Cross or governmental, of their former enemies, and it was not until 1921 that the Tenth International Conference was at last convened. By that time it was too late for the assembly to examine the proposals, since in the meantime their implementation had been so far advanced that it was no longer possible to reconsider them.

* * *

The choice of the Athénée building to house the meeting was not due solely to the desire of the ICRC to recall the first Red Cross

¹ Telegram from Harry Davison to Edouard Naville, 6 February 1919.
conference: it was also influenced by the fact that, apart from the offices of the Prisoner-of-War Agency, the Committee possessed only three small rooms quite unsuitable for receiving its guests and certainly most unlikely to impress them.

The ICRC, be it said, had been offered palatial headquarters at the beginning of the year, at least on paper. Two Geneva businessmen who had formerly worked with the Agency had had the idea of forming an action committee to collect contributions from all over the world, partly to ensure that the International Committee had an adequate annual income and partly to give it a worthy headquarters in Geneva. Writing on 23 January 1919, they said: “The Red Cross is entitled to be housed in a manner befitting one of the most noble institutions of our world, to which it has brought help without distinction of nationality, rank or class, going to great pains to provide care for all.” Consequently, they considered that the International Red Cross should, like the Peace Congress in The Hague, possess its own Convention Hall in Geneva to house its offices and archives and pursue its work. The authors of the project had consulted various well-known figures and received some encouragement.

Slow to react, the ICRC had given these plans a hesitant reception and begged the authors to defer their activities. Its reasons, given in a letter dated 28 January, are not devoid of interest: “There will probably be modifications within the International Committee, to which a more conspicuous place may be given and which may head major peacetime activities. It may well be then that a Convention Hall for the Committee will be not only desirable but necessary, and that is when your kind proposal might be put to good use.” On 11 February, the day before the meeting at the Athénée, the ICRC returned to the subject: “Obviously the Red Cross and the International Committee are about to undergo a great change... We know that the Americans have ambitious plans, but they have not yet talked to us about them. In any case, no decision can be taken except by an international conference of all the Red Cross Societies, which we must convene as quickly as possible after the peace has been signed.” In fact, the Cannes Committee was expected in Geneva that day, and the ICRC did not want to anticipate the results of the discussion.

But perhaps the ICRC was more optimistic than it admitted, since on 8 February it had consulted an architect and shown him what the Committee thought the Red Cross building should look like. The author of the memorandum, who was head of the secretariat, Etienne Clouzot, envisaged a building of three storeys, located in the grounds of the Château Banquet, near the park Mon Repos, and
including meeting rooms for international conferences, four committee rooms, offices for the ICRC and for the 40 National Red Cross Societies which would have permanent representatives in Geneva, space for archives, the library, laboratories, rooms housing a permanent exhibition of model medical installations and ambulances, plans of sanatoriums, etc., and perhaps, in the Château Banquet itself, after alterations, the "White House" of the ICRC President.

Without taking too literally a plan which its author regarded merely as "a basis for discussion", it can be seen that the International Committee, just when it was about to receive the delegates of the Cannes Committee, was not rejecting the idea of creating a huge Red Cross organization composed of the ICRC, the National Societies and the research and information services related to hygiene and the safeguarding of public health. It was willing to welcome their proposals and was preparing, should the opportunity arise, to take the lead in the movement.

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On 12 February 1919, in Geneva, Harry Davison presented his plan for a Red Cross organization to representatives of the ICRC and the Cannes Committee. It was a grand design based on Wilsonian principles, making the International Red Cross the forerunner and model of the League of Nations:

"A new world is taking form, a worldwide fraternal movement. Co-ordination of the Red Cross Societies of the entire world could be the beginning of the League of Nations.

"Such co-ordination can be accomplished only through the International Red Cross. What has to be done now is something never done before. In our time, nothing is impossible. The International Red Cross must expand.

"The National Societies must modify what has already been established in Geneva, but without depriving the ICRC of its neutral character. Nothing must be done which could strike at the neutrality of the ICRC.

..."

"The Allied Red Cross Societies seek nothing for themselves, it is the ICRC which has to carry out the changes within itself. ... If the programme adopted at Cannes is accepted by the ICRC, Geneva will be the recognized centre of humanitarian and medical organizations, Geneva will be the acknowledged intermediary of all those countries
which might wish to exchange ideas through the ICRC. The viewpoints of Cannes and Geneva are identical."

The role of the National Societies, which would be represented in all countries and officially mandated by their governments, would consist in responsibilities of the first order:

"A conference must be convened to include all the Red Cross Societies in the world—if any country is without a Red Cross Society it must form one and send representatives to the conference. Each Society should be recognized in each country as the humanitarian organization par excellence. ... In every country, the Red Cross should care for general wellbeing, fight tuberculosis, safeguard children, provide maternity care before and after childbirth, combat venereal diseases, typhus, etc."

In addition, Davison pointed out, Geneva would have "an organization which would assemble the National Societies whenever necessary and, in the event of a worldwide disaster, would supply, for example, the medicines and food which were lacking in any particular country".

While the viewpoints of Cannes and Geneva were in fact identical concerning the need to provide the National Societies with a new development programme, divergences arose with regard to the procedure to be followed and the means of implementing the programme. The Cannes delegates wished their Committee to be officially made responsible for preparing a technical programme to be presented, with the consent of the ICRC, to an international conference. The ICRC, while approving the aims of the Cannes Committee and appreciating the work it was doing, considered that, because of its composition, it committed only the National Societies of the five major Allied Powers, and that it was the task of all the Red Cross Societies, including those of the former Central Powers, meeting in an international conference, to decide on the new direction of Red Cross activities.

On 13 February, before the afternoon session, the ICRC representatives met in private to determine their position in relation to the proposals presented to them. They decided to encourage the members of the Cannes Committee to continue their work, but noted also that the ICRC, which was anxious to affirm its neutrality and ensure the success of the next International Conference, could not give its official mandate.

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1 Talks held between the Allied Red Cross Societies and the International Committee in Geneva, session of 12 February 1919 (minutes drawn up by the ICRC).
Meanwhile, the delegates of the five Red Cross Societies had, in their turn, re-examined the situation, bearing in mind the reservations expressed by the ICRC. Sir Arthur Lawley began the session by stating "the intention of the delegates of the five Red Cross Societies to withdraw all proposals for their constitution or their nomination by the International Committee. The delegates prefer to remain completely independent and thus in the same position as any other Society or group of Societies with regard to the appeal for a programme and its preparation". The five National Societies intended, Sir Arthur went on, to continue their efforts to implement the plan outlined by Harry Davison, and would form a committee to prepare a programme for submission to the Conference. He asked for Davison's project envisaging an appeal to be withdrawn and for the ICRC to omit in its circular any mention of the formation of the Committee of Red Cross Societies.

The divergence of views was more serious than it appeared. The Committee of the five National Societies had resumed its entire freedom of action: the whole future evolution of the International Red Cross was to be determined by this move.

On the other hand, the decision had been taken that the ICRC should convene an International Conference within 30 days of the signing of the peace treaty, in accordance with the proposal of the Committee of Red Cross Societies, which, as Davison stated, would continue its work in Cannes and would remain there until the Conference opened.

The ICRC had moreover drafted the circular convening the Conference and had notified the representatives of the five Red Cross Societies, who received it with reserve. In any case, the Conference was convened within the proposed time, and the programme of the Cannes Committee was submitted to it. However, taking its place among other items put forward by other National Societies, it lost something of its character and its force.

The International Committee, with the possible exception of William Rappard, did not appear to feel any anxiety concerning the outcome of the negotiations. On 19 February the ICRC noted that "the Red Cross Societies' delegates left with an excellent impression, apparently. Nevertheless, at the hotel, Mr. Rappard, who had accompanied the Americans, had the impression that they were disappointed by their visit to Geneva. To smooth things over, Mr. Gautier and Mr. Rappard went to Paris as representatives of Mr. Ador, who

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1 Minutes of the 3rd session, compiled by the Cannes Committee.
To launch the "international charity organization", Davison organized a dinner at the Palais d'Orsay Hotel on 21 February 1919, attended by journalists from about a hundred newspapers all over the world and by representatives of governments, the diplomatic corps, the medical profession and literary and artistic groups. After describing the Cannes Committee's programme and urging the journalists to contribute to its success, Davison concluded by stressing that, as in most questions of the day, time was of the essence. It was essential for the plan to be not only adopted but put into effect at once, while the world was yearning for anything leading to peace, while the nations were willing to co-operate and work together in comradeship and while the situation still appeared capable of being influenced and moulded. The Cannes Committee was putting forward a proposal which would entail the programme's coming into operation within six months. Here was the same sense of urgency which had impelled Gustave Moynier, in 1876, to appeal to the relief societies to lose no time in forming a Red Cross federation, before the increasing isolation induced by the state of peace raised obstacles to the forging of close relations among them. Moynier, however, contended that such a federation should include all National Societies without exception. In 1919, the view of the ICRC was no different.

Also on 21 February, Harry Davison sent a memorandum to the Red Cross Societies of Allied and neutral countries announcing that "the representatives of the Red Cross Societies of the United States, Great Britain, France, Italy and Japan have joined to form a 'Committee of Red Cross Societies' in order to formulate and propose to Red Cross Societies of the world an extended program of Red Cross activities in the interest of humanity".

The International Committee had followed these new developments with interest. Alfred Gautier, on his return from Paris, reported that "Mr. Davison seemed to be very well intentioned. His idea was to constitute the International Committee on the lines of the League of Nations, but following the observations of Mr. Rappard and Colonel House he seems to have given up this notion which is not in accordance with the universality of the Red Cross".

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During the same period, relief work in Europe—supplying food and other essentials, fighting epidemics, aiding refugees—was expanding rapidly. Alongside independent relief operations by religious or social institutions or National Societies, three major groups were engaged in specific relief campaigns: the American Relief Administration, whose general director was Herbert Hoover, the American Red Cross, and the ICRC. Any new international relief body, therefore, such as conceived by Harry Davison, would have to fit into the operations already under way, but without being absorbed by any of them. At that point Harry Davison seems to have gone back to his original idea of modelling the new body on the League of Nations. Public opinion, believing willingly that the First World War would also be the last and that the League of Nations would keep the world at peace through arbitration and negotiation, sometimes looked upon the wartime activities of the Red Cross as archaic and felt that neutrality lost its meaning in a worldwide association of nations. Thus it might appear logical to link the fate of the Red Cross to that of the new world assembly.

Harry Davison wrote on 9 March 1919 to President Wilson, proposing either to postpone the Conference which was to have taken place in Cannes or to establish relations with the League of Nations. In his reply, dated 26 March, the President advocated the second possibility, "namely, to tie the Red Cross up in some proper way with the League of Nations and arrange for the admission of other countries to the Red Cross International Organization when they are admitted to the League of Nations".¹

William Rappard, representing the ICRC in Paris, wrote to the Committee on 28 March:

"President Wilson has just written to Mr. Davison that he noted to his regret among his French and British allies such an unconquerable revulsion to meeting their former enemies that in his opinion, unless the ICRC was thinking of convening a partial conference in Geneva, the American Red Cross should not insist further. The Red Cross Societies of the Allies, possibly joined by those of the neutral countries, might meet under the auspices of the League of Nations in Paris or elsewhere."

He went on to report the information he had received from Colonel House, personal assistant to President Wilson:


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“I wished to know, in fact, if the American Government was unfavourable to a fully international conference of the Red Cross Societies on 5 May, even if the peace treaty were signed previously. He replied that in view of the mood he had noted on the part of some of the Allies, though deploring it himself, he thought it better in any case to convene two successive and separate conferences for the Societies of the Allies and neutral countries on the one hand and for the Societies of the Central Powers on the other. He added that this was the opinion of President Wilson...”

The Committee, which had already informed some Societies of the date of the next International Conference, was still hesitating—rather than convene two successive conferences, it would have preferred to hold two separate but simultaneous meetings. Before making a decision, the ICRC consulted Harry Davison by telegram: “Your Committee has just asked us to convene this conference for 5 May, and we accepted. Now we are told that even if the peace treaty had been signed by then, the conference could not be a universal one. Will you please indicate very clearly to us what the committee of which you are chairman wishes us to do at this time?” By return, Davison telegraphed, on 1 April: “Owing to a recent and important development, I am unable for the moment to reply more fully to your telegram, much as I regret this”, and he asked the ICRC to send delegates to Cannes who would attend the meeting and thus ensure the co-operation of the ICRC. Edouard Naville and Marguerite Cramer left for Cannes on 3 April, where they were soon after joined by Horace Micheli.

What was the “recent and important development” which Harry Davison could not mention in a telegram? Doubtless the “very important, official and confidential news” which he reported on 7 April to the delegates meeting at Cannes. The Covenant of the League of Nations was to include an article, Article 25, which stated: “The Members of the League agree to encourage and promote the establishment and co-operation of duly authorized voluntary national Red Cross organizations having as purposes the improvement of health, the prevention of disease and the mitigation of suffering throughout the world.”

The principal elements of the Davison plan—the creation of new Red Cross Societies, international co-operation, extended programme of action—were thus to be embodied in the Covenant of the League of Nations. Above all, these new activities and the co-operation would be approved and encouraged by the nations which were signatories to the Treaty of Versailles—of which the Pact’s
26 articles formed an integral part—and by the States later admitted to the League Assembly. This was in fact the solution which the Cannes Committee had been seeking. In the absence of unreserved support from the ICRC, it could henceforth draw its authority from the undertaking made by the member States of the League of Nations. But this was the first time that a decision concerning the activities of National Societies had been taken outside an International Conference of the Red Cross, and the effect was to diminish the authority of the Conferences, which was slow to recover.

Harry Davison then informed Edouard Naville that he was giving up his plan to convene an international conference for 5 May. He had in fact decided to set up immediately the new co-ordinating body of the National Red Cross Societies in peacetime.

The Cannes Conference, which met from 1 to 11 April 1919 under the chairmanship of Professor Emile Roux, was completely in agreement with this view. Although primarily a conference of medical experts, it nevertheless played an essential role in the creation of the League of Red Cross Societies in that it not only laid the groundwork for a central health bureau to undertake at that time the functions performed at a later date, within the framework of the United Nations, by the World Health Organization, but it also perceived that the health and hygiene development programme was indeed within the competence of the National Societies and proposed, therefore, that the central health bureau whose creation it recommended should be attached to an “Association or League of Red Cross Societies”. Thus it came about that the National Societies created in 1863 to be auxiliaries of the military medical services became, in 1919, auxiliaries of the public health services as well.

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The Committee of Red Cross Societies then moved to Paris, quickly completed the statutes of the association and, on 5 May, the League of Red Cross Societies was officially constituted. At that date it comprised only the five founder members. It was open to all National Societies on condition, as expressed in its regulations, that they were approved unanimously by the Board of Governors. The League had two governing bodies: the General Council, formed of representatives of all the member Societies, responsible for deciding general policy, and meeting at least once every two years; and the Board of Governors, comprising at most 15 members, five of them appointed
by the five founder Societies and ten, on a rotation system, by the other members. The Board of Governors appointed its own Chairman, a Director General and a Secretary General.

Article 1 of the League’s Articles of Association dealt with relations with the ICRC:

“It is contemplated that this League will work in complete accord and co-operation with the International Committee, that by supplementing the war-time activity of the International Committee with an intelligent peace-time program, it will prove a natural complement to the International Committee, that this co-operation will in due time lead to an organic union with the International Committee, whose continuing functions are essential to the world, and that as a result of this combined effort the best traditions of the Red Cross will be maintained and made of ever-widening usefulness to the peoples of the world.”

The ICRC, meanwhile, had followed with interest mingled with some anxiety the hasty creation of the new body. As it had pointed out during the talks in Geneva, it saw the League as an exception to the rules of universality and equality of the Red Cross Societies; and in Cannes, where three of its members had been present, and in Paris, where Gustave Ador, William Rappard and Marguerite Cramer discussed the draft constitution with Harry Davison, the International Committee had again voiced its reservations. Its attitude was logical and in conformity with its traditions. The exclusion of certain Red Cross Societies—not explicitly embodied in the constitution, it was true, but implied by the use some members might make of their veto—appeared to the ICRC to be a departure from its principles, as did the privileged position granted to the five founder members; and realizing that the National Societies of the former Central Powers were unable to give their views, the ICRC took up their defence.

A different attitude was also possible: the view that this exclusiveness was a product of specific circumstances and that universality would—as Harry Davison had indeed stated—one day be achieved. This was the position taken by the Vice-President and acting President of the ICRC, Edouard Naville, as expressed in an internal note:

“To turn the Red Cross towards peacetime activities is not new for some of the Societies, but for many of them it is. What is completely new for all of them is the combination of the work of all the Red Cross Societies in a single association of a worldwide nature, like the Red Cross in wartime.
“However, there is a fundamental difference here between the two Red Cross organizations. While for the wartime Red Cross, universality is the vital condition, for the peacetime Red Cross it is the goal. Two or five or ten Red Cross Societies may well combine to work together on one or more peacetime activities, without universality being necessary. In peacetime, universality is the final achievement, not the starting-point.”

Noting in addition that “every type of society has its founder members who lay down the path which the society must take and the goal to be attained”, and that the method was not anti-democratic, the ICRC acting President concluded: “To sum up, my viewpoint is that we must go along with the new institution and offer to cooperate with it as our character dictates.”

In order to reconcile the divergent tendencies, the ICRC took a middle position. In its circular of 20 May 1919 informing the Central Committees of the formation of the League, it assured the new body of its “sincere goodwill and genuine approval”. On the basis of the assurances received from Harry Davison, it stressed the transitory nature of the organization, noting that the League had clearly and explicitly manifested its determination to work towards universality. It pointed out that the International Committee remained the central body for all the Red Cross Societies; and, finally, it confirmed its intention to convene the Tenth International Conference of the Red Cross as soon as possible after the signature and ratification of the peace treaties.

The Board of Governors had naturally elected Harry Davison as President of the League, while the post of Director General was entrusted to Lt-General Sir David Henderson, who had been head of Britain's air service during the war. The League Secretariat then moved to Geneva, into offices at 9 Cour de Saint-Pierre, in the heart of the old city, while the Committee, eager to have extra space in order to prepare for the International Conference, took possession of new premises on the Promenade du Pin. The two institutions were now neighbours and their association could be all the closer since Professor William Rappard, a member of the International Committee, was appointed Secretary General of the League. Collaboration seemed to be moving on the right lines and each body could devote itself to the duties incumbent on it for the reconstruction of Europe.

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As soon as the First World War ended, the Committee took pains to strengthen its ties with the National Societies and ensure better dissemination of Red Cross principles. The publication which linked the National Societies at that time was the *Bulletin international des Sociétés de la Croix-Rouge*, a quarterly which had been published by the ICRC since 1869, in accordance with a resolution of the Second International Conference. During the war this had been supplemented by the *Nouvelles de l'Agence des prisonniers de guerre*, giving more comprehensive news of the Agency’s activities and of delegates’ missions and visits to prisoner-of-war camps. When, at the end of the war, the Committee ceased publication of the *Nouvelles*, it turned its attention to adapting its established journal to post-war needs.

At its meeting on 27 November 1918, the day on which it sent out its 174th circular, dealing with the future activities of the Red Cross, the ICRC decided to increase the size of the *Bulletin* and make it a monthly. The members of the Committee intended the Red Cross to convert its wartime activities back into peacetime work. One of them, Edmond Boissier, wrote: “Do we want to work with the possible outbreak of another war in mind or, instead, really turn our energies to peacetime activities? There is a major transition to be made and which has to be decided on principle.” Dr. Ferrière strongly advocated the creation of a publication “corresponding to the wider activities of the ICRC”; and Paul Des Gouttes insisted on the necessity of having “a lively periodical, with an open attitude, not clinging too much to the past”. The proposal was immediately adopted and an editing committee was appointed to prepare the first issue.

But the Committee did not want to give up publication of the *Bulletin international*, through which it affirmed its function as the central body of the National Societies. For this reason it presented its new monthly journal under the double title of *Revue internationale de la Croix-Rouge et Bulletin international des Sociétés de la Croix-Rouge*, each publication maintaining its own series number and table of contents. “The *Bulletin international*”, stated Circular No. 175, “will continue to take an interest in those directly affected by the war, but, in the part entitled *Revue internationale*, it will be able to accept more freely the accounts of experience in a particular country which could be instructive to others, while at the same time finding room for original articles in the extensive and very varied fields already open to National Societies before the war or about to be offered at the beginning of the new age of peace.” The first issue
appeared in January 1919. In a desire to keep pace with the times, the ICRC soon afterwards decided to introduce advertising into the Revue but, as the issue of May 1919 made clear, without departing from its traditional principles: “Until the peace has been concluded, the Revue will accept advertising from neutral countries.”

The long series of publications, first the Bulletin, then the Bulletin combined with the Revue, and finally, since 1955, the Revue alone, formed an indispensable working instrument, an essential source of documentation on the progress of ideas within the Red Cross movement and on their application. The responsibility for the Revue internationale was one to which the Committee clung most tenaciously and which, in subsequent discussions concerning plans for the organization of the International Red Cross, it has never agreed to give up.¹

In January 1923, the ICRC, “wishing to associate the National Red Cross Societies more closely with its work”—and perhaps wanting to remind them of the range of its activities at that time when it was entering into difficult negotiations with the League—began publication of a news periodical entitled Nouvelles du Comité international de la Croix-Rouge, each issue being limited to 200 copies intended solely for the Central Committees, ICRC delegations and institutions working in liaison with the ICRC. The Committee stated: “The Nouvelles will always be short and to the point and will not duplicate the Revue internationale de la Croix-Rouge or the Bulletin international, which remain the official journals of the ICRC and the Red Cross Societies and which will continue to publish more extensive studies and detailed reports.” The Nouvelles did not last very long, and the International Committee stopped publishing them in December 1926. But the idea of a newsheet added to the Revue internationale was to be taken up again, in various forms, after the Second World War.

In addition to these periodicals devoted to news, there were naturally a good number of publications written by members and collaborators of the International Committee, on subjects such as humanitarian law, the work of the Committee, and the preparation and analysis of Conventions, the whole constituting a comprehensive body of reference works on the growth of the Red Cross and of the law of Geneva.

¹ The editors of the Bulletin international and of the Revue internationale de la Croix-Rouge until the end of the Second World War were: Gustave Moynier, Paul Des Gouttes, Etienne Clouzet, Jean-Charles de Watteville, Henri Reverdin, then Louis Demolis assisted and later succeeded by Jean-Georges Lossier.
Another innovation came in the sphere of university teaching. The initiative came from Professor Paul Fauchille, a member of the Institute of International Law. He wrote on 16 September 1920 to Paul Des Gouttes to tell him that he and two friends, Mr. Alvarez and Mr. de Lapradelle, had created a new school in Paris, with the support of Paris University and under the patronage of the Union juridique internationale, to be known as the Ecole internationale de droit international. He proposed that Paul Des Gouttes should give a course on the Red Cross. At first, Des Gouttes hesitated, and suggested that his place should be taken by his teacher and colleague Alfred Gautier, who, he said, “has a gift of speaking and exposition which I totally lack”. But Professor Alfred Gautier was already suffering from the illness which proved fatal later in the same year. So it was Paul Des Gouttes who, at the Institut des Hautes Etudes internationales, gave the course of twelve lessons, from 26 January to 1 February 1922, on “The International Red Cross before and after the 1914 war”. It was the first time that a course on the Red Cross had been included in the syllabus and the examination subjects of a law school. The ten students attending the course all passed the examination.

Red Cross law and the organization of the movement were the subjects of other courses, notably as presented to the Hague Academy of International Law, by Professor Eugène Borel in 1925 and Professor Georges Werner in 1927. However, it was not until after the Second World War that the ICRC made systematic efforts to have the law of Geneva included in the official teaching syllabus of law schools.

2. The international organization of relief

On return from his mission to Vienna, in December 1918, Dr. Frédéric Ferrière had drawn the attention of the relief organizations to the plight of children, very serious as a result of the shortages of food and medicines, the severe rationing and the closing of Austria’s frontiers. He reported that, out of 58,849 children examined in the summer of 1918, only 4,637 had been in good health. Even with rationing, Vienna’s food supply was assured for only three weeks and the blockade meant that there would be no rapid improvement.

The relief supplies which had been sent certainly helped children as well as adults; nevertheless, special assistance for children had to be provided, special both in its form and in the way it was distributed. Many of the children were orphans, wandering from place to place, with no means of subsistence; if they were to be gathered together
and cared for, it would be best to create an autonomous organization, which might be supported by a general relief body or, as often happened, by an institution which specialized in relief to children. Immediately after the war there were, in addition to the governments and the Red Cross, numerous relief bodies working in Europe: the American Relief Administration, the Vatican’s relief groups, the Quakers, the Young Men's Christian Associations and many private organizations created during or just after the war in response to the general feeling of compassion for the suffering children. In Berne a Comité international de Secours aux Enfants had been created,\(^1\) while in Great Britain Eglantyne Jebb and her sister Dorothy Frances Burton had founded the Save the Children Fund on 29 May 1919.

Miss Jebb realized that co-operation between the various national relief bodies—to centralize information, collect and distribute funds—was becoming imperative, and that this required an appeal to all States to take part in the common effort. This was characteristic of her thinking: she believed “that we are in the first place human beings and only in the second place are we members of a nation; that we have certain fundamental obligations to mankind which take precedence over obligations to our own country when there is an apparent conflict—and it can never be more than apparent—between the two. Our duties to all the children of the world come into this category”. These views naturally placed her very close to the ICRC, whose work, because of its universality and its neutrality, extended to the countries of central and eastern Europe, and whose reports, distributed to relief bodies—particularly Dr. Ferrière’s reports on the situation in Austria—she had read.

Dr. Ferrière, therefore, was the person she first approached when she arrived in Geneva in September 1919, to win the ICRC’s support for her plans. Mrs. Frick-Cramer gave an account of the first consultation from which sprang the movement whose activities were destined to spread throughout the whole world. Dr. Ferrière had invited her to tea at his house in the Florissant district of Geneva “with an Englishwoman who wants to do something for children”. Eglantyne Jebb made an immediate and lasting impression of command and authority. All those who knew her were unanimous in recognizing the contrast between the fragile, transparent appearance of this maiden lady and the inner faith which animated her and swept away all hesitation:

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\(^1\) It later became the Comité suisse de Secours aux Enfants.
“She had a clear voice, undramatic, and explained a course of action in a simple way. This frail being has no doubts because she is whole-hearted. In appearance she is somewhat colourless, formless, she is nothing but a voice, a voice which appeals and proclaims. She speaks to the point, without undue emphasis; she spoke, as we listened, like an echo of our own hearts, in that little garden in Geneva, as she was to speak in the Albert Hall in London, before a crowd which began by being hostile, as she was to speak to the Holy Father during the solemn audience in the Vatican.

“While she was explaining her ideas to us, she suddenly raised her voice and exclaimed: ‘But to be able to act effectively I need the Red Cross. Yes, the support of the Red Cross, the International Red Cross, is essential to me.’”

Such conviction drew the ICRC to accept the principle of becoming the patron of the Save the Children Fund, in its meeting of 24 September 1919, and on 10 November this was confirmed:

“After additional explanations from Miss Cramer, and careful discussion, and having listened to Miss Jebb and Mrs. Hamilton, it was decided to give very favourable acceptance to this request, to await an official request from the Fund’s Central Committee, once it has been established in Geneva, and to fix then the conditions and methods of our patronage.”

Immediately following the discussion in September, the ICRC, the Save the Children Fund and the Swiss Committee for Relief to Children (Comité suisse de Secours aux Enfants) appointed a temporary committee to set up the proposed organization and, on 18 December 1919, there was founded the Save the Children Fund International Union. Its statutes were adopted on 6 January 1920 in the same room in the Athénée building which had housed the first International Conference of the Red Cross.

The collaboration of the ICRC and the International Union proved particularly fruitful. The new organization took the form of a federation of relief bodies, with the responsibilities of encouraging fund-raising, centralizing resources, financing charity operations, yet without itself, at least in the beginning, being involved in the execution of these functions. Thus during the early years it was chiefly ICRC delegates who were responsible for implementing its programmes. Liaison at top level was excellent, since Georges Werner, who carried out missions for the ICRC and was later to be its Vice-President, was the first chairman of the Executive Committee, and Etienne Clouzot its first general secretary, while Suzanne Ferrière,
niece of Dr. Frédéric Ferrière, worked full-time and devotedly with the Union and was a lifelong trusted friend of Eglantyne Jebb.

As a disciple and admirer of the great Swiss educator Pestalozzi, in whom she saw a predecessor in the same work, Eglantyne Jebb wanted to go beyond the mere distribution of relief, which did not touch the cause of the evils: she realized that the sufferings afflicting the children arose from insufficient protection of their status as children. “All wars” she said, “just or unjust, disastrous or victorious, are waged against the child.” She considered that her work would not be complete unless supported by a solemn declaration asserting the rights of children and society’s duties towards them. On the same subject the International Council of Women had established a Children’s Charter, while various persons or associations—Herbert Hoover, Socialist Youth International, among others—had produced different plans and the International Association for Child Welfare, founded in 1921, was engaged in improving social and occupational protection for children.1

But Eglantyne Jebb had in mind a declaration of principles which was simple, concise and acceptable to all cultures. In the summer of 1922 she arrived in Geneva and, “dragging the general secretary Etienne Clouzot away from his work”, she took him up the nearby Mont Salève, with its wide view of the city and the lake, to meditate. Georges Werner wrote that it was “from this meditation on the heights” that there came the draft “Declaration of the Rights of the Child” in seven articles, published in the Union’s Bulletin on 30 October 1922 as “documentation”. Finally, a drafting committee composed of Georges Werner, W. A. MacKenzie and Etienne Clouzot produced the final form of the Declaration of the Rights of the Child in five articles. The Declaration was read out by Gustave Ador, honorary member of the International Union, in a broadcast on 21 November 1923 from the Eiffel Tower transmitter:

“By the present Declaration of the Rights of the Child, commonly known as the “Declaration of Geneva”, men and women of all nations, recognizing that mankind owes to the child the best that it has to give, declare and accept it as their duty that, beyond and above all considerations of race, nationality or creed:

1. The child must be given the means requisite for its normal development, both materially and spiritually.

1 The amalgamation of the Save the Children Fund International Union and the International Association for Child Welfare in 1946 resulted in the present International Union for Child Welfare.
2. The child that is hungry must be fed; the child that is sick must be nursed; the child that is backward must be helped; the delinquent child must be reclaimed; and the orphan and the waif must be sheltered and succoured.

3. The child must be the first to receive relief in times of distress.

4. The child must be put in a position to earn a livelihood and must be protected against every form of exploitation.

5. The child must be brought up in the consciousness that its talents must be devoted to the service of its fellow-men."

The original document, signed by all the members of the General Council, was handed over on 28 February 1924 to the authorities of the Republic and Canton of Geneva, to be kept in the State Archives. On 26 November of the same year, the Declaration was adopted by the 5th Assembly of the League of Nations—chaired by Giuseppe Motta—as the expression of a programme proposed to men and women of goodwill throughout the world. It was this first version of the Geneva Declaration which was the model, in its form and its terms, for the ten-article Declaration of the Rights of the Child adopted on 20 November 1959 by the United Nations Organization, 40 years after the foundation of the Save the Children Fund International Union.

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In this way the ICRC, without waiting for the convening of the International Conference mentioned in its circular of 27 November 1918, took part in general relief operations, either directly, or through its association with specialized agencies: the Epidemics Bureau, Save the Children Fund, etc. Collaboration was made closer by the fact that several National Red Cross Societies became affiliated to the SCFIU, so declaring a triple allegiance in international matters: to the Union, to the ICRC and to the League of Red Cross Societies.

The League itself associated a growing number of National Societies and, in the course of world events in the Twenties, emerged more as the co-ordinating body for international relief rather than the central world health organization which it had earlier thought to become. Since the spheres of activity of the ICRC and the League had never been clearly defined, the two organizations undertook relief work in the same field without their activities being adequately co-ordinated. It was obvious that if time, funds and manpower were
not to be wasted, areas of competence would have to be assigned and joint operations co-ordinated.

Georges Werner, whose functions as an ICRC delegate and chairman of the Executive Committee of the Save the Children Fund International Union placed him in a good position to discern the disadvantages inherent in the situation of the ICRC and the League, discussed the matter with Dr. Livingston Farrand, President of the American Red Cross, during a visit to Washington in December 1920. He stressed that for the International Committee to maintain its moral authority it could not be content with some "hypothetical action in time of war", that it was necessary for the ICRC to "feel alive and be felt as being alive in time of peace"; and he suggested the creation of a joint committee which would bring together representatives of the League and the ICRC to study all matters of interest to both bodies. The problem of co-ordination also arose for the Save the Children Fund International Union, which had been approached early in 1921 by the League's acting Director with a view to affiliation.

Eglantyne Jebb when informing Gustave Ador of these proposals, emphasized that the final decision concerning the reply to be given to the League had to come from the ICRC, which she saw as the supreme co-ordinating authority for relief work for children in the distressed areas, but she also indicated that the SCFIU envisaged extending its operations to spheres which were closer to the activities being planned by the League. It was in this spirit that the Save the Children Fund, at its meeting on 4 February 1921, adopted a resolution requesting that a working agreement be concluded between the ICRC and the League.

Also in February, Gustave Ador, after talks in Gstaad with Sir Arthur Stanley, Chairman of the League's Advisory Committee, had drawn up a plan for the distribution of activities between the two organizations. But in practice their operations remained independent and sometimes overlapped. The League then proposed to the Secretary-General of the League of Nations, in a letter dated 10 February 1921, that it should take charge of co-ordinating all relief operations in central Europe; meanwhile, the ICRC, after the Geneva Conference on assistance to Russian refugees, asked the Secretary-General, on 20 February, to bring the matter of aid to these refugees before the League of Nations Council.

In response to this dual approach, Sir Eric Drummond advised both institutions to appoint a joint committee to co-ordinate all the voluntary relief work in all the countries of Europe, the members of
the committee to be members of the two international Red Cross bodies. He went on to point out that the work of such a joint committee would not only increase the value of the operations undertaken by the two bodies but would also serve to dispel the confusion in the public mind, and he assured them that if such a joint relief coordinating committee were formed the League of Nations Council would give it whole-hearted support.¹

Encouraged in this way, the President of the ICRC and the Director General of the League of Red Cross Societies reached an agreement setting up a joint relief commission formed of three representatives from each organization, the chairman for the first year to be Gustave Ador. The agreement was the start of a solution to the problem of co-ordination of relief in peacetime. It gave the Joint Commission the right to decide whether and when to make international appeals, which should be made "by and in the name of the ICRC and the League of Red Cross Societies", and to direct relief work and control the funds contributed. The ICRC was made responsible for all negotiations and correspondence with governments and the League of Nations (except for technical questions relating to public health), for the measures required to ensure the success of any appeal and, possibly, for part of the direct relief work. The League was to co-ordinate the work of the National Societies and other affiliated organizations, to decide the use and distribution of most relief supplies, and to store and have safekeeping of relief contributions, whether in kind or in cash. In wartime, the ICRC would retain its traditional responsibilities, while responsibility for relief in the event of natural disasters during wartime would then devolve upon the Joint Relief Commission or, if it agreed to accept, the ICRC.

So for the first time there was general co-ordination of voluntary relief work, as hoped for by the League of Nations, the Save the Children Fund International Union and the National Red Cross Societies. The latter were about to meet in Geneva at the end of that same month of March, for the Tenth International Conference.

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Convening the Tenth Conference had been no easy task. The ICRC was anxious to lose no time in bringing together the representatives of the National Societies and governments to discuss, after a

¹ Letters from Sir Eric Drummond to the League (28 February 1921) and to the ICRC (1 March 1921).
long break, the problems common to the Red Cross Societies, their future activities and the organization of the International Red Cross. But Great Britain and France refused to meet representatives of the Central Powers before the peace was signed. The ICRC therefore postponed the Conference to 1 September 1920, then, at the urgent request of the National Societies of the United States, Britain and France, agreed to postpone it once more, but for the last time, to 30 March 1921.

Once the peace had been concluded, Great Britain dropped its reservations. France and Belgium, on the other hand, made the presence of the German Red Cross conditional on that Society’s admission of and expression of regret for the violations of humanitarian law committed by the Imperial Government during the war. The Committee at first tried to reconcile the viewpoints then, seeing that its prestige was at stake, gave up the attempt, continued with its arrangements and invited all the National Societies and all the governments.

France and Belgium did not attend the Conference. It may be imagined how the ICRC regretted the fact that the two nations which had suffered most from invasion and occupation, which had had the highest proportion of casualties and which since the Red Cross was founded had played an essential role in the growth of humanitarian law were absent from the first International Conference to be convened after the war. But the rule that all National Societies were equal could not allow exceptions.

One other notable absentee was the Soviet Red Cross, for the reasons explained earlier. Recognition and resumption of relations were very close, but did not occur until August of that year.

Among the 40 countries represented were new nations created by the peace treaties: Poland, Latvia, Finland, Estonia, Czechoslovakia and, as guests, Ukraine and Georgia. The League representatives attended the Conference as guests, as did the delegates of the League of Nations.

The Board of Governors of the League of Red Cross Societies, which met in Geneva on 28 March 1921, two days before the Conference opened, had approved the statutes of the Joint Relief Commission. So it was that Gustave Ador was able to announce at the plenary session on 1 April that the two bodies had reached an agreement under which their relations were settled for one year: “In so doing we have demonstrated the desire we had from the outset to col-

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1 See page 106.
laborate usefully and fruitfully in developing the work of the Red Cross as it is envisaged by the principles which guide the International Committee and those underlying the League of Red Cross Societies. I hope that this agreement will produce outstanding results for the greater advantage of the Red Cross movement."

Senator Giovanni Ciraolo, President of the Italian Red Cross and a member of the Board of Governors, at once proposed a resolution, adopted by the Conference, requesting the International Committee and the League to appeal to all nations of the world to combat the spirit of war: this was the first joint mandate of the two institutions.

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Wishing to obtain the authority of the International Conference for its actions, the ICRC had included in the agenda not only numerous items connected with the development of international law, the details of which we will examine in a subsequent chapter, but also the subject of the international organization of the Red Cross and its worldwide activities in time of peace. If the truth be told, the National Societies were not at all interested in these questions of organization to which the League and the Committee attached so much importance. Concerned mainly about the results obtained, they were satisfied as long as the two international Red Cross bodies were on good terms with each other. The news that the joint relief commission had been created was therefore to their entire satisfaction.

Examination of the situation resulted, as the ICRC had hoped, in confirmation of the role of the International Conferences and of its own position. The Tenth Conference, in fact, by confirming and extending the resolutions adopted at previous Conferences, asked the National Societies to develop their peacetime activities within their own countries and internationally, by fighting distress and disease and by working for the protection of children, in conformity with the general programme of the Red Cross League. The Conference kept the form established for the International Conferences, while noting that they should be held more frequently. The activities and functions of the International Committee were dealt with in a resolution laying down its traditional role:

"3. The Tenth International Red Cross Conference, recognizing the eminent services of the International Committee of the Red Cross in time of war and in time of peace, decides to maintain the existing
organization of the Committee and confirms the mandates given to it by the previous conferences, especially those referring to the accession of further States to the Geneva Convention, the recognition of new Red Cross Societies, the editing of the *Bulletin international de la Croix-Rouge*, the communication of Resolutions of the International Conferences and the administration of special funds with which it has been entrusted.

"It invites the Committee to continue its supervision to ensure respect for the Geneva Convention and to intervene whenever necessary to ensure that its principles are applied.

"The Conference approves the activity of the International Committee in peacetime. It recognizes the Committee as the guardian and propagator of the fundamental, moral and legal principles of the organization and appoints it to watch over their dissemination and application throughout the world."" ¹

The ICRC could take pride in this unanimous approval, which Gustave Ador acknowledged "with real gratitude". As the text indicates, it confirmed and approved the Committee in all its functions. But it had not touched on the essential item in the debate: the inception of an international Red Cross organization which took account of world events since the war, of the existence of a federation of Red Cross Societies anxious to extend its peacetime activities, and of an International Committee wishing to keep its traditional independence and assert its role as the central body of the National Societies. The question was the cause of much serious thought in the Red Cross movement in the years that followed, for it was not until 1928 that an equable solution with a sound statutory basis was finally accepted.

* * *

Nevertheless, clauses 5 and 6 of Resolution XVI of the Tenth Conference embodied a new proposal likely to effect a radical change in the international organization of relief. It had been put forward by Senator Ciraolo: he not only realized what tremendous quantities of relief supplies were required in major disasters, but he was haunted by the memory of the earthquake in Messina, in which he had lost several relatives. He knew that only a permanent assistance organization, with strong support for its administration and its finances, could respond to such needs. To some degree he conceived the organization on the lines of wartime bodies, envisaged it as universal,

¹ Resolution XVI (3).
upheld by a diplomatic convention and able to draw for support on governments and National Red Cross Societies. The Resolution was worded as follows:

“5. The Tenth International Red Cross Conference requests the International Committee of the Red Cross to examine the possibility of recommending to the Governments signatory to the Geneva Convention the conclusion of a new Convention tending to a wider recognition of the Red Cross, of its peacetime role, and especially of its function in regard to relief for disaster-stricken populations, and recommends that this new Convention take into consideration the possibility of mutual insurance of peoples against public disasters, and the advisability of compulsory insurance of all citizens against such disasters.

“6. The Tenth International Red Cross Conference recommends that international funds should be constituted to permit emergency solutions of problems raised by present disasters, and that the National Societies should at once concern themselves with the establishment thereof.”

The project was on a large scale and deserved to be fostered in an operation similar to that for helping war victims. Senator Ciraolo was to devote all his idealism and enthusiasm, what he himself called his “burning and stubborn belief”, to making it a reality. In May 1922 he spoke to the Economic Conference meeting in Genoa, which in turn forwarded the question to the League of Nations. On 18 July Senator Ciraolo presented to the ICRC, the League of Red Cross Societies and the League of Nations draft statutes for “an international movement for relief and assistance to disaster-stricken populations”, which was later to become the International Relief Union. It was to be placed under the patronage of the League of Nations; its technical management and practical operations would be carried out by Red Cross Societies all over the world; it would be financed by contributions paid by the member States and placed at the disposal of the International Committee of the Red Cross.

The importance of the proposal, submitted to the League of Nations Council at its meeting on 1 September 1922, was recognized and the Secretary-General was asked to prepare a report on it for the Assembly. Senator Ciraolo then described his plan more exactly and in greater detail and gave it the form of an international Convention, which was presented to the Fifth Commission of the Fourth Assembly of the League of Nations on 10 September 1923. Gustave Ador, Swiss delegate to the League, warmly supported the proposal and asked the Assembly: “Is the human race to go on being taken unawares? Should it be on guard only against itself?”
The Ciraolo plan was approved by the Assembly and sent to the governments for study—not, as the French delegate Georges Raynald pointed out, to shift the responsibility for action to others but because it was the governments which must give their views first.

Once the governments’ replies had been received, the Assembly again considered the matter, and in January 1926 it requested member governments to state their opinions on the final version of the draft. Finally, as a result of the encouraging answers, the League of Nations Council decided to convene a meeting of governments in 1927 to sign the agreement necessary to establish the proposed Union.

The proposal adopted by the Assembly on 22 July 1927 was markedly different from the initial proposals. In the first place, the main object of Resolution XVI of the International Red Cross Conference in 1921, which was the reorganization of the Red Cross internationally, had been dropped. The Council had decided, in September 1922, that “so far as concerns any proposal for the drawing up of a new convention providing for a wider recognition of the Red Cross in time of peace, it will await the results of the steps now being taken by the International Red Cross Committee for the revision of the Geneva Convention at present in force”.

The structure of the new organization appeared to be comprehensive and complex. Created within the framework of the League of Nations, it was open to non-member States. It was an association of States whose object was to provide emergency relief in the event of a natural disaster occurring in or likely to affect the territory of a State party to the convention, to co-ordinate relief and to encourage studies and preventive measures against such disasters. An initial fund was set up, financed by the sale of shares at 700 Swiss francs apiece, the number for each State being determined on the basis of its contribution to the League of Nations. The organization possessed a General Council composed of representatives from each of the member States—which could be represented by their National Red Cross Society—and a 7-member executive committee whose meetings were attended by two representatives of the ICRC and the League of Red Cross Societies, in an advisory capacity, and by various experts. The ICRC and the Red Cross League were to set up a permanent central service under the direction of the Executive Committee. Relief work in disaster areas would be based chiefly on voluntary aid from the National Societies and institutions or bodies “which constituted or would constitute a legal and moral link between the National Societies”. This cautious paraphrase described the ICRC and the
League, which had not yet succeeded, at that time, in reaching final agreement on their amalgamation or co-ordination, so that, although both institutions had been named in the statutes, it seemed preferable not to indicate them explicitly in the Convention.

The Convention establishing the International Relief Union was an exemplary accomplishment in the preparation of assistance in advance. Its most original feature was that it organized not only materials, but action, before the event. This was where its best results were achieved: it promoted studies on the prediction of disasters and on their frequency, the central storage of statistics, map drawing, and pioneered the procedure followed later, especially by the Red Cross League, of gathering greater knowledge of disasters and as far as possible reducing their effects. The Union remains a model for an association of States for the purpose of mutual assistance. Yet, perhaps owing to inadequate co-ordination between its very different constituent bodies, it never took the place, in relief operations, of the international organizations of the Red Cross which, less robust in structure but voluntary in character, were more apt to appeal to altruistic feelings rather than to contractual obligations, and were thus particularly suited to emergency relief operations.

3. Formation of the International Red Cross

The second session of the League Board of Governors, meeting on 28 March 1922 in Geneva, had taken several decisions directly affecting the League’s relations with the ICRC. One of these was to admit in future all National Societies recognized by the ICRC. This meant the end of the exclusion of Red Cross Societies of the former Central Powers, a bar which had until then considerably hampered relations between the two bodies.

The Board of Governors also decided to transfer the League’s headquarters to Paris, a plan of which the ICRC had been informed in November 1921. Noting that the matter was an internal one for the League in which the ICRC was not required to act, the Committee stated its position thus:

“If such a decision should be taken by the League, the International Committee would certainly regret its departure from Geneva, in the higher interests of the principle of absolute political neutrality governing the Red Cross. It earnestly hopes that if the League does leave Geneva the possibility, mentioned by Sir Claude Hill himself,
of periodical meetings in Geneva of the Joint Committee of the League and the International Committee may diminish the practical disadvantages of the move from the point of view of regular collaboration between the ICRC and the League of Red Cross Societies."

Harry Davison had been prevented by serious illness from attending the second session of the Board of Governors and died during an operation on 6 May 1922. The ICRC joined the League in paying homage to "this remarkable man who freely placed his great resources, his lucid intelligence and his generous heart at the service of the humanitarian cause, the alleviation in peacetime of suffering among nations and individuals". 1 His place at the head of the Board of Governors was taken by Judge John Barton Payne, President of the Central Committee of the American Red Cross.

The agreement establishing the Joint Committee had been renewed for one year on 5 April 1922. At the League's suggestion, the post of chairman for the second year was again conferred on Gustave Ador, who had shortly before been offered the title of Honorary Governor of the League, a title he had felt he should not accept.

But liaison is not fusion, and it seemed essential to bring about once for all the organic union which the two institutions had envisaged, which the League's statutes provided for and which the National Societies awaited.

Talks on the subject, begun in July 1922 and repeatedly broken off and resumed, lasted for six years, only to terminate, not in a true organic fusion, but in a statutory association in which the ICRC, the League and the National Societies together made up the International Red Cross.

It may appear surprising that humanitarian bodies had so much trouble in finding common ground. It should not be forgotten that even charity needs to be co-ordinated, and that in the sphere of good works mutual agreement is as necessary as in the world of business, and sometimes more difficult to achieve. As one of the delegates to the International Conference in Washington in 1912 had remarked: "There's nothing people will more readily fight about than doing good." 2

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1 Revue int. CR, May 1922, p. 431.
2 Col. Guy Carleton Jones.
The long quest for unity, pursued from 1922 to 1928, is worth studying, therefore, because it illustrates the difficulties encountered in co-ordinating relief and, at the same time, by showing how it grew up, it explains the present structure of the International Red Cross. It is easier to understand the story if we divide it into four periods separated by International Conferences. The first period runs from July 1922 to the Geneva Conference in 1923, the second from 1923 to the Geneva Conference in 1925, while the third period dates from 1925 to the Berne Conference in 1926, and the fourth terminates with the Conference in The Hague in 1928. Each of the first three periods ended in stalemate for the talks, restarted each time by the Conferences. In the fourth period, Max Huber and Colonel Draudt appeared on the scene and the solution nobody believed in any more was reached.

The first period of negotiations began when Sir Claude Hill, Director-General of the League, sent the ICRC a memorandum on 10 July 1922 unofficially proposing an “organization based on the principle of unification”. In reply, Georges Werner, also speaking personally, suggested important amendments to the plan.1 In September, the Board of Governors, implementing a suggestion from Gustave Ador, formed a planning committee, which became known as the Committee of Six. It was composed of three League representatives—Sir Arthur Stanley, Chairman of the Executive Committee, Mr. W. G. Pierce and Mr. de la Boulinière—and three representatives of the ICRC—Paul Logoz, Jacques Chenevière and Georges Werner.

The negotiators were aware of the difficulties ahead of them. Sir Claude Hill, incidentally, in putting forward his plan for reunification, had taken care to add, “inasmuch as it would be possible to unify two institutions whose origins and functions are somewhat different”. Their structures, too, were so different that it did not seem possible to incorporate them into a single body unless one or the other agreed to give up its own character.

The League, in effect, was a federation representing the National Societies and having, at that time, a deliberative assembly, the General Council, an executive body, the Board of Governors, and an administrative element, the Secretariat. The ICRC, for its part, was able to assume each and all of these functions: the plenary meeting of

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1 Georges Werner was a professor of public and administrative law at the University of Geneva and a deputy judge in the law courts. He was appointed a member of the ICRC on 24 May 1922.
all its members was the governing body of the institution, while the commissions formed the executive element; and individual members could, and often did, exercise administrative duties. The correlation of functions was therefore far from obvious, to the point that, depending on their viewpoint or organization, some people wished to place the ICRC at the same level as the federated National Societies, others saw it as part of the executive body, and others still envisaged its being incorporated into a secretariat.

Subsequently, whatever system was adopted, the functions would have to be allocated. One way of doing this which might appear simple—or even simplistic, as the Committee wrote—would have been to give wartime activities to the ICRC and peacetime activities to the League. But the Committee did not want to be a Temple of Janus which closed its doors in time of peace; and it firmly insisted on what it called the right to exercise activities in conformity with its principles, within the scope of its possibilities and as confirmed by International Conferences. The ICRC should be visualized not as a static entity, a kind of control commission asked to intervene from time to time, but as a powerful driving force engaged in a continuing creative process. Throughout its history, the International Committee had repeatedly broken new ground. To refuse it access to the new route opening up to the Red Cross movement after the first World War would have been to halt its progress. The division would not be merely “wartime” and “peacetime” but rather “pre-1919” and “post-1919”. No doubt, as Sir Arthur Stanley wrote to Prince Charles of Sweden, the League would “offer this venerable institution the place of honour which it deserves”; but the ICRC felt that “the young Secretariat of the new institution” should not monopolize all the peacetime work, since this might profoundly affect the character of the International Red Cross.

Again, the problem was that of international relief operations. It would be unrealistic to state that all major relief operations are devoid of any political motivation. And even if they were, international assistance implies that other States assume some responsibilities of the State which is being assisted. Thus it might be necessary to guarantee the neutral character of the assistance. In such circumstances it would be a great advantage to be able to call on the services of bodies whose work in any international relief operation would not serve national interests. The Red Cross movement, with the apolitical nature of the National Societies, the multinational character of the League and the statutory neutrality of the ICRC, offered precisely the means required, complementary rather than mutually exclusive.
However, in order to act in this way, the International Red Cross had to settle what its areas of competence were (in other words, reconcile the powers of the International Red Cross Conferences and those of the Board of Governors of the League), and form a central committee or council which could act as its single executive body. This was the point on which the negotiations concentrated.

The first contacts, in July 1922 and subsequent correspondence, mainly brought to light the divergences. Under the first plans put forward by the ICRC, the International Red Cross Conference would be the supreme assembly of the International Red Cross, which would be a new institution, a legal entity under civil law, with its headquarters in Geneva. The executive body was to be a Council of Delegates composed of eight ICRC representatives appointed by the Committee, and eight representatives of National Societies, the chairman being the ICRC President. General activities were to be carried out by two branches: the ICRC, which would retain the principal areas of its traditional activities, and the Direction des œuvres sociales. The project also provided for joint finances, an administrative committee formed of two delegates from each of the two branches, and a single information and publication service. The ICRC would remain a neutral and independent body, recruiting members as it wished, free to act in its own name and on its own responsibility; its activities were not to be limited and defined to any greater extent than had been the case until then. For the League, on the other hand, the future International Red Cross should be first of all a federation of National Societies, and its major governing body, the Council of Governors or Delegates, would be essentially representative of the National Red Cross Societies and responsible to them, though including a limited number of ICRC representatives ex officio. The General Secretariat under the League plan was to have three departments. The first, given the name of the Neutral Committee, would take over certain tasks of the ICRC, would deal with wartime work, legal matters and duties assigned to it by the executive body; the second would be in charge of international relief operations, as put forward by Senator Ciraolo at the Tenth International Conference, while the third would deal with peacetime activities. Neither of these plans proved satisfactory, since each of the two organizations had the impression, not entirely unfounded, that it would be swallowed by the other in the interests of unity.

In the meantime, the Central Committee of the Swedish Red Cross, consulted on the plans, considered that they did not completely abolish the dual character of the institution, and that neither the
Executive Committee, in the League’s plan, nor the Council of Delegates, in the ICRC’s version, had been given the supreme and permanent authority which was desirable. Prince Charles of Sweden then presented a third plan to the ICRC and the League. This gave executive powers to a central governing body, the Central Committee of the International Red Cross (or, in the version later adopted by the Scandinavian Red Cross Societies, the International Committee of the Red Cross Societies), nine of whose members were to be appointed by the ICRC and nine by the International Conference, which would likewise elect the chairman and vice-chairman of the Committee, both to be Swiss. This governing body of twenty members would thus have a majority of neutral members, yet without the ICRC holding the majority vote. In the event of war, the Committee members from belligerent countries would be replaced by members of National Societies of neutral countries. This Committee would have a commission and a secretary-general to administer its two major departments. One of these, responsible for social work, corresponded to the general organization of the League Secretariat. The other would deal with wartime activities and all questions not coming under the heading of social work, including the formation of new National Societies.

The ICRC favoured this project and agreed to take it as a basis for discussion. The League, although observing that its main outline was the logical development of the principles set forth by its Director-General, objected to the composition of the governing committee as proposed by Prince Charles, on the grounds, as Sir Arthur wrote, that neutrality was not the monopoly of a single country or a single city.

This time it was the method of recruiting members of the International Committee which was the bone of contention. The ICRC had been founded in 1863 by five citizens of Geneva, and was being administered by eighteen Genevese citizens in 1923. It was true that the Tenth International Conference, in deciding that the home of the Red Cross should continue to be Geneva, assigned its supreme authority and the custody of its interests to the “worthy sons of this noble capital”, in the words of the rapporteur of the 5th Commission. But Sir Arthur Stanley, who saw this as a restrictive measure, spoke more briefly of the “Geneva Committee”, while Giuseppe Motta, before he was made a member, even regarded it as a “neighbourhood committee”.

These reservations made little impression on the ICRC. On the contrary, it took the view that because it was a compact group of
homogeneous social structure, educated in the same schools and nourished by the same traditions, it was able to judge and to act with force and cohesion. As soon as the war was over, it had appointed four new members, again from Geneva: Ernest Sautter, an engineer, Bernard Bouvier and Lucien Gautier, both professors at Geneva University, and Guillaume Pictet, a financier. Yet though the general opinion required it to broaden the basis of recruitment, the Committee appeared willing to do so only to a moderate degree. In any case, even before it had begun unity talks with the League, it had prepared a plan for broadening its membership, by appointing associate members who would represent National Societies. At the same time it made attempts to draw more support from the various linguistic regions of Switzerland and, on 23 July 1923, it decided to elect to the Committee three members from other cantons, particularly eligible because of their experience in international relations. One was Giuseppe Motta, former President of the Confederation and head of the Federal Political Department, who, as one of Switzerland’s representatives to the League of Nations, had played his part in gaining recognition by the world body of the exceptional nature of Swiss neutrality. Another was Alois de Meuron, a lawyer from Lausanne, a National Councillor and a member of the Interparliamentary Union, who had been appointed as arbitrator between Portugal and Germany in application of Articles 297 and 298 of the Versailles Treaty. The third new member was Professor Max Huber of Zurich, a delegate to the 1907 Hague Conference, jurisconsult at the Federal Political Department in 1917, judge at the International Court of Justice. He it was who, in 1928, would have the heavy responsibility of succeeding Gustave Ador as President of the ICRC.

Meanwhile, the Committee of Six met on 20 April 1923 in London. The plans put forward by one side and the other seemed still to be far apart, but a few general principles could be defined, and a Joint Committee was set up to draft a proposal. The Drafting Committee, which met in Geneva from 16 to 19 May, prepared “Preliminary Draft Statutes of the International Red Cross”, the first such draft to have been drawn up in common, which still had to receive approval from both the international bodies.

Under this preliminary draft, a very detailed one, the ICRC and the National Societies would together constitute the federation of National Societies, under the name of the International Red Cross. The International Conference would remain the supreme authority of the institution and would keep the same composition, with the difference that a College of international members of the Red Cross
took the place of "the former ICRC". The General Council, meeting annually in ordinary session, was to be made up of representatives of the National Societies (49 at that time) and of the College of international members of the Red Cross, initially appointed by the ICRC and afterwards co-opting members.

The executive body was to be the Central Committee of the International Red Cross, composed of eight members, four of whom were to be nominated by the College and would be the first section of the Central Committee—called the International Committee in the draft statutes—four others being appointed by the National Societies' representatives in the General Council to form the second section, the National Societies' Committee.

The Central Committee in plenary session would represent the International Red Cross legally to third parties and, in addition to its liaison duties, would retain responsibility for publication of the official periodical of the International Red Cross; it was also placed in charge of the organization and co-ordination of special relief operations in the event of natural disasters. The chairman of the first section (International Committee) would automatically be chairman of the Central Committee, while the chairman of the second section (National Societies' Committee) would be its vice-chairman. The services attached to these two sections, the first directed by the General Secretary of the International Red Cross, the second to be headed by the Director General of Social Services of the International Red Cross, took over with little variation the division of responsibilities between the ICRC and the League.

It was therefore more a matter of union than unification, with at every level the old dualism which it had been hoped to avoid. Nevertheless, the two delegations to the Drafting Committee were in agreement and it remained only to take into account the possible amendments proposed by the League and the International Committee. Gustave Ador paid tribute to the efforts made by the Drafting Committee "to reconcile the rights and the independence of the National Red Cross Societies with the necessity of maintaining the traditions and services of the International Committee of the Red Cross". 1

Yet it was not this proposal which was adopted. On 25 May the Board of Governors, while deciding that work on the draft should continue, drew up for its own delegates instructions which considerably limited their powers. The Committee tried to meet once more in Paris on 24 and 25 June, but the distances between view-

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1 Gustave Ador to the Board of Governors, 22 May 1923.
points were really too great, and the preliminary conditions set by the Board of Governors—demanding, in particular, that the Eleventh International Conference should not discuss the question of fusion—were not accepted by the Committee members, who resumed their freedom of action. On 6 July the ICRC informed the Central Committees, in Circular No. 228, that the talks had been halted, and stated that it would trust to the authority of the Eleventh International Conference “to steer the work and plot the course to be followed”.

So the proposal for fusion was kept on the agenda of the Eleventh International Conference, which held its opening session in Geneva on 28 August 1923. The proposal presented by the International Committee, to ask a planning committee to continue the work, received general agreement on the principle, but reservations were made concerning the procedure: the Committee, faithful to its ideals, wished the planning committee to be authorized by the Conference in plenary session. This was finally adopted, with the proviso that the session should be held behind closed doors and that each delegate should be able to express his personal opinion freely, in a way which would inform the committee without giving it directives. The delegates who spoke stressed the need to preserve the neutrality and independence of the ICRC and to keep International Red Cross headquarters in Geneva. The Conference at length appointed a new planning committee of 15 members, of whom 13 were delegates of National Societies, one a representative of the ICRC and one a representative of the League, the latter subject to the approval of the Board of Governors, as the League did not consider itself bound by Conference Resolutions.

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The Eleventh Conference completed its work at noon on 1 September 1923. The same day, the cities of Tokyo and Yokohama were ravaged by an earthquake followed by huge fires. Some 200,000 persons died and millions were made homeless. The scale of the disaster, the extent of devastation and the tragic deaths of the tens of thousands who survived the earthquake only to be trapped by the fires, aroused a spontaneous worldwide desire to give help. Many Red Cross Societies sent relief supplies direct to the Japanese Red Cross. The Joint Commission seeing the upsurge of feeling on all sides, realized, as the October Bulletin international expressed it, “that it was less a matter of arousing the National Societies’ zeal,
which was self-evident, than of assembling the information concern­
ing each Society's efforts for the Society in Japan”.

It was in this spirit that the Joint Relief Commission reported to the
Central Committees the main needs notified by the Japanese Red Cross. Thirty-five National Societies responded to the appeal. The Japanese
Red Cross, whose headquarters had been damaged by the fire, had at
once launched a large-scale relief operation and treated 663,000 persons
in its hospitals, maternity units, clinics and first-aid posts.

The value of action by National Red Cross Societies in disasters
was thus amply proved. But the occurrence was also a reminder of
the need for a single relief body able to plan the required operations
in advance; for the question of relief was still, at that time, the first
problem to be solved if the normal functioning of the International
Red Cross was to be guaranteed. There was no lack of projects; in
fact, there were too many, the partisans of each being convinced that
they had the best solution.

The Planning Committee set up by the Eleventh Conference met in
Brussels from 1 to 3 November 1923 in the Palais des Académies,
under the honorary chairmanship of Prince Charles of Sweden, the
chairman in fact being Councillor H. C. Dresselhuys, Secretary-
General of the Netherlands Red Cross. Having eliminated two possi­
ble solutions—maintenance of the existing situation and the return to
the prewar position—the Planning Committee had to choose be­
tween two guiding principles: either to amalgamate the two interna­
tional bodies (which in the view of the rapporteur would mean that
each would disappear), or to succeed in co-ordinating their services.
A substantial majority, and the ICRC, voted in favour of co­
ordination. Gustave Ador stated: “I am deliberately avoiding the
word amalgamation because I do not believe genuine amalgamation
to be possible, only closer collaboration and more effective co­
operation between services, leaving intact the autonomy and in­
dependence of those possessing a tradition and a history and of
those, created more recently, who wish to assist the public health ser­
VICES, each remaining in its own sphere of activities and maintaining
its own position.” But three members of the Planning Commit­
tee—Sir Claude Hill, nominated by the League, Colonel Robert
Olds, of the American Red Cross, and Sir Arthur Stanley, of the
British Red Cross—preferred the principle of amalgamation. Colo­
nel Olds summed up his view by saying that the question should be
examined irrespective of what had already been done, as if the ICRC
and the League did not exist, the Commission’s mandate being to set
up a new organization on the best possible foundation.
In the sub-committee of six members which had to prepare a preliminary draft of the statutes, the same division appeared, affecting the whole tenor of the drafts.

The partisans of co-ordination believed the International Red Cross should comprise all the National Societies and the ICRC. The bodies through which it acted would be the International Conference, the Council of Delegates, the Permanent Council and the various services. The ICRC was to be represented on all of them: the scale of its responsibilities, the number of its representatives in the Councils, and whether it should have a vote or be advisory, were matters to be settled by discussion in committee.

Colonel Olds considered that the federated National Societies, without the ICRC, formed the International Red Cross. The internal organization which he would have attributed to it was similar to that of the League, since the governing body, the General Conference, meeting every two years, would have been able, if it so wished, to invite governments, personalities and any national or international organizations to take part in its deliberations, but without being entitled to vote. The ICRC, not included within the federation but recognized by it, could be given ad hoc missions and would retain its value as an independent and non-representative body having served the Red Cross movement in the past and capable of playing an important part in the future.

This system, far from bringing about amalgamation, made the division permanent. The ICRC, set high on a pedestal, seemed to some members of the Planning Committee to have been turned into a museum piece. Yet the reduction of its role to such insignificant proportions does not appear to have been deliberate: the intention had been rather to make it a neutral tribunal, independent and universal and, in order to maintain this character, with no part in the practical activities of the federation, other than missions it might be assigned.

“By its very nature”, wrote Robert Olds, “the ICRC cannot be an executive or administrative body. From the moment it takes on this character, its role is reduced and is no longer that of supreme arbiter but runs counter to its great vocation.”

The conception of the International Red Cross itself likewise caused division into two camps. One group saw it as a collective body of National Societies with the addition of the ICRC. The other regarded the federation alone as representing the National Societies. There may have been a misunderstanding between the two sides, in that a group of independent and autonomous societies cannot be taken for the body in which they are associated in order to carry out specific
activities. So it would have been possible to conceive the International Red Cross as being made up of three elements instead of two: the National Societies, the ICRC and the League. This was the formula arrived at in the 1928 agreement; but in 1924 it was still a long way out of sight.

In such circumstances it was hardly surprising that no solution was found to satisfy the partisans of each of the two plans. A second meeting of the Planning Committee in Paris from 19 to 21 January 1924, a meeting of the sub-committee in February, and a third Planning Committee meeting in The Hague from 4 to 6 June all failed to produce a common proposal. The Bureau of the Planning Committee met in Brussels in November and, in an attempt to reconcile all opinions, drew up a ne varietur draft setting up a Union of Red Cross Societies formed only of National Societies, while ensuring a place for the ICRC in the International Conference, the Permanent Council and the executive departments. The majority of its members considering that the Planning Committee's work had been completed, the chairman of the Committee, H. C. Dreselhuys, and the secretary, A. Hammarskjöld, sent the draft statutes to the National Societies, and requested the ICRC President and the chairman of the Board of Governors to convene the special conference which would have to study the conclusions. The report by the Bureau to the National Societies informed them of the reservations expressed by Sir Claude Hill, who thought that many of the articles in the statutes ought to be re-examined or clarified by the Planning Committee, and those of Colonel Olds and Sir Arthur Stanley, who themselves published a manifesto in January 1925 explaining the reasons why they did not agree to the majority proposal.

Another view was that of Dr. Serge Bagotzky, representative of the Soviet Red Cross: he disagreed with both the Planning Committee's draft and the Olds proposal, clearly stating his attitude that "the prerogatives of the International Committee of the Red Cross should be in no way diminished". In a booklet in which he paid tribute to the ICRC's activities, distinguished in wartime and in peacetime "by its objective nature and the absence of any political considerations", he wrote:

"If the International Red Cross is to retain the humanitarian character of its activities, devoid of any political tendencies, and if the National Red Cross Societies are to maintain their independence, the present form of free association is the most favourable one. The international central body of the Red Cross should be composed of citizens of a small neutral country which does not play any important
role in international politics. This form of constitution is necessary, since national antagonisms arise in peacetime as well as in wartime, though the conflict presents a different aspect.”

Dr. Bagotzky added to his proposals the hope that the National Societies and the ICRC would include among those taking part in their work “representatives of the workers and the trade unions”.¹

* * *

Gustave Ador, meanwhile, following up the request of the chairman of the Planning Committee, wrote on 21 November 1924 and 12 April 1925 to the chairman of the Board of Governors proposing to convene the special Conference of National Societies. But Judge Payne thought that the draft presented to the National Societies had not brought about fundamental unanimity, or even obtained a genuine majority. He ended: “Under the circumstances, to involve the National Societies in the very great labour and expense of attending an International Conference could accomplish no good purpose.”²

Nevertheless, the ICRC decided to submit the matter to the authority of a Conference and, on 4 May 1925, sent out a circular calling the Conference for October in Geneva. It included in the agenda many important items of a general nature, the discussion of which could not be deferred: neutralization of medical aircraft, standardization of medical equipment, relations between health services and National Societies, chemical warfare, the problem of missing persons in wartime, the co-ordination of private efforts to give help to refugees. After these items, it finally added the question: “Do the required conditions, as fixed by Resolution I of the Eleventh Conference, exist for convening an international conference to examine the response to the report of the Planning Committee?” So the Twelfth Conference was not asked to deal with the international organization of the Red Cross movement, but to decide whether the special conference advocated by the ICRC and the Planning Committee should be convened.

The answer given by the Twelfth Conference, in which the League did not take part, was affirmative: by a large majority of National Societies, and with no opposing vote, the Conference acknowledged

¹ Dr. Serge Bagotzky, Russian Red Cross delegate to the International Committee of the Red Cross, La Réorganisation de la Croix-Rouge internationale, Berne, published by the Russian Red Cross Society, 1924.
² John Barton Payne to Gustave Ador, 12 March 1925.

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that the special conference should be held and stated that if it was not convened before 1 July 1926 the Swiss Red Cross should take responsibility for doing so. In setting this deadline for the joint convening of the special conference, the Twelfth International Conference gave the delegates time to consider. The seven months' interval was in fact used to advantage by both sides to re-examine the situation and the possibilities of agreement.

Prince Charles continued his own efforts to reconcile the parties. Under his leadership, the Scandinavian Red Cross Societies, soon joined by five other National Societies, produced draft statutes modeled both on the draft of the Planning Committee and on the reservations expressed by the minority. This was a last attempt to bring together the irreconcilable opponents, for there was no longer much hope of success. In June 1926 the League Board of Governors, while expressing the wish that the good relationship between the ICRC and the League would be maintained and extended, had noted that fusion of the two bodies in existing circumstances appeared to be impossible and therefore considered the negotiations to be at an end. The International Committee, wishing to release itself from the discussions, gave no opinion on any of the drafts and left the decision to the National Societies.

* * *

The period fixed by the Twelfth International Conference having expired, Colonel Bohny, chairman of the Swiss Red Cross Central Committee, convened the special conference. The invitations to attend were accepted by 27 of the 52 National Societies recognized by the ICRC and by 26 governments, and the conference opened on 16 November 1926 in the Federal Parliament building in Berne.

Having learned from the experience of the Planning Committee, the participants realized that it was extremely important to prevent the emergence of two opposing groups, either within the Conference or within the Red Cross movement. The General Secretary of the British Red Cross, which was not taking part, had expressed his opinion that the Conference’s decisions would not be mandatory, that the Conference was capable only of making recommendations. “In the opinion of the British Red Cross”, wrote General Champain, “the disadvantages of dualism are less serious than the risks of schism, and the appropriate solution would seem to be for the League and the ICRC to collaborate harmoniously.”
Those attending the Conference therefore attempted, for the first time, to come to a unanimous conclusion which they would recommend for study by the next meeting of the Board of Governors. In order to achieve this, they had assembled divergent opinions rather than reconciled them. The draft adopted by the representatives of 24 National Societies present at the closing session and by 20 government representatives, Great Britain abstaining, left the International Conference as the highest authority of the International Red Cross. The ICRC retained its traditional activities, while alongside it was created a Committee of the League of Red Cross Societies to continue the League's humanitarian work. The most original feature was the constitution of an elected Council composed of five members of National Societies, two members of the ICRC and two members of the League—a formula later retained in the formation of the Standing Commission.

So, once again, two bodies were incorporated in the union: the International Committee and the Committee of the League, thus maintaining a kind of dualism without satisfying the League, whose governing body was now reduced to six members. The ICRC, although it could derive satisfaction from the unreserved support of the National Societies meeting in Berne, was conscious that the problem would not be an easy one to solve. Writing to Max Huber, Georges Werner expressed the doubts felt: "What is in store for us in 1927? I feel a bit anxious about it. I have the impression that the Berne result is not entirely clear. The rules were drawn up too hastily, and could give rise to misinterpretations. Has the League been abolished, or will it continue to exist? I wonder if the Board of Governors should be allowed to meet in May without a preliminary meeting to prepare the way for an agreement, to be confirmed afterwards by the Constituent Conference."

But the time for agreement had not yet been reached. There were deep-seated differences of opinion within the Board of Governors, and the Red Cross Societies of the four Nordic countries withdrew from the League. Nevertheless, the Board had reached conclusions which gave evidence of great progress and cleared the way for accord. The Board accepted the idea of a single International Conference meeting once every four years, while retaining its own two-yearly meetings, one out of every two of these to coincide with the International Conference. It endorsed the idea of a joint Co-ordinating Council of nine members, while confirming the independence and autonomy of the ICRC and the League.
Informing Gustave Ador of the Board’s decisions, Judge Payne expressed the hope that agreement could be reached: “The great majority of the Board (39 to 7) expressed the conviction that the CICR and the League, having their separate fields of work, should be allowed free expression; that while union, as such, seemed impossible, the two should work together in complete harmony. With a united International Conference and a Council of Coordination, the way seemed clear to end all controversy and for each to devote itself to its work unhindered by questions of organization.”¹

However, the ICRC wished to adhere strictly to the procedure established by the International Conferences; and observing that the Board of Governors had not adopted the proposals of the Berne Conference, again affirmed the competence of the International Conferences in the matter:

“In the present circumstances, the procedure envisaged by the XIth and XIIth Conferences is therefore terminated. The matter will be resubmitted to the XIIIth International and World Conference, the only competent body either to consider the matter as being liquidated and to be removed from the agenda or to envisage any other solution.”²

Thus ended the third phase of the negotiations. After the Committee of Six, and the Committee of Fifteen, the Berne Conference had also ended in stalemate.

Less than appeared, however: the long search for unity had shown the dead ends and eliminated the false, utopian or dogmatic solutions. Moreover, the Board of Governors had taken care to leave a door ajar by asking Colonel Draudt, Vice-Chairman of the League and a good friend of the International Committee, to inform the Committee of the Board’s resolutions and explain them.

* * *

On 8 November 1927, Colonel Draudt asked Gustave Ador to meet him to undertake a preliminary study to facilitate the work of the Thirteenth Conference. He arrived in Geneva on 10 December, accompanied by Count Bonabes de Rougé, who later became Secretary-General of the League. Those taking part in the talks—Colonel Draudt, Gustave Ador, Paul Logoz and Bernard Bouvier—remained reserved. Nevertheless, contact had been re-established. In January 1928, the ICRC requested Max Huber, kept in The Hague by his duties at the International Court of Justice, to begin negotiations.

¹ Letter to Gustave Ador, 9 May 1927.
² Letter from Gustave Ador to Judge Payne, 7 June 1927.
Progress thenceforth was rapid, Max Huber and Colonel Draudt finding it easy to understand each other. Each had enough authority and judgement, personally and professionally, to know that they would receive a hearing. Within one month they completed draft statutes which Max Huber submitted to the Committee at the end of March.

The ICRC Bureau gave its agreement in principle on 28 March, and on the 29th Gustave Ador wrote to Max Huber:

"Yesterday I called a meeting of the Bureau and we studied your texts and the accompanying commentary with the greatest interest. Because of the Easter holiday, we cannot have a meeting of the Committee next week, when Mr. Logoz, on his return from The Hague, would have been able to tell us about his talks with you. Do not be surprised if the Committee is unable to give its decision on your proposals until Thursday 12 April."

It was the last letter the ICRC President wrote. He was probably pleased to see that the problem of the organization of the Red Cross, which had been a source of much bitterness to him in the final years of his life, was about to be solved. Gustave Ador took the chair once more at a meeting of the International Committee on the afternoon of the same day. He began by welcoming a new member, Maurice Dunant, who was taking up his duties on the hundredth anniversary of the birth of his uncle, Henry Dunant. Ador expressed regret at the death of a loyal friend of the Committee, Colonel Bohny, President of the Swiss Red Cross. But he had overtaxed his strength, and, feeling unwell, handed over the chair to Bernard Bouvier and returned to his home at Hauterive, Cologny, just outside Geneva. On the night of 30/31 March 1928 he died at the age of 82.

The death of this great statesman aroused much feeling all over the world, not only within the Red Cross movement, where the authority of his speech, the weight of his opinions and the courage of his statements had caused him to be loved and respected, but also among governments, international institutions and the tens of thousands of men and women for whom his name, in the years of war or distress, had represented the only remaining hope. Hundreds of telegrams and letters poured into Geneva in a demonstration of worldwide sympathy and sorrow.

In Geneva, the members of the Committee, dismayed, held an emergency meeting on the morning of 31 March. Bernard Bouvier, as a personal friend of Gustave Ador, expressed the feelings of all present and, as Vice-President, made the immediate arrangements. In Paris, where the League Executive had just met, the representative of
the Japanese Red Cross, Count Hiroyuki Dewai, expressed sympathy on behalf of the League.

Having received the support of the League’s Executive Council and of the ICRC, Colonel Draudt and Max Huber terminated the final draft of the statutes on 11 May 1928 and signed it on the 12th. "A historic day”, declared Bernard Bouvier at the Committee’s meeting in the afternoon, when Max Huber presented him with a copy of the draft statutes, bearing in red wax the seals of the two negotiators, like a diplomatic treaty. It was during the same meeting that Max Huber was appointed President of the ICRC.

One last hurdle remained: scrutiny of the draft statutes by the Board of Governors. This body met in The Hague at the same time as the Thirteenth International Conference, and accepted the statutes with a few amendments to which the ICRC raised no objection. Once the Delegates’ Assembly had given its agreement, the new statutes were adopted on 25 October 1928 by the 52 National Societies represented (though the representatives of the four Nordic countries had reservations concerning one of the articles), by 35 governments, with 5 abstentions, and by the ICRC. The Assembly having noted that the statutes of the two international bodies were now compatible, the statutes of the International Red Cross took effect on 26 October 1928, to the applause of the assembled participants, who declared that Max Huber, Colonel Draudt and Judge Payne “had deserved well of the Red Cross”.

What was new in the statutes was not to be found in the structure of the bodies represented but in the links between them. Max Huber, in submitting the draft text to the plenary Assembly, emphasized this: "There could be no question of creating a completely new organization. It was a matter of keeping intact and consolidating the existing elements, whose value had already been proved by the services they had performed. What really had to be done was to harmonize the role and the functioning of these diverse elements for the greater benefit of the Red Cross, while ensuring their co-ordination and unity by setting them within the framework of the International Red Cross as the highest decision-making authority of the Red Cross movement.”

Co-ordination and unity were achieved by the institution of the International Red Cross, defined, together with the Conference, in the first article of the statutes.

“The International Red Cross shall comprise the National Red Cross Societies, the International Committee of the Red Cross and the League of Red Cross Societies. The supreme deliberative body of
The International Red Cross shall be the International Conference. The International Conference shall be composed of delegations of all the National Societies, of delegates of the States Parties to the Geneva Conventions, and of delegates of the International Committee of the Red Cross and of the League of Red Cross Societies.

"The International Conference shall maintain its existing functions; it shall, further, co-ordinate the work of the National Societies, the International Committee of the Red Cross and the League of Red Cross Societies.

"The Conference, subject to the provisions of the present Statutes and pending the adoption of new Rules of Procedure as provided for in Article 11 below, shall continue to be governed by its existing Rules of Procedure."

The Conference, which was to meet once every four years or, exceptionally, every two years, thus retained its former attributes, with the addition of the League to its constituent bodies. The ICRC and the League kept their own statutes, which the Conference had no power to alter, their methods of recruitment and their respective areas of competence.

There remained two distinctly constituted assemblies of representatives of National Societies. One, the Council of Delegates, usually met when there was an International Conference; it was composed of delegates of the National Societies and of the ICRC and the League. It was thus the successor of the former Delegates' Commission. The other body, the Board of Governors, meeting every two years, was, as before, the general assembly of members of the League, whose Delegate Assembly had been abolished. Every second meeting of the Board was held at the same time and in the same place as the International Conference, which was also at the same time as the Council of Delegates but separate from it. The Board, in fact, had authority to adopt resolutions committing the League to action, while the Council of Delegates could only approve resolutions for submission to the International Conference.

The new element, modeled on the drafts produced by the special conference in Berne, was the Standing Commission, a body which provided continuity for the International Conferences in the intervals between sessions. Formed of five representatives of National Societies, two members of the ICRC and two League representatives, the Standing Commission was called upon to act as arbitrator and conciliator in any divergences which might arise, and to prepare the agenda for the Conferences.
For better collaboration between the Committee and the League in matters affecting the areas of activity of each, “especially with regard to assistance operations in the event of national or international disasters”, the new statutes laid down that each body should nominate a representative to the other. Indeed, the allocation of relief operations was not clearly defined—and we have seen how the complex character of such operations, with both political and social implications, made it difficult to set definite limits on them. Moreover, one year before, the International Relief Union had come into being, an inter-governmental organization whose precise purpose was to provide relief and co-ordinate assistance in the event of public disasters, with the voluntary help of the National Societies and “institutions or bodies which constituted or would constitute a legal and moral link between them”. There remained the question, which would have to be dealt with soon, as the report of Huber and Draudt emphasized, of “the collaboration of the ICRC and the League within the International Relief Union”. The two rapporteurs suggested that the matter be submitted to the Fourteenth Conference, which should meet, as an exception, two years later. In practice, relief operations by the two international Red Cross bodies had usually been co-ordinated through special agreements or by the reactivation of the Joint Relief Commission. Peacetime operations had generally been handled by the League, with the ICRC retaining prime responsibility for those operations where a neutral intermediary was necessary.

The authors of the statutes had therefore been at pains to state the essential facts concerning the International Red Cross. They considered that the main foundation should be that of confidence and that it was not possible to give definitions for every circumstance in an association in which each party wished to belong to the community while at the same time keeping its freedom of action. The negotiations had kept “within the limits of what could be accomplished”, as Max Huber put it, setting down principally the competences of the International Red Cross and the various councils; and in so doing they had achieved a result which was to prove its viability by continuing essentially unchanged—apart from minor revision at the Toronto Conference in 1952—until the present day.

Admittedly, the resulting body was not as simple as had been hoped. It seemed complex, with many branches, and did not lend itself to a diagrammatic treatment. But the reason was precisely because it was a living organism, bearing the traces of its development. After all other approaches had been explored and found to be
dead-ends, the solution finally adopted was probably the best. It left the International Red Cross with enough diverse elements for it to carry out its activities in many fields—humanitarian law, natural disasters, relief and assistance, public health—and in any circumstances, whether national or international, in war and in peace.
A call to the newly formed Joint Commission to urge all nations to combat the spirit of war had, as we saw, been made by the Tenth International Conference. In implementation of this mandate, the ICRC and the League published *L'Appel pour la paix* on 19 July 1921. This was the first expression of a form of activity which was to engage the attention of the Red Cross to an ever-increasing extent.

Until then, the Red Cross had never adopted a position of principle with regard to war. War was considered as something which existed, deplorable and deplored, but acknowledged by international law, under which the Red Cross carried out its work of protecting non-combatants. Its benevolent principles, its refusal to take part in aggressive operations, its efforts towards worldwide fraternity, made it a fundamentally peace-loving institution. However, although it condemned war on moral grounds, it regarded the problem of its prevention as a political matter in which the Red Cross could not intervene:

"To humanize war, if that is not a contradiction in terms, is our mission. We must openly declare our keen regret and grief at not being able to do more; we must protest against the great collective iniquity known as war, only one of the forms of evil to be found in the world. But once we have voiced our undisguised rejection of war, we must take it as it is, unite our efforts to alleviate suffering, and demand with all our strength that the flag of victory be surmounted by the white flag and red cross of brotherly love." 1

After 1919, this attitude had to be revised. War no longer appeared solely as a dramatic episode in the relations between States, but as a threat to man's spiritual growth. The tremendous scale of war, the

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1 Dr. Louis Appia, Report on his mission in Schleswig, communicated by the International Standing Committee for Aid to Wounded Soldiers, Geneva, 1864.
widespread destruction, the sophistication of weapons and the disproportion between the means employed and the goals attained indicated a change in the nature of war. The difference in quantities entailed a difference in quality to which the Red Cross could not remain unresponsive. It was no longer possible to distinguish what was part of war and what had nothing to do with it, since, in becoming total, it had become a threat to the human race. In this spirit the ICRC and the League appealed to public opinion:

"The two organizations appeal to nations and individuals to combat in every possible way the spirit of war. Statesmen, men of letters, teachers, businessmen and workers are urged to remember that, in the common interest, they should all help to establish the reign of peace over the whole world. Children, particularly, should be brought up with this fundamental idea.

"We must therefore revive in men's hearts the principle of an international outlook which respects the love of each citizen for his own community, each native son for his mother country, but which also teaches every human being the same respect for the existence and the rights of all his fellow creatures by bringing into personal and everyday life the radiance of universal and lasting justice.

"Such genuine internationalism is possible only with close and sincere collaboration from governments, parliaments, independent associations, the press, ministers of all religions and, especially, the Red Cross Societies. But all these forces need, in addition, the overriding motive of personal conviction. Everyone, whatever his or her possibilities, must help to create the peaceful conditions needed. Nobody should judge others from the standpoint of personal egoism, anger, fears or emotions, but in a spirit of harmony and mutual aid.

"That is the only way to lay the foundations for a better future."

The Red Cross, by including the struggle against war-mindedness in its action programme had, as can be seen here, no intention of taking a political stance with regard to the States, which is probably why it addressed the individual conscience. Its aim was to remind the world that the spirit of peace was inseparable from the ideals of the Red Cross, and that when it attempted to limit war's effects it would be wrong to believe that it approved what it was unable to prevent. It was trying to reconcile an ideal of international peacemaking with national traditions, by leaving each individual to struggle personally against the idea of war, but it gave no advice on any course of action if personal conviction were opposed to government policy.

The new feature in the 19 July manifesto was the declaration that the stand against war was not political, that the Red Cross was not
abandoning its neutrality by working, in its own words, not only in
time of peace but also for peace.
Vice-President Edouard Naville had envisaged going further: he
had proposed to the ICRC, for submission to the Tenth Conference,
a definite programme to enable National Societies to combat the
warlike spirit. His idea was to request the abolition of compulsory
military service in standing armies and the replacement of these
forces by militia.
"To make war less frequent and to deliver humanity from this
menace as far as possible is an advance, it goes further than making
war humane, which is our initial purpose. So I would like to propose
to the International Committee that the first task to be dealt with
should be the abolition of compulsory military service for any other
body than the militia, which would be solely for defence; the Com­
mittee should put forward this idea at the forthcoming Conference
and ask the various branches to make it their own."
The Vice-President's proposals—including prohibition of aerial
warfare—were not taken up. It was perhaps too soon to ask the
governments represented in the International Conferences to give up
the standing armies which formed their major instrument for enforc­
ing the peace treaties.

* * *

But in 1921, war was only too much in evidence, and the Tenth
Conference devoted its deliberations mainly to the protection of war
victims. The resolutions adopted were the source of most of the ad­
vances made in humanitarian law in the years which followed. The
Conference asked governments to prohibit absolutely the use of gas
as a method of combat, to limit warfare to military objectives and to
observe strict respect for undefended localities. It re-examined the
problem of protecting prisoners of war and wounded combatants,
since the world war had proved the existing protection inadequate as
weapons grew more advanced. On this subject the Conference put
forward for consideration by governments a draft of a diplomatic
convention on prisoners of war, deportees, evacuees and refugees,
and a draft revised text of the 1906 Convention for the protection of
the sick and wounded.
Another problem examined by the Tenth Conference was the role
of the Red Cross in the event of civil war, a question the 1912 Con­
ference had not felt it appropriate to discuss. This time, however,
having learned from the conflicts then raging in eastern Europe, the
assembly adopted an important resolution on the role of National Societies and of the ICRC in internal conflicts and civil war:

"General principles"

1. The Red Cross, which stands apart from all political and social distinctions, and from differences of creed, race, class or nation, affirms its right and duty of affording relief in case of civil war and social and revolutionary disturbances. The Red Cross recognizes that all victims of civil war or of such disturbances are, without any exception whatsoever, entitled to relief, in conformity with the general principles of the Red Cross.

2. In every country in which civil war breaks out, it is the National Red Cross Society of the country which, in the first place, is responsible for dealing, in the most complete manner, with the relief needs of the victims; for this purpose, it is indispensable that the Society shall be left free to aid all victims with complete impartiality.

3. If the National Red Cross cannot alone, on its own admission, deal with all the relief requirements, it shall consider appealing to the Red Cross Societies of other countries, in conformity with the following general principles,

   a) Requests for foreign assistance cannot be accepted from one or other of the parties in conflict but only from the National Red Cross Society of the country devastated by the civil war; such requests must be addressed by it to the International Committee of the Red Cross.

   b) The International Committee of the Red Cross, having ensured the consent of the Government of the country engaged in civil war, shall organize relief, appealing to foreign relief organizations. Should the Government in question refuse its consent, the International Committee of the Red Cross shall make a public statement of the facts, supported by the relevant documents."

"Exceptional cases"

1. When, following the dissolution of the National Red Cross Society, or by reason of the inability or unwillingness of such Society to request foreign aid or accept an offer of relief received through
the intermediary of the International Committee of the Red Cross, the unrelieved suffering caused by civil war imperatively demands alleviation, the International Committee of the Red Cross shall have the right and the duty to insist to the authorities of the country in question, or to delegate a National Society to so insist, that the necessary relief be accepted and opportunity afforded for its unhindered distribution. Should the authorities of a country refuse to permit such relief intervention, the International Committee of the Red Cross shall make a public statement of the facts supported by the relevant documents.

2. Should all forms of Government and National Red Cross be dissolved in a country engaged in civil war, the International Committee of the Red Cross shall have full power to endeavour to organize relief in such country, in so far as circumstances may permit.”

"Resolutions"

1. The Xth International Red Cross Conference approves the above proposals and recommends them for study to all National Red Cross Societies.

2. The Conference recommends that, in agreement with the International Committee of the Red Cross, all Red Cross Societies should undertake intensive propaganda to create in all countries an enlightened public opinion, aware of the complete impartiality of the Red Cross, in order that the Red Cross may enjoy throughout the world, on all occasions and without any exception, the confidence and affection of the people without distinction of party, creed, class or persons, which are indispensable conditions to enable the Red Cross to accomplish its tasks fully and to secure the most effective safeguard possible against any violation of Red Cross principles in the event of civil war.

3. The Xth International Red Cross Conference entrusts the International Committee of the Red Cross with the mandate to engage in relief in the event of civil war, in accordance with the above prescriptions.

4. The Xth International Red Cross Conference, recalling the distressing experiences of the Red Cross in countries engaged in civil war, draws the attention of all peoples and Governments, of all political parties, national or other, to the fact that the state of
civil war cannot justify violation of International Law and that such law must be safeguarded at all cost.

5. The Xth International Red Cross Conference condemns the political hostage system, and emphasizes the non-responsibility of relatives (especially children) for the acts of the head or other members of the family.

6. The Xth International Red Cross Conference deplores the unlimited suffering to which prisoners and internees are sometimes subjected in countries engaged in civil war, and is of opinion that political detainees in time of civil war should be considered and treated in accordance with the principles which inspired those who drew up the 1907 Hague Convention.”

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Less than two months later, the conflict in Upper Silesia was to bring the ICRC into touch with a situation approaching one of the “exceptional cases” mentioned in Resolution XIV of the Tenth Conference: the absence of a government or National Red Cross Society in a territory where civil war was raging.

In fact, the position in Upper Silesia was extremely unusual. The region had formerly been German, and its status was to be determined by a plebiscite. Pending this decision, the province had been placed under the absolute authority of an Inter-Allied Commission headed by General Le Rond.

At the beginning of 1921, the inhabitants of Polish origin were alarmed by rumours that the Upper Silesian industrial basin was to be allotted to Germany and, without waiting for the plebiscite, formed armed groups under the dictator Korfanty and began hostilities against the German population. The latter then organized resistance groups under the command of General Hoefer, who had set up his headquarters at Ober Glogau (now Glogów, in Poland), on the left bank of the Oder, while Korfanty was based at Scopinitz, in the heart of the mining area and close to the Polish border. Reinforcements in men and material had been sent to each of the parties from Poland and Germany.

“The rebel government”, wrote an ICRC delegate, “appears to have taken hostages from the workers’ organizations or the German administration services in the towns. Moreover, it is probable that the German resistance organizations have done the same with any Poles they could find. The result has been a general state of insecurity which greatly affects the whole civilian population in the area.
Supplies to the cities are disorganized. It has even been reported that Kattovitz, for example, has no water, the reason for which may be that the German public service employees have walked out of their jobs or been imprisoned, or that armed groups operating outside the town have damaged the water mains.

"ICRC relief to help the Inter-Allied Commission re-establish order could probably take two forms:

a) relief to prisoners and hostages,

b) relief to the civilian population."

The Polish Red Cross found itself unable to work within the plebiscite territory, while the German Red Cross, which claimed the right to do so, was prevented by the Inter-Allied Commission.

The ICRC appealed not only to the National Societies and governments concerned, but also to General Le Rond. In the name of the Commission, he gave the Committee permission to carry on its activities in the territory:

"The International Red Cross is the only Red Cross authority which may be called upon to take immediate action to relieve the victims of the conflict, which is not, strictly speaking, a civil war, since the dispute is between two governments issuing conflicting claims to a territory at present placed under the sovereignty of an Inter-Allied Commission."

The International Committee then opened an office in Oppeln (Opole) to direct relief operations with the help of unofficial representatives of the two Red Cross Societies involved. In this way the ICRC was able to visit the detainees in each camp and bring relief to inhabitants cut off in the mining towns. At length the Committee succeeded in arranging the exchange of prisoners and hostages; and, since the Inter-Allied Commission could not negotiate with a rebel government it had refused to recognize, or do anything for the prisoners of war and captive civilians in German hands, as they had been arrested and deported from the plebiscite territory in irregular circumstances, it was the ICRC which undertook to receive the returning prisoners and organize their exchange.

A further problem was how to safeguard the medical personnel attached to either side, in the absence of legal governments—the Red Cross armband, under the Geneva Convention, had to be "issued and stamped by the competent military authority". The ICRC was able to obtain permission for protection under the Geneva Convention to be extended to the German and Polish medical personnel employed in the civil war, and it undertook to issue Red Cross armbands bearing the ICRC seal, a serial number and the words "Upper
Silesia". This move would have been unique in the Committee's history, and might have stretched its responsibilities to excess; but it was never required, as hostilities came to an end early in July. However, in taking new decisions concerning the exchange of prisoners and the protection of medical personnel, the ICRC had established a precedent which, it wrote, might "be used as a point of departure for a new type of activity: the intervention of the International Committee of the Red Cross in all cases where, as the result of an insoluble or merely complicated political or social situation, properly constituted governments are unable to take any practical action".

* * *

The ICRC, therefore, in the first few years after the Great War, was called upon to explore new areas of activity; it never set any limits on its action other than those imposed by its resources and responded without hesitation to all requests, provided they were humanitarian in character. In its circular of 27 November 1918, the Committee had raised the question as to how its work might be changed, and suggestions were not lacking. On 26 November, the Austrian Red Cross had sent an urgent appeal for an ICRC delegation to be sent at once to Austria, where the distressing state of the hospitals and the shortage of food were causing great alarm. Dr. Frédéric Ferrière was sent immediately to Vienna, where he found an extremely grave situation. His personal action and his reports set off an international campaign of assistance. In Bohemia, Prague and Warsaw, the situation was no better, and the ICRC delegates described similar scenes: long lines of exhausted women waiting many hours, sometimes a whole day, to buy a few ounces of bread or only too often return home empty-handed.

Suddenly another affliction struck these countries whose people were already weakened by privation. Exanthematic typhus, a disease which thrives where there is debility and overcrowding, had been introduced by the returning groups of repatriated prisoners, refugees and fugitives and spread throughout central Europe, where even the simplest medicines were lacking. "The physical suffering caused by famine", wrote Dr. Ferrière, "means that the weakened body is predisposed to contract the disease, and the dirt resulting from material poverty means that there is no defence against infestation by the vermin which cause it. There is no soap at all, no linen, and the
unfortunate sufferers, wrapped in their verminous rags and their goatskins crawling with lice, carry the infection from place to place wherever they go. The prisoners coming from the steppes of Russia and Siberia, evading whenever possible police medical checks or compulsory recruitment into the armies fighting on all the eastern frontiers, seek deserted roads and abandoned hovels, waste land; and wherever they go they spread the disease, and when they reach their home towns they create many foci of typhus infection.”

From Rumania, Major Lederrey reported: “Death is no longer of any account. It is deliverance from sufferings which cannot be relieved.” Edouard Frick described what he found in a Ukrainian village: “The village is full of sick people, and death moves from one hut to the next.” Reports from the delegate in Galicia were, according to the ICRC, “frightening”.

Meanwhile, in response to the appeal of the Austrian Red Cross, medical delegates from Poland, Ukraine, Yugoslavia and Austria had met in Vienna on 28 February 1919 and on 1 March asked the ICRC to set up an international commission with wide powers and the means to bring relief, and to seek the help of the major European powers, as had been done during the typhus epidemic in Serbia in 1915.

The Committee turned to the Powers meeting in Paris at the Peace Conference. In its appeal, dated 10 March, the ICRC described the starving people “with emaciated and weakened bodies no longer fit for work, no longer capable of resisting any sickness, however slight”, and the children with almost no milk who were dying in their thousands. Going on to describe the lamentable state of the hospitals, lacking even the most ordinary remedies, and the spread of epidemics, the Committee added:

“Our delegates travelling through the countries of eastern Europe send us reports describing the lamentable state of the hospitals they visit. They have not only observed unbelievable shortages and sufferings, the details of which we shall spare you, but also the complete absence of any disinfection procedures, with the attendant dangers. In this way foci of epidemic disease, such as exanthematic typhus, are created and, given the conditions, there is no way of putting a stop to them.”

The Committee then appealed to the generosity of the Allied Powers, the only ones with the means to provide the necessary help:

“The quickest way to bring help to these communities deprived of everything would probably be to raise the blockade, particularly with respect to the medical supplies so desperately needed. This would be
of some help, though far from sufficient. We would therefore be pleased to see the Allied Powers put into effect the generous intention they have indicated several times, to send all necessary supplies to the countries of central and eastern Europe. We urge them to do so immediately and to remove any existing obstacles, for the distress grows greater each day.”

Another meeting in Vienna, on 15 April, was attended by Dr. Frédéric Ferrière, Dr. Louis Ferrière and Rodolphe Haccius, the delegate in Budapest. The delegate-general in eastern Europe, Edouard Frick, at that time on mission to Stanislau (now Ivano-Frankovsk), travelled to join the other ICRC delegates in Vienna, but himself caught typhus fever and had to be taken to hospital on arrival. It was from his hospital bed that he told Dr. Ferrière of his plan for combating the epidemic. Having observed that the spread of typhus was directly linked to the movement of prisoners of war and emigrants, he proposed that an international and neutral organization be set up, to operate through, possibly, a conference of State delegates supporting the ICRC as the decision-making body.

The Vienna meeting upheld the ICRC’s proposal to institute a permanent international medical commission and, pending this, it set up a permanent medical commission of the States which had formed part of the Austro-Hungarian Empire, with headquarters in Vienna and with the ICRC as patron. Then, on 20 June, the conference unanimously agreed to set up a central bureau to combat the epidemics in eastern Europe. This was composed of delegates from the States concerned and chaired by a representative of the ICRC. The Bureau planned to establish a cordon sanitaire to stop the epidemic from spreading, by setting up examination and disinfection centres for persons in transit at all crossing points on a line stretching from the Baltic to the Black Sea, while the International Committee continued its operations in Ukraine, where the situation was going from bad to worse. In September 1919 the ICRC sent a fully equipped medical detachment to Kamenets Podolskiy, and in June 1920 organized another medical mission composed of Swiss doctors and nurses accompanying a consignment of medicines.

The League, too, had organized a campaign against the epidemics in July 1919: first, it sent an investigating mission to Poland, and later carried out a medical campaign there and in eastern Europe. The Joint Relief Commission of the International Red Cross had not yet been created, and the operations of the League and the ICRC were not co-ordinated.
In 1920, the International Committee requested the League of Nations to assume general responsibility for the campaign. It continued to take part in conferences aimed at fighting the epidemics and joined the inspection tour organized in Poland by the League of Nations in 1921. The ICRC missions installed in Poland, Rumania and Czechoslovakia went on working to combat epidemics until 1923 and new delegations were sent to Moscow, Kharkov, Odessa and Constantinople.

Throughout this period, the ICRC was still heavily involved in the most varied operations. The general repatriation of prisoners did not end until June 1922, and fresh outbreaks elsewhere of fighting or disturbances required attention. In September 1922 and April 1923, visits were made to prisoner-of-war camps in Ukraine and to prisons in Kharkov and Kiev; visits were made to Polish prisoners and to Kvono (Kaunas) prison in Lithuania in 1922, while in Greece and Turkey in 1922 and 1923 the ICRC carried on relief operations and visits to prisoners of war and civilian internees of the Greco-Turkish war.

In addition to these major programmes, some of which, such as the campaign against epidemics, were of a new kind, and others, such as repatriation of prisoners and visits to POW camps and prisons, an extension of its traditional role, the ICRC had been involved since 1920 in operations on a considerable scale which were to lead to an international movement for aid to refugees.

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In November 1920, the troops of Wrangel’s army were forced back by the revolutionary forces and evacuated the Crimea on about 100 ships carrying more than 100,000 people, half of them civilians. The ICRC delegates, Mr. de Chabannes la Palice and Colonel Lederrey, had alerted the Committee. The evacuation fleet lay at anchor off Constantinople waiting authorization to disembark its passengers.

The ICRC appealed as follows to the National Societies on 24 November: “Informed arrival Constantinople in flight from Crimea 110,000 Russian refugees, 7,000 wounded, 15,000 children, disaster exceeds all forecasts, famine, disease imminent, local resources inadequate, major international relief effort imperative. Committee sent delegates to area at once with initial relief supplies. Appeal urgently National Societies for international assistance.”

Once again, the usual needs were listed—money, food, condensed milk, clothing, medical supplies, huts. There was an immediate
response from the National Societies, some of which, like the American Red Cross, were already on the spot. The Allied military commissions brought water and necessities to the ships. Gradually the refugees landed and spread over both sides of the Golden Horn, finding accommodation in the city or in military camps. Most of them, however, had been unable to take with them anything but the minimum of possessions, a few clothes, a little money. The better-off opened restaurants or started newspapers, while others kept stalls in the market where they sold their jewellery, their silver and their icons. Any money thus acquired lasted only a short time, and soon the previously self-supporting joined the mass of resigned emigrants receiving emergency help from the French and British military missions, the American Red Cross and the former Russian Red Cross.

But the problem in this case was not merely one of assistance. What the emigrants needed were identity papers permitting them to have an existence in the eyes of the State, passports, a country to take them in, a job. Distributing milk and bread was an emergency measure; it was no substitute for the duties of States to take the political and social measures which only they could take to end the chaotic situation.

With this in mind, Edouard Frick, ICRC delegate, described the gravity of the situation and ended his first report:

"All the above considerations tend to prove that it is time to remove relief work from the sphere of charity. All the clothes, bedding, food and relief distributed to the arriving refugees merely disguise from the public the scale of the effort to be made. The work to be done is beyond the limits of private charity and even of the large Red Cross organizations. The League of Nations would appear to be morally obliged to assume responsibility for handling and solving the problem."

This was likewise the view of the ICRC, which decided at its meeting on 26 January to convene a "small conference" of the main agencies concerned.

Yet another conference? Nevertheless, it was the best thing to do, and the conference, opening on 16 February in Geneva, led not only to the campaign of aid for the Russian refugees but also to the system on which the League of Nations and later the United Nations founded their programme of aid to refugees. As the UN High Commissioner for Refugees, Mr. F. Schnyder, wrote in 1963: "It is specially significant that international aid to refugees in its present form began with a move made by the Red Cross during the twenties which resulted in
the appointment of the first High Commissioner of the League of Nations, Fridtjof Nansen.”

The February conference was all the more fruitful for assembling, with the ICRC, only six bodies directly involved. The League of Nations had sent four representatives: the International Labour Office had shown its close interest in the problem by delegating its Director-General, Albert Thomas, while the Save the Children Fund International Union was represented by Eglantyne Jebb and the League of Red Cross Societies by the Director-General, Donald Brown. The French Ministry of Foreign Affairs was represented by the French Consul-General in Geneva, and the former Russian Red Cross organization also attended the conference. The American Red Cross had been invited, but had not been able to send a delegate; but it assured the Committee of its readiness to co-operate in “coordinated plans” for relief to the Russian refugees.

Discussions lasted only two days. “The time has come”, said Gustave Ador, “to group under a single guiding body all the measures associated with this question and able to provide help. A plan of action must be submitted immediately to the League of Nations.” Eglantyne Jebb proposed that the League Assembly should appoint a High Commissioner for the Russian refugees. Albert Thomas wholeheartedly approved: “What is needed is a man with real international authority to cover all activities. The present situation cannot last, either from the human or from the political standpoint. There is a duty to be done, not only by France and her allies but by mankind as a whole—but not only for the Russian refugees of Wrangel’s army but also for the 750,000 Russians now scattered all over Europe.”

The idea was at once adopted and the delegates at the session on 17 February unanimously decided to send the League of Nations a memorandum giving details of the Russian refugees’ plight. It was high time: the Council of the League of Nations was about to meet in Paris, on 21 February. The day before, Gustave Ador sent a telegram to the Secretary General, reminding him of the successful work of Dr. Fridtjof Nansen in repatriating prisoners of war and “the magnificent efforts made by the French Government, the American Red Cross and the Save the Children Fund International Union in favour of the Russian refugees”. He added:

“All the organizations already engaged in this work would be pleased to redouble their efforts under the general direction of a

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1 F. Schnyder, “The Red Cross and the Refugees”, published by the UNHCR on the occasion of the centenary of the Red Cross, May 1963, p. 3.
Commissioner of the League of Nations, the sole supranational political authority capable of resolving a problem beyond the competence of any merely humanitarian organization. We draw your attention with gratitude to the measures already taken successfully by the International Labour Office and the very generous response of Brazil. The International Committee is fully confident that the decision of the Council, bearing in mind the urgency of the matter, will give the eagerly awaited encouragement to those who have set their hopes on its supreme intervention.”

In an accompanying memorandum, the ICRC proposed:

1. that the legal situation of the refugees be defined without political considerations,
2. that their employment be organized in areas where they would seem most likely to earn a living, and above all that they be rapidly repatriated,
3. that all the work of private organizations be placed under the general supervision of the League of Nations High Commissioner.

The Council did not accept all these proposals, but on 23 February it decided to forward the ICRC memorandum to member governments, asking their views and offering the services of the League. The grant of the right to reside or settle in any country was in fact one of the States’ fundamental prerogatives, and the League of Nations, anxious to respect national sovereignty, did not consider itself competent to take a decision on the matter. It concluded that the appointment of a High Commissioner “was reserved” but agreed that “an official of the International Secretariat should be put in charge of the matter”.

Pending an overall solution to the problem of resettling the refugees, the relief organizations continued their work. In March, Edouard Frick noted that it was essential to define the refugees’ legal position, and proposed that until the League took action the various governments should create sub-departments to deal with all matters of administration and relief concerning the refugees and draw up a classification enabling them to be employed. The International Committee appointed for this purpose Brigadier-General Thomson, a

1 “Moreover, it was dangerous to consider the question of the legal status of these refugees because Governments engaged on the examination of this question might view unfavourably the Council’s intervention in a matter of domestic administration.” Sir Eric Drummond, 12th session of the League of Nations, ninth meeting, Minutes, p. 19.
British officer who knew the Balkans well, and Maurice Gehri, a Swiss from Russia, to act as his secretary and interpreter.

Negotiations also had to be undertaken with the Soviet Government to repatriate such Russians as might decide to return to their country. The best man for the job, trusted alike by Soviet Russia and the western governments, was Nansen. Frick again sounded him, but Nansen was already heavily involved in his work as High Commissioner for the repatriation of Russian prisoners, and at first felt that he could not accept such a demanding post. “I believe”, he wrote to Frick, “that this huge task requires a man who could devote his whole mind and all his time to it and, tempting as it is, I absolutely cannot do it myself. I am overwhelmed by my work here, I have three major scientific books repeatedly postponed and which I must now complete—that is my real work, after all, and in the end it is not good to dissipate one’s efforts by doing first this and then that. So I must now concentrate on my real work, for experience has taught me that dissipating one’s energies in this way makes heavy demands and I realize that I ought to keep this a little more in mind.”

In the meantime, the League of Nations’ Council, backed by the new Joint Relief Commission and by a number of governments, acknowledged that the appointment of a High Commissioner would make it possible to reach an overall solution to the refugee problem, and in turn sounded out Dr. Nansen. This time, he accepted, and chose as his aides two ICRC delegates, Edouard Frick and Jean-Charles de Watteville. A conference then taking place for delegates of ten countries concerned and attended also by representatives of the ILO, the ICRC, the League of Red Cross Societies and the Save the Children Fund International Union presented to the Secretary-General of the League of Nations proposals concerning the procedure for settling refugees in the host countries, the provision of identity papers and relief, and the appointment, by the countries involved, of officials responsible for matters relating to refugees and liaison with the High Commissioner.

From this point, the operation to bring help to refugees was to become organized and to expand considerably. Under the general direction of the High Commissioner, numerous humanitarian bodies worked alongside the ICRC and the League, co-ordination being ensured by the Advisory Committee of Private Organizations for Refugees which, Dr. Nansen stated later, had rendered “inestimable services”. Most of the High Commissioner’s agents were ICRC

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1 Original German: ICRC archives.
delegates, scattered throughout eastern Europe, and the International Committee made available the whole infrastructure set up for repatriating prisoners of war: trains, ships and even the transit camps, used as temporary accommodation for the refugees.

But funds from private sources were now running out. It was at this precise moment that the relief campaign began for the areas of Russia affected by famine. In the economic stagnation prevailing in Europe, private charity was no longer able to respond to the demands, and several bodies were thinking of bringing their aid programmes to an end. In October 1921, the League of Nations’ Council, aware of the desperate plight of the Russian refugees in Constantinople, asked all governments to “give the High Commissioner all possible assistance towards a solution of the problem, in particular for the transport of the refugees to other countries, the granting of transit visas, maintenance of the refugees and finding gainful employment for them”.

But to achieve these aims, the refugees had to be supplied with passports enabling them to travel to the countries which offered them an opportunity to settle. On 17 March 1922, the High Commissioner, acting on a suggestion by the legal section of the League of Nations, proposed that governments in the countries of residence should issue identity papers based on a single model suitable for receiving visas in the same way as a normal passport. The result of this proposal was the document known as the “Nansen passport”, which was to allow hundreds of thousands of refugees to find a place once more within the community of nations.

Work in favour of refugees also extended to those from Armenia. At the beginning of 1925, the High Commissioner for the Russian and Armenian refugees had been attached to the International Labour office. The ICRC delegate Voldemar Wehrlin had been one of the aides, with advisory status, in the mission of Dr. Nansen which had been asked to study resettlement of the Armenians in southern Russia; and the head of the Secretariat, Etienne Clouzot, was appointed as emigration expert with the ILO. Collaboration between the ICRC, the High Commissioner’s Office and the SCFIU thus continued for several years, giving permanence and steady development to the assistance to refugees.

The problem was not limited to Europe. Many who fled had found refuge in China, where the possibilities of resettlement were still extremely remote. In March 1925, the ICRC, in association with the ILO, sent Henri Cuénod as its delegate to China and Manchuria.
A few hundred refugees had been able to emigrate to Canada by paying their own travel costs, but for the others there was no way open. At that time the Russians in China numbered hundreds of thousands, of whom 86,000 were considered as refugees:

"The vast majority and those most deserving of attention", wrote Cuénod, "are of course unable to think of leaving in the present conditions; and since, as a result of the crisis prevailing in China, life is becoming increasingly difficult, each day brings a veritable parade of unfortunates before my eyes... The consuls, wearied by their requests, will no longer admit them, so they turn to me when some misfortune occurs and I do whatever I can to sort things out."

Henri Cuénod's mission began in August 1925, when the Yellow River overflowed, devastating the province of Hunan and causing the deaths of many thousands of people, with 500,000 left homeless. He remained in China until the end of 1926, travelling to all the regions where refugees were to be found—Shanghai, Peking, Mukden (Shen-yang) and Harbin. Some of the refugees were able to leave, thanks to the Nansen certificates and the organization of transport, chiefly to the Gran Chaco, where we will find them again subsequently, and other parts of South America. Others settled in China, forming colonies of "White Russians" and appearing at intervals until after the Second World War, moving through Hongkong or Macao with the help of the United Nations' High Commissioner for Refugees.

While engaged in assisting the Russian and Armenian refugees, the ICRC delegates were at the same time obliged to help numerous groups of stateless people who were not yet under the protection of the Office of the High Commissioner for Refugees and who were likewise suffering extreme mental and material distress. Once more, the ICRC appealed to the League of Nations in a letter dated 10 August 1926; and on 25 September of that year the League Assembly adopted the following resolution:

"The Assembly invites the Council to request the High Commissioner for Refugees and the International Labour Organization to consider how far the measures already taken to give protection to, to provide employment for, and to afford relief to, Russian and Armenian refugees can be extended to other analogous categories of refugees."

The International Passport Conference, meeting in May 1926 under League of Nations auspices, had recommended "a draft arrangement based upon the principle of the introduction of an internationally recognized identity document". So the problem of the
people without a country was gradually becoming an international one, the solution of which depended on agreements being reached between States.

When Fridtjof Nansen died on 12 May 1930, the Office of the High Commissioner for Refugees was closed down, so intimately did the work seem identified with the man. But the League of Nations continued the task he had begun, in a different form: the League’s secretariat was made responsible for the legal and political protection of refugees, while material assistance was taken over by an autonomous body, the Nansen International Office for Refugees. The two first chairmen of the administrative council of the Nansen Office were the President and Vice-President of the ICRC: Max Huber, appointed by the League of Nations Assembly on 30 September 1930, and Professor Georges Werner, who succeeded him on 24 February 1933.

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"The vast steppes of eastern Russia have produced poor crops following an unprecedented drought. This disaster threatens thousands of human beings with death by starvation. I remind you that the Russian nation is exhausted by the war and the revolution and its physical resistance has been sapped. ... I make bold to believe that the civilized men of Europe and America, comprehending the tragic circumstances of the Russian people, will not delay in coming to the rescue with food and medicines." ¹

Maxim Gorki made this public appeal from Moscow on 12 July 1921, and it was reproduced by the press all over the world.

Many observers had already pointed out to the world at large the scarcity of food in a country deprived of its resources by the world war and the civil war. Some voluntary aid organizations such as the Save the Children Fund International Union, the Society of Friends and the Swedish, Danish, German and American Red Cross Societies were carrying out local assistance operations, and committees for aid to the Russian people had been created in many countries. But the situation grew worse from week to week and was soon beyond the means of the voluntary bodies.

Speaking to the Pan-Russian Conference on 20 June 1921, Lenin had already sounded a warning. The harvest, he said, was likely to be very bad and a deficit of many millions of "pouds" ² of cereals could

¹ Excerpt from Revue int. CR, August 1921, p. 801 (translation).
² One poud (or pood or pud) = about 36 lbs.
be expected. At the beginning of July the People’s Commissar for Agriculture hinted at a “terrible disaster”. The drought, in fact, added its effects to the destruction wrought by the war. What had previously been hunger and shortage abruptly plunged into complete famine. In the fertile Volga basin, in the Crimea, in Georgia and as far as the Ukraine, not only had the crops failed but there were no longer any reserves, any seed corn, any livestock. Supplies were all the more precarious since, owing to malnutrition, the river boats on the Volga could be sure, in some places, of only half or even a quarter of the usual number of workers.¹

Since its creation on 1 April 1921, the Joint Relief Commission had held regular meetings, discussing various common problems, especially in the field of relief: hygiene in the Baltic provinces, relief to children in Russia, fighting epidemics in Poland, general study of the situation in central and eastern Europe. On 17 July, faced with the alarming news received, the Commission requested Édouard Frick, ICRC delegate-general, and W. L. Brown, European Director of the American Relief Administration, to prepare a study for its next meeting.

On 3 August, Gustave Ador received the Czechoslovakian Minister to Switzerland, Cyrill Dusek, who handed him a proposal for international action to assist Russia. The Czechoslovak Government, noting “the appalling state of famine and epidemics afflicting the Russian people”, proposed that the ICRC should organize relief action, “in collaboration with a committee to be created by the States which would take part in the work”, and announced that it was already collecting relief supplies to be placed at the disposal of the body to be formed. A marginal note in Ador’s handwriting states:

“This letter was handed to me on 3 August at 11 a.m. by Mr. Dusek. I told him the Joint Relief Commission was to meet on 4 August at 3 p.m. I explained to him the various solutions which will be studied. He will come on Thursday at 5 p.m. to be told the Commission’s decision. His Government insists that the ICRC should take over direction of the matter.”

The following day the Joint Relief Commission decided to convene a conference for 15 August to be attended by delegates of the League of Nations, philanthropic institutions and National Red Cross Societies, for the purpose of establishing an international body which would centralize action by governments and voluntary organizations.

¹ Memorandum on the famine in Russia. Issued by the Russian trade delegation in London, 6 August 1921.
Despite the short notice, the conference, which took place on 15 and 16 August in the Salle Centrale in Geneva, was well attended: 81 delegates represented 12 governments, 21 National Societies and 27 associations of different kinds, including the League of Nations, the International Labour Office, the International Federation of Trade Unions and the International Committee for Relief Credits. Among those present was Dr. Bagotzky, delegate of the Soviet Red Cross in Switzerland.

Before the conference, on 9 August, the ICRC had received an urgent appeal from the President of the Central Committee of the Soviet Red Cross, stressing the gravity of the situation and asking for help from the International Committee and the National Societies with the active assistance of the Russian Red Cross Society.

The Conference decided to set up an International Russian Relief Executive, composed of representatives of governments, associations and National Societies. It appointed Dr. Nansen, who accepted the post, as High Commissioner with full powers to direct the relief operation. Herbert Hoover, who had also been approached, had been unable to accept, owing to his functions as director of the American Relief Administration, but assured the Executive of his support. 1

The Joint Relief Commission also had to give the International Russian Relief Executive all its information concerning the situation in Russia, and notify its final resolutions to the Supreme Council of Russia as well as to the League of Nations, in order to obtain its collaboration. It also had to make an appeal to voluntary relief organizations throughout the world and, finally, was given full powers to take, in the name of the Conference, all measures necessary to implement its resolutions.

This represented a definite success for the Joint Relief Commission, which thus took the leading role in international relief work, though dimmed by the death of the League’s Director-General, Sir David Henderson, on 17 August at Cologny, near Geneva, just after

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1 Constituted by decree by President Wilson on 24 February 1919 to help in supplying Europe until the peace treaties were signed, the A.R.A. had distributed food in Europe to a value of 2,750 million dollars by the date of the conference. In July 1919, when the A.R.A.’s activities were coming to an end, its director Herbert Hoover set up a new body, private in character, to continue the A.R.A.’s relief work for children in the countries severely affected by the war. The new organization was given the balance of credits of the A.R.A. and the services of its staff; it was called the American Relief Administration European Children’s Fund. It was able to extend its activities to Soviet Russia, where it provided effective assistance.
the very conference which had confirmed the value of the agreement of which he had been one of the chief architects.

Thereafter the relief operations gathered momentum. By 20 August, Dr. Nansen had met the Soviet Minister Litvinov in Riga and reached a preliminary agreement. Accompanied by Edouard Frick, who was now Deputy High Commissioner, Nansen then went to Moscow, where on 27 August he concluded with People’s Commissar Chicherin a detailed convention guaranteeing the functioning of the relief work and entrusting its direction on Soviet territory to a representative of the Russian Government.

During the summer the Soviet Government and the National Red Cross Society had taken urgent measures to help the famine victims by distributing surplus food from unaffected areas, organizing the transfer and accommodation of evacuees, and forming teams of medical and food workers. But the authorities and the Soviet Red Cross stressed that the extent of the needs required international aid at governmental level.

One of the effects of Dr. Nansen’s negotiations was to open up Russia not only to the teams of the International Relief Commission but also to other bodies which had the same objectives while working independently of the High Commissioner’s Office. The results stemmed largely from Nansen’s standing with the Soviet authorities, and from the effect of the new economic policy, NEP, applied since the beginning of 1921, which liberalized the Russian economy and gave greater responsibility to foreign missions.

In the first half of 1922, a number of relief societies taking part in the work announced that they were bringing their activities to an end, while others proposed to continue independently. Funds had become difficult to collect: every country had great needs, and many of the societies had undertaken relief to Russia only as an emergency measure. Moreover, as the aid continued, it necessarily assumed the aspect of economic reconstruction as it began to provide agricultural machinery and livestock. In September 1922 the High Commissioner noted that the funds had diminished to a marked extent and that it was probably time to reconsider the advisability of retaining the Office.

Nevertheless, as Dr. Nansen explained to the second Conference, held in Geneva on 19 September 1922, the objectives attained were a cause of satisfaction. The number of persons being fed by the High Commissioner’s Office on 15 August was 1,400,000; aid had been given throughout the Volga basin, in the Ukraine—very hard hit in the winter of 1921-22—and in the Crimea, while a body called Near
East Relief, closely linked with the High Commissioner's Office, had worked in Georgia. Aid had also included 80,000 tonnes of seed. The lives of several million people, said Dr. Nansen, had been saved. In addition to the relief operations, the ICRC, following intervention by Wehrlin, its delegate in Moscow, had organized the dispatch of almost 50,000 individual parcels to Russia.

However, it appeared that the very broad composition of the International Russian Relief Executive no longer corresponded to the volume of relief supplies being received, and it therefore dissolved itself. But it paid tribute to the outstanding success of Dr. Nansen's mission and, aware that his personal authority was such that he was capable of acting independently, requested him to continue his relief work to Russia under the title of the Action Nansen, as a follow-up to the activities of the High Commissioner's Office.

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All the time these large-scale aid operations were being conducted, the ICRC was keeping up its activities in favour of political detainees and victims of internal conflicts. As we have seen, it acted from the beginning of 1916 to help hostages and political detainees in the occupied territories of France, Belgium, Serbia, Macedonia and Rumania. The persons concerned at that time were of enemy nationality, of undefined status, held in prison as a result of war or occupation, and considered neither as prisoners of war nor as civilian internees. As soon as the war ended, the ICRC had extended this assistance to detained nationals of the Central Powers and later, when it was working in Soviet Russia and Hungary, to political detainees imprisoned in their own countries. Resolution XIV of the Tenth Red Cross Conference, in 1921, had provided a firmer foundation for the ICRC's action. But the International Committee regarded its work in favour of persons imprisoned because of political troubles as one of its own specific activities, which resolutions by the international conferences did no more than confirm.¹

It was chiefly in the period from 1921 to 1925 that the ICRC expanded its activities concerning hostages and detainees in prisons and internment camps. As we shall see, it was active once more in the

¹ "One of the traditional roles of the International Committee of the Red Cross is to alleviate the plight of political detainees. This role, inherited from the Prisoner-of-War Agency, has frequently been stressed in the resolutions adopted by the Red Cross Conferences, in particular the Tenth." (General report of the ICRC on its activities from 1925 to 1928, p. 16, translation from the French.)

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USSR—though it did not succeed in gaining access to detainees—in Lithuania, Ireland, Poland and Montenegro. Most of the cases were the delayed sequel of the Great War. From 1926 until the outbreak of the Second World War, objections became stronger and so the Committee’s work in this field remained limited.

Recognition by the ICRC of the Red Cross Society of Soviet Russia took place, as already mentioned, after the 1921 International Conference, and when Russia consequently agreed to a delegate’s being sent from Geneva, the Committee designated Voldemar Wehrlin, who took up residence in Moscow at the end of August 1921. Doctor of Law of Moscow University and counsel at the Court of Appeal of Kharkov, Wehrlin had collaborated with the Swiss Legation in Petrograd during the war and had represented the Save the Children Fund International Union in Moscow in 1920. He had had frequent contacts with the administrative authorities of the old regime and of Soviet Russia. His mission to Moscow was to be the longest of any permanent posting before the Second World War: it lasted for 17 years, until 23 June 1938.

As ICRC delegate, he was responsible first and foremost for maintaining an information service, re-establishing contact with foreign humanitarian organizations and keeping in permanent touch with the Russian Red Cross. Gradually his activities became more clearly defined, especially in those areas where a neutral intermediary approved by the authorities seemed necessary: relief operations in cooperation with the High Commissioner’s Office of Dr. Nansen; assistance to and repatriation of foreign nationals who had no consular protection; the repatriation of prisoners of war from the former Central Powers; tracing missing persons; correspondence between members of separated families; and finally, assistance to detainees in camps and prisons.

The dispatch of personal package for the Action Nansen went on for two years, from November 1921 to November 1923, by the end of which time the delegation had forwarded 160,000 parcels of food or clothing, through sixteen offices located all over Russia.

Activities in favour of foreign nationals continued up to the end of Wehrlin’s mission. In 1921 there were still many foreigners in Russia who had been unable to leave the country when the revolution broke

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1 The activities of the ICRC in favour of persons imprisoned in their own countries in the event of internal disturbances or tension are described in the thesis presented by Mr. Jacques Moreillon: *Le Comité international de la Croix-Rouge et la protection des détenus politiques*, University of Geneva, published by Editions L'Age d'Homme, Lausanne.
out or who had gone on with their occupations as long as circumstances allowed. Among them were large numbers of settlers, mainly Germans who had been farming along the Volga and who had been forced to give up their land at the time of the agrarian reform; there were technicians who had emigrated to Russia, such as the watchmakers who went there from Switzerland in the 1830s; and many groups of Polish, Yugoslav and Hungarian origin, whose nationality was not always well defined. Most of them had no identity documents, many had dual nationality, and the nationality of married or divorced women was often uncertain. When the States of origin of these people had no diplomatic or consular representation in Russia, it was the ICRC delegate who assumed responsibility for forwarding relief to those who were in receipt of assistance from their governments, for supplying proof of nationality to those who had no identity documents, for making arrangements for their departure and organizing their travel. For the ICRC this was a new type of activity, one usually reserved for the Protecting Powers but one which it considered as being of an exclusively humanitarian character. This work of administrative and material assistance was performed not only for Swiss citizens in the USSR, for whom the ICRC delegate had received an official mandate, but also for other nationalities: Belgians and Hungarians, until they were able to apply for help to a diplomatic representative of their country, and Yugoslavs until the end of Wehrlin’s mission.

A tracing service was extremely necessary. The movement of masses of people and emigration from one region to another had broken the links between family members. There were no longer direct postal communications between people in Russia and foreign countries except, in isolated cases, by diplomatic channels. Often there was no knowledge of where a relative was living. In Geneva, the Tracing Service, the peacetime equivalent of an international prisoner-of-war agency, centralized the requests and forwarded them to Voldemar Wehrlin, who carried on his investigations in Moscow, Leningrad, Odessa and other major cities, or asked the Soviet Red Cross for help. In spite of the difficulty of this work, tracing missing persons and forwarding news remained one of the characteristic activities of the delegation.

Action in favour of political detainees was not included in the initial instructions given to Wehrlin. Nevertheless, he had been able to visit Hungarian officers held as hostages and had distributed relief supplies to them shortly before they were repatriated. He had also drawn the ICRC’s attention to the requests he received for informa-
tion or assistance concerning imprisoned persons. In a note dated 1 November 1921, Jacques Chenevière proposed that the Moscow delegate’s operations should be broadened: “What is the present situation and the approximative number of political detainees in the prisons of Moscow? Should there not be an inquiry into this matter, and possibly protection activities to be started, similar to those performed by Haccius in Budapest?”

Realizing that its delegate in Moscow was being asked to help in providing aid for political detainees of Russian and foreign nationality, the ICRC decided on 25 November to authorize him to visit the detainees and take them relief. Then, in a letter dated 9 December, the Committee asked Wehrlin to take action in favour of foreign and Russian political detainees, in the following ways: information on their identity, right to send and receive correspondence, right to receive relief parcels, medical care and hospitalization of the sick. For the foreign detainees only, he was asked to try to secure their release and to help them to get back to their own countries.

Delegates of the Conference of Red Cross Societies of Neutral Countries had, as has been described, visited prisons and prison infirmaries in 1918 and 1919. And an aid committee known as the Political Red Cross, whose chairman in 1921 was Mrs. Catherine Peshkova, was continuing its activities. Naturally, Wehrlin had thought of working in collaboration with this body and had already sent relief supplies to foreign detainees through its agency. When he disclosed his plans to the President of the Russian Red Cross, the reply was unfavourable. President Soloviev told the ICRC delegate that collaboration with the Political Red Cross was undesirable “not only for procedural reasons but also on a matter of principle” and that he should carry out his work either by his own means or with the help of the Russian Red Cross and the competent governmental organizations.

Wehrlin nevertheless paid a visit to the Political Red Cross for information during the month of May. He concluded that general assistance based on the resolutions of the Tenth International Red Cross Conference would not be accepted by the Government, but that on the other hand a programme of relief to a few hundred detainees would be opportune and practicable.

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1 Mrs. Catherine Peshkova, Maxim Gorki’s first wife, represented the Polish Red Cross in Moscow and in this capacity was concerned with detainees of Polish nationality. After the conclusion of the Russo-Polish agreements, the Polish Red Cross was represented in Moscow by a Soviet citizen and the Russian Red Cross in Warsaw by a Polish citizen. This reciprocal representation terminated in 1937, at the request of the Polish Red Cross.
In the interim, the ICRC had made a direct approach, on 23 March 1922, to the President of the Russian Red Cross asking for his support on the question of the detainees. The Committee enumerated the activities which it considered were included within the mandate of its delegates: information concerning identity, provision of material aid, care for the sick. It added the right to visit political prisoners and hostages in their place of detention—prison or concentration camp—and even to take the necessary action to obtain whenever possible the release of Russian political prisoners and the repatriation of foreign hostages. So the requests for release, omitted in the decisions of 25 November 1921, and limited to foreign detainees in the instructions of 9 December, were henceforth envisaged for all detainees. The ICRC repeated its action on 8 April 1922, this time to the People's Commissar for Foreign Affairs, Chicherin. Basing its argument on the resolutions of the Tenth Conference in 1921 and on its own previous activities in this sphere, the Committee requested the right to work for Russian and foreign political detainees and to visit them, accompanied, if possible, by a representative of the National Red Cross Society.

Neither of these attempts succeeded, as Voldemar Wehrlin stated in a note to the ICRC:

"The viewpoint of the Russian Government, as I was given to understand at the Office of the Commissar for Foreign Affairs, at the Russian Red Cross and at the Special Commission, is that there is no longer civil war in Russia and that the present political detainees do not require the organization of special activities devoted to their needs."

President Soloviev, moreover, in his reply dated 19 April 1922, had pointed out, "to avoid any misunderstandings in future", that the activities being proposed by the ICRC in the Russian Socialist Federal Soviet Republic far exceeded the limits envisaged by the resolutions of the Tenth Conference and the customary practices of the Red Cross, in view of the fact that the civil war in the Russian Republic was over, enabling the Government to abolish the special institutions which had been necessary at the time of armed struggle.

The ICRC replied that many people had been detained since the civil war, and quoted as a precedent for its activities in favour of the political detainees the visits it had made to prisons in Hungary under the Béla Kun regime and later to the Communist detainees under the regime of Regent Horthy. But neither this further attempt nor the approaches to the Soviet delegation at the Genoa Conference in April and May 1922 brought any modification in the attitude of the Soviet
authorities, and in February 1923 the ICRC ceased its efforts on the subject.

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During the same period, the ICRC had undertaken work in favour of political detainees in the Ukraine. In March 1922, it had sent to its delegate in Kharkov, Georges Dessonaz, a copy of the instructions given to Voldemar Wehrlin and asked him to make similar approaches to the Ukrainian authorities. The Soviet Socialist Republic of the Ukraine was at the time united by an alliance to the Russian Socialist Federal Soviet Republic; in December 1922, it joined with Russia, Byelorussia, and Transcaucasia to form the Union of Soviet Socialist Republics, the final constitution of which was adopted on 16 July 1923.

The experience of the ICRC delegation in Russia was put to good use by the delegate in the Ukraine. On 4 August 1922, Wehrlin advised Dessonaz not to mention the decisions of the Tenth Conference when approaching the authorities, and told him that the Russian Government considered that there was no longer a state of civil war. He added:

"As to your question on how I went about my negotiations, I must say that I always preferred to deal directly with the supervisory bodies, which gave me permission to visit the concentration camps or the prisons. I sent relief through the Political Red Cross in Moscow or directly to the cases I felt were worthy of interest. Sometimes I acted as intermediary between relatives and detainees, because a package accompanied by the sender's letter is more likely to reach its destination."

This new approach met with greater success. In fact, in September 1922 Georges Dessonaz was able to visit several forced labour camps at Dopr and Kharkov and made further visits in April 1923, first at Dopr and later in Kiev. Most of those in these camps were penal-law detainees—again, no distinction had been made between prisoners in this category and political detainees.

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The visits made by delegate Ramseyer to Polish detainees at Kovno (Kaunas) in Lithuania in June 1922 also show the ICRC's concern to bring assistance to detainees whose nationality was not clearly defined
or who were unable to depend on help from their country of origin. Poland and Lithuania were virtually at war owing to the dispute along the frontiers common to the two States, which gave rise to numerous incidents. At the request of the Polish Government, the ICRC asked to visit detainees of Polish nationality in Lithuania. It did not, in this instance, include detainees of Lithuanian nationality. In any case, the situation was far from clear, as Ramseyer discovered: the nationality of the detainees was extremely difficult to ascertain, being determined largely on the basis of the language they spoke. The ICRC delegate was authorized to visit a concentration camp near Kovno where about 250 Polish nationals who had entered Lithuania illegally were held, and the prison at Kovno, which had only two foreign detainees.

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The Middle East at this time was once again the scene of violent clashes resulting from disagreements over the terms of the peace treaties. Turkey, spurred by General Mustafa Kemal,1 protested about the advantages conferred on Greece and Great Britain by the Treaty of Sèvres (August 1920) and the occupation rights granted to France and Italy in the regions of Cilicia and Adalia (Antalya). The fighting between Greek and Turkish forces in Anatolia was especially fierce, but it was the civilian population, the Greek and Turkish communities, closely intermingled in some provinces, who suffered far more than the armies from the hostilities. “During four years of war”, wrote the ICRC delegates on their return from a mission in Anatolia, “the population of these regions, already few in number, has again had to pay a heavy toll in deaths on the battlefields of Europe, Asia and Africa. But the number of dead is nowhere near the number of victims of the massacres provoked by racial or religious hatred.”2

The ICRC, responding to the appeals of the parties involved, had in fact sent various missions to Greece and to Turkey and had launched three major operations: the dispatch of relief, visits to prisoner-of-war and internment camps and, after conclusion of the armistice, exchange of prisoners of war and civilian detainees.

1 President of the Turkish Republic from 1923. In November 1934 he took the name Kemal Atatürk.
2 Carl Burckhardt and Georges Burnier, report on their visits to camps in Anatolia, July 1923.
Relief was equally necessary in Turkey, where the number of homeless was estimated at one million, and in Greece, where refugees were pouring in in their hundreds of thousands. With the help of the Save the Children Fund International Union, which provided the initial finance required, and the National Societies concerned—the Turkish Red Crescent and the Hellenic Red Cross—the ICRC undertook a huge relief campaign, making strenuous efforts to overcome the difficulties, political as well as material, to distribute aid among the various categories of victims—Muslims and Christians, Greeks, Turks and Armenians. Rodolphe Haccius, former ICRC delegate in Budapest, and Henri Cuénod, both representing the ICRC and the Save the Children Fund International Union, travelled to Anatolia in September 1922, while Rodolphe de Reding-Biberegg carried the same combined responsibilities in Greece. Relief supplies consisted chiefly of food rations for the children, various other types of food, blankets, clothing and medical supplies. Many national and international bodies took part in the campaign, not only the National Societies already named but also the Save the Children Fund and the French, British, Italian and American Red Cross Societies.

The prisoners received visits from a number of missions sent from Geneva. In January and February 1922 and again in January 1923, the delegate Paul Schazmann visited Turkish prisoners in Greece, the Greek prisoners in Turkey being visited in January and February 1922 by Dr. Auguste Roehrich.

The armistice of Modania, signed by the belligerents on 11 October 1922, allowed the Ankara Government to recover some of the lost provinces, to take over once more the administration of Constantinople and to depose the Sultan. The principal European Powers interested in the settlement of the Middle East question and the administration of the Straits then met in Lausanne; after difficult negotiations they succeeded in concluding, on 24 July 1923, the Treaty of Lausanne, which restored to Turkey some of the territory over which it claimed sovereignty and ended the “Capitulations” regime.1

Before the Treaty was signed, the Conference General Secretary, René Massigli had informed the ICRC, on 16 January 1923, that the delegation of the Government of the Grand National Assembly of Turkey and the Hellenic delegation were about to reach an agreement on exchanging civilian internees and prisoners of war, with the help of the ICRC:

1 It was during the Lausanne Conference that the Soviet representative, Vatslav Vorovsky, was shot dead by Moritz Conradi. See p. 258.
"The two Governments concerned are in agreement for this double exchange to take place under the supervision of a Commission of the International Red Cross including three members chosen by the International Committee of the Red Cross from among nationals of Powers which took no part in the war, plus one Greek and one Turkish representative. The Commission would determine and supervise arrangements for the exchange operations and the transport."  

The agreement was signed by Greece and Turkey on 30 January 1923, and the ICRC at once formed a commission to organize the exchanges, nominating its representatives: Colonel Wildbolz, President of the Bernese section of the Swiss Red Cross, Major Dr. Lindsjöe, of the Swedish Red Cross, and Dr. Page of Fribourg.

Civilian internees and hostages were, under the agreement, all to be returned home by both sides. However, for prisoners of war, the agreement stipulated a one-for-one exchange, which in practice amounted to repatriation of all Turkish prisoners in Greek hands in exchange for an equal number of Greek prisoners held by the Turks.

Greece had made seven ships available to the ICRC, and operations began promptly. Between 19 and 23 March 1923, the Greek authorities repatriated 4,601 Turkish prisoners and civilian hostages, the Turkish authorities 320 Greek prisoners and civilian hostages; from 28 March to the end of April, 9,748 Turkish other ranks and 329 officers were exchanged for 9,748 Greek other ranks and 293 officers.

In July 1923, two ICRC delegates, Georges Burnier and Carl Burckhardt, made a new series of visits to camps of Greek prisoners of war in Anatolia. There were some thousands of Greek prisoners still held in Turkey, who had not been included in the operations of March and April.

The Exchange Commission continued its activities until September 1923, concentrating on tracing and repatriating prisoners and internees of both sides sought by their Governments. After that date, the ICRC asked the National Societies in the two countries to take the necessary action relating to missing persons and those not yet repatriated.

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2 Carl J. Burckhardt (1891-1974) was carrying out his first mission for the ICRC on this occasion. He was appointed a member of the International Committee in 1933 and President in 1945. The last chapters of this volume describe his work in the Committee’s service during the Second World War.
The territories of eastern Europe were not the only areas where the ICRC had to offer its services. Another trouble spot, periodically inflamed by violence, was to be found in Ireland. Disturbances there had virtually never ceased and had culminated in the rebellion of 1916. Immediately after the war, the political and military activities of Sinn Fein and the Irish Republican Army had resulted in the creation of the Irish Free State, comprising the 26 counties of Southern Ireland, its status being similar to that of the British dominions, while six counties in the province of Ulster (Northern Ireland) were allowed to decide whether or not to join the new State. Ratification of the agreement by the Southern Irish Parliament did not put an end to the insecurity, since the Republicans, who wanted total independence, continued to fight the Free State Government. It was the start of an internal conflict which was to lead, through a series of violent confrontations, to the formation in 1949 of the Republic of Ireland, though without ending the civil strife.

The first action of the ICRC in Ulster was not concerned with the protection of detainees but with ensuring respect for the hospitals, one of the ICRC’s traditional duties. A telegram had been received, in June 1922, from the Mother Superior of the Mater Infirmorum Hospital in Belfast, stating that the hospital had been attacked and asking for protection by the British forces and for the help of the Red Cross. The ICRC replied by asking the British Red Cross to “do the necessary with the competent government authorities so that in Ireland, in all circumstances, the protection of hospital establishments and respect for the humanitarian principles of the Red Cross are guaranteed”. The British Red Cross, while pointing out that the political situation in Ireland made the subject a delicate one, said that it would make inquiries. Its report concluded that the attack had not been deliberate but a consequence of street fighting. In any event, the attention of the Ulster branch of the British Red Cross had been drawn to the matter.

Nevertheless, there were increasingly numerous complaints of ill-treatment, arrests and executions of Irish Republicans by the Free State Government. A telegram was sent to Lord Curzon by the ICRC on 22 November, urging him, in the name of humanity, to take issue with the “provisional Irish Government”. On 28 November the Committee received a telegram from London signed by G. K. Chesterton, Shane Leslie, Wilfred Meynell, Bertrand Russell and several British members of Parliament, protesting against the “action of Irish Provisional Government violating international right of
prisoners of war to have their lives preserved after falling into hands of their opponents”.

The Women’s International League for Peace and Freedom had approached the ICRC on 19 November requesting that the 10,000 prisoners, men and women, in the hands of the provisional Government of Ireland be granted the right to be treated as prisoners of war. The Committee therefore considered that the moment had come to take action.

There being no National Society in the Irish Free State, the British Red Cross was the competent body. The ICRC had, incidentally, taken steps for the creation of a Red Cross Society in the Free State; but this would probably have been constituted on the lines of the Red Cross Societies in the Dominions, such as those in Canada and Australia, which had definite autonomy and were even represented with voting rights at the 1921 International Conference, but which, according to their statutes, remained branches of the British Red Cross. The ICRC therefore wrote to the British Red Cross, enclosing the letter from the Women’s International League and asking it to make representations to the British Government for prisoners to be treated in accordance with humanitarian principles, adding:

“We ask you to let us know promptly if you think you will be able to take the action we suggest. If this does not appear to you to be possible, we will examine the question of whether there is a case for the International Committee of the Red Cross to intervene directly, in conformity with the resolutions of the Tenth Conference.”

Resolution XIV to which the Committee was referring in fact envisaged two main situations in the event of civil war. It was the National Red Cross Society of the country, in the first place, which was responsible for bringing relief to the victims of civil war; if the National Society itself stated that it was unable to meet all the needs, then the Committee had the duty to organize assistance. It was the second approach which was open to the ICRC after the reply from the British Red Cross on 13 December:

“I am directed by Sir Arthur Stanley to acknowledge the receipt of your letter of the 3rd December, on the subject of the treatment of civilians in Ireland.

“In reply I am directed to say that in view of the very delicate political situation that exists in Ireland, my Society feels that it cannot at the moment take any action in the matter.

“I am asked to refer you to the letter that you received from the ‘Women’s International League for Peace and Freedom’, a copy of which you sent to Sir Arthur Stanley, in which the request is made
that the civilians in question be treated as prisoners of war, and to point out that as at present no state of war exists in Ireland, the request would hardly apply to the present conditions.”

Thus the ICRC could directly approach the Government of the Free State, to which it sent the following telegram on 20 January 1923:

“International Committee Red Cross takes liberty of reminding Government Free State of Ireland absolute necessity of always bearing in mind all International Conventions in spirit as well as letter and ensuring that political struggles at present troubling Ireland do not result in rigorous measures contrary to principles solemnly acknowledged in Conventions of Geneva and The Hague. In the interests of making peace we envisage possibility sending delegate to you to study creation of Irish Red Cross. Ador President International Committee Red Cross.”

To this request the Minister of Foreign Affairs, Desmond Fitzgerald, replied by a telegram which the ICRC considered rather brusque: “Considering international courtesy, your telegram incomprehensible. Obliged request you give details alleged infractions International Conventions. Demand detailed proof motivating insinuation. Rumoured here fugitive rebels against Irish Government received by you.” 1

In its reply, the Committee justified its action by quoting the request on 17 January by the Irish Consul in Paris, Kerney, concerning the court-martial of Miss Mary Commerford and a great number of appeals and protests. It renewed its offer to act in a humanitarian capacity and its proposal to send a delegate. But the reference to the “Irish consul”, who was obviously a member of the Republican Party, was unfortunate, as the tone of the answer received made clear:

“Refuse discuss measures considered necessary by my Government to repress rebellion in Ireland. They are internal in character. Kindly note Kerney favourable to rebels is not Irish consul. Your attempt to intervene hostile act excusable only by ignorance of facts or false information from anti-Irish source. Your allusion appears from June 1921 onwards appears to indicate that you have failed to stay informed of events here. We now have Government and Parliament elected by the Irish people with exclusively Irish army and police. Humanitarian organization complete and satisfactory. External help totally unnecessary.” 2

1 Original French.
2 Desmond Fitzgerald to Gustave Ador, 26 January 1923. Original French.
The matter seemed to have begun on the wrong footing. But the Committee did not abandon its efforts. At the beginning of April 1923 it decided to send delegates to Dublin in order to negotiate directly. Announcing the forthcoming arrival of a delegate to Foreign Minister Fitzgerald, the ICRC stated: “We have ordered him to go to Dublin in order to present the greetings of the International Committee of the Red Cross to you, Minister, taking advantage of the occasion to enter, in the name of our institution, into personal relations with you.”

The ICRC delegates, Raymond Schlemmer and Rodolphe Hacciuss, arrived in Dublin on 16 April 1923 and were received next day by the Foreign Minister who, wrote Schlemmer, “was very agreeable, though he told the ICRC delegates that he did not understand why they had come”. They explained that their mission was not of a political character, which reassured the Minister. He said that there was no war, but a police operation, and that persons arrested were criminals guilty of penal-law offences: arson and theft. When the delegates expressed surprise that there should be 12,000 persons imprisoned for penal-law offences, the Minister stated that many of the prisoners had been arrested with weapons in their hands. According to a report by Hacciuss, he said:

“They are considered as rebels by the Government, and the courts, which judge them by the proper procedure, sentence them to prison whenever they are punishable for offences in penal law.”

After the delegates had given their explanation, emphasizing that “it was the duty of the ICRC to visit prisons and hospitals in order to improve the conditions of prisoners of war”, the Minister authorized them to visit the internment camps and hospitals, with the important restriction that they were not allowed to speak to the detainees: their visits were thus merely technical inspections. To refuse to accept this, the delegates thought, “would certainly have put the whole enterprise at risk”, and they acquiesced. The Government’s consent, communicated to them the following day, laid down that “this authorization did not proceed from one of the clauses adopted by the Tenth International Red Cross Conference concerning the right of intervention in the event of civil war, but should be considered as an act of courtesy towards the Committee and may not be invoked as a precedent”. The Government also requested the delegates to show the greatest discretion during their stay in Dublin.

Rodolphe Hacciuss visited four places of detention holding 7,500 detainees: Mountjoy Prison and the internment camps of Tintown, Gormanstown and Newbridge. However, he thought that the results
of his inquiries "would have been more comprehensive if the general principles of intervention in the event of civil war had been recognized". On 24 April, after he had visited only three places of detention, he wrote:

"While the civil authorities (Ministry of Foreign Affairs) have made my work easier, the military authorities have shown considerably less zeal. Major-General Morin gave me to understand today that he had no more time free and hoped that I had been able to ascertain sufficiently the principles on which the prisoners were treated."

These principles, the delegate noted, were those of the draft Code for prisoners of war adopted by the Tenth Conference—although the detainees had been refused the status of prisoner of war—and, in a statement published on 7 May, the ICRC was able to declare that "for the able-bodied prisoners as well as for the sick or wounded, the conditions of hygiene in the camps, the food and the accommodation are in general very satisfactory". These conclusions were contested by Republicans, who felt that a visit made to a single prison was not enough evidence on which to judge the overall situation. Haccius, who had had personal experience of civil war in Hungary and who knew how to inspect a prison, adhered to his favourable testimony as to what he had seen, in spite of documents produced by opponents of the Government; but he also made a significant reservation: "I did not receive any complaints concerning food, medical care or treatment, as I had not been authorized to question the detainees." This last phrase, "as I had not been authorized to question the detainees", was omitted in the text of the reports published by the ICRC. Since the Irish Government had not shown the same reticence and had let the phrase appear in the press, the Republican representative in Paris was surprised at the marked difference between the two texts and sent a protest to the newspapers on the subject.

Here we see the problem which arises when the Committee, unable to base its action on binding conventions, depends on the goodwill of the detaining authorities. When the delegate is free to question the prisoners, he is able to obtain first-hand testimony on the conditions of treatment, even if these have been changed in view of his visit. But when the authorities limit his freedom of inspection, what should he decide? A partial visit, without free discussion with detainees, is risky, because it may be used by the Detaining Power to clear itself of its alleged offences. Yet it may none the less help to improve the conditions of the prisoners visited and to draw the attention of the authorities—who are at times ill-informed—to the prisoners' situa-
tion. Should the ICRC refuse to visit in such circumstances, and deprive the prisoners of this hope? The problem crops up still in every case where the ICRC, seeking to pioneer, has visited political detainees without being able to draw support from conventions or from the resolutions of International Conferences. The Committee considers the interview without witnesses as an essential element of the visit, which it will not give up except temporarily and while continuing to press for its authorization.

The Irish Republicans, meanwhile, kept up their appeals to the ICRC which had given them, despite the reservations they had expressed, a good measure of support; and they resumed their campaign, especially after the arrest of President Eamon de Valera. Two Irish delegates to the Eleventh International Conference, Mrs. Cogley and Miss O'Brien, tried to present a resolution drawing the attention of the Conference to the plight of the detainees in the prisons of the Free State of Ireland. The Conference chairman, Gustave Ador, could not accept their proposal, but he did take the trouble to explain to the assembly the motives for their request and the reasons which prevented him from agreeing to it.

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In the course of 1923, various groups had asked the ICRC to take action to protect the Montenegrin population and to inquire into the situation and conditions in the prisons. The creation of the Kingdom of the Serbs, Croats and Slovenes at the end of the war had led to resistance operations by Montenegrins who wished for independence and to severe repressive action by governmental forces. The Winnipeg section of the body known as the White Cross, associations set up in exile for an independent Montenegro and various well-known persons, had asked the ICRC to intervene. The Committee considered itself competent to do no more than visit the prisons:

"I do not see", wrote Paul Des Gouttes, "why we could not make an inquiry, from the strictly humanitarian viewpoint, into the conditions of prisoners in Montenegro as we did in Ireland."

Confirming the action taken by the ICRC delegate Schlemmer in Belgrade, the Committee, on 14 April 1924, asked the Serbian Red Cross to request its Government to allow the ICRC to visit "the prisoners (in Montenegro) in their place of internment". The National Society gave the Government's opinion, which was that the complaints received in Geneva were "inspired by a few people
personally concerned who were waging an infamous campaign against the Kingdom of the Serbs, Croats and Slovenes” and that on the basis of these allegations, the Kingdom’s authorities would carry out a strict inquiry to see whether any irregularities existed. The President of the National Red Cross added:

“As to another inquiry by any party whatever, the Government of the Kingdom of the S.C.S. cannot allow this owing to its political exploitation by the persons behind the said allegations.”

The inquiry was at first carried out by the National Society: between 5 and 15 August 1924, visits were made to eight prisons in Montenegro and a short report was sent to the International Committee, which published it in the November issue of the *Revue internationale de la Croix-Rouge*.

The ICRC had nevertheless continued to request that the prisons be visited by one of its own representatives. It is noteworthy that in its correspondence with the Red Cross Society and with the Government it made no mention of Resolution XIV of the 1921 Conference, which laid down the respective competences of the National Society and the ICRC; nor did it speak of civil war or internal troubles. The experience acquired in Soviet Russia, the Ukraine and Poland had proved that there was nothing to be gained in becoming involved in discussion on the status of prisoners or on the political situation—all that mattered was that the prison doors be opened to its delegates. The National Society, although emphasizing that it regarded the ICRC’s insistence “as a demonstration of mistrust” of its own actions, communicated the Committee’s request to the Ministry of Foreign Affairs, and a letter from the Ministry dated 16 January 1925 granted the ICRC the right to make the visits.

The objections originally advanced against official visits were, it is true, firmly maintained by the Ministry, which pointed out that the precedents quoted did not apply since the Kingdom of the Serbs, Croats and Slovenes did not possess any prisons or internment camps, only penitentiaries for penal-law offenders. Having made these reservations, it nevertheless authorized the prison visits, in a particular form:

“The members of the International Committee of the Red Cross are highly estimable personages, and if one of them comes to travel in our country and wishes, as a private person, to visit any of the penal establishments or prisons in the Kingdom, the competent authorities will do all in their power to satisfy him, and he may be

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1 President of the S.C.S. Red Cross to the ICRC, 21 April 1924.
sure that he will always receive a recommendation from the Ministry of Foreign Affairs as soon as he asks for it. He may publish as he wishes and where he wishes the impressions he receives."

This was enough for the ICRC. A member of the Committee, Lucien Cramer, arrived in Belgrade on 28 April and at once began to visit places of detention. He visited seven prisons in the province of Montenegro—all of them except one very remote and almost empty, said his report—where the total number of detainees was 262. Cramer’s report, published in the Revue for June 1925, noted that the detainees were treated humanely, though it stressed that the prisons were decayed and space restricted, that there were no beds or bunks for sleeping, and that the duration of preventive detention was excessive.

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In June 1924, the Polish Red Cross wrote to the ICRC and at the same time to the League, suggesting that representatives of the international Red Cross bodies should visit the prisons in Poland. The National Society wished in this way to refute the allegations contained in an article in a newspaper called L’Ere nouvelle and signed by French political figures, accusing the Polish authorities of ill-treating political detainees. While considering that such visits were within its competence, the ICRC committed itself only with circumspection in an issue which appeared to be highly politicized, but it accepted, on condition that an explicit request was made by the National Society. The ICRC delegate was therefore able to visit some twenty prisons containing 10,000 detainees, men and women, representing about one third of the total number of detainees in the country. Of this number, 951 were political detainees, roughly two thirds—according to the statistics supplied by the administration—of all political detainees in Poland.

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The examples described show the extent to which the ICRC worked during the first decade after the war to include prison detainees within its information and protection activities each time it was requested to do so by opposition groups or National Societies and was convinced that action by a neutral protective body was in fact necessary.
This was its viewpoint when it took action in favour of the population in the Ruhr and the Rhineland, which had become occupied territories under the Treaty of Versailles. The programme assigned to the mission delegated by the Committee to General Degoutte, French commander of the occupation forces, went far beyond the duties the ICRC traditionally assumed. It covered seven areas of interest: health conditions, economic position, state of hospitals, "white slavery"; hostages; expulsions; prisons; acts of violence against civilians; supplies; impugnment of the prestige or activities of the Red Cross. The members of the mission—Dr. Albert Reverdin, a member of the Committee, Professor Albert Richard and Henri Cuénod, a delegate—visited thirteen prisons in the territory of the Ruhr and the Palatinate during August 1923. At the request of the German Red Cross, the ICRC made a second series of prison visits in the Ruhr and the Rhineland in December 1923, and in May 1924 a third mission visited prisons in Duisburg and Aix-la-Chapelle. Another aspect of aid to internees was represented by the visits to Ukrainians held in the Josefov camp in Czechoslovakia and the action taken to transfer them to Poland and the Ukraine.

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Visits to prisons in Poland and Lithuania were repeated in 1926. Since the mission by the delegate Robert Brunel to Riga in 1922, the two States had remained in a state of latent conflict—"not war, not peace", said the Poles, while Lithuania considered itself until July 1926 in a state of war with Poland. The frontiers fixed by the Conference of Ambassadors had not been accepted by Lithuania, which did not recognize the annexation of Vilnius by troops loyal to General Zeligowski and considered the inhabitants as Lithuanian citizens. One exchange of hostages had taken place in October 1923 in application of the agreements made by the two National Societies, under ICRC auspices, during the 1923 Geneva Conference. Since then, however, the negotiations had dragged on and on. Most of the detainees had not had the chance to opt for one nationality or the other, and what had presented no obstacle to prison visits became a major handicap when repatriation lists had to be compiled.

Having received the request of the Polish Red Cross, the ICRC decided to repeat the visits it had made earlier to the prisons in both countries and to offer its good offices for negotiating the exchange or release of hostages. The Baron de Drachenfels, appointed to carry
out this mission, achieved conclusive results. From 13 to 16 August 1926 he visited the prisons in Warsaw, Grodno and Vilnius and from 17 to 21 August those in Riga and Kovno.

An outstanding feature of this series of visits was that the ICRC delegate was able, by insisting and by stressing the advantage of reciprocity, to obtain permission to talk alone and without witnesses to all the detainees. In this way he was able to question 90 Polish and Lithuanian political detainees, in accordance with a very careful procedure. The delegate spoke to them in Russian or, if they did not understand this language, used an interpreter selected by the detainee himself from among his comrades. Each statement was noted and read out to the person making any complaint.

"The reason I have dwelt so long on this fact", wrote Drachenfels, "is because I am convinced of the necessity of demanding as a general rule the right of ICRC delegates to question detainees of all categories without witnesses. For penal establishments, the cases of Poland and Lithuania could be used by us as precedents." 1

In July 1926, the ICRC made new attempts to help detainees in the USSR. It had received inquiries concerning the fate of detainees in the camps on the Solovetskiye Islands, a deportation area in the White Sea, at the entrance on the Onezhskaya Guba. First of all, on 14 September 1926, it wrote to the President of the Alliance of Red Cross and Red Crescent Societies, Abel Inokidzé, asking him to obtain from the Soviet Government full facilities for the ICRC delegate to visit the places of detention. In his reply on 13 December, the President of the Alliance, after contacting the competent authorities, stated:

"Persons prosecuted in the USSR for political crimes or offences are deported to different parts of the Union. They are kept in preventive detention only during the investigations. At that time, no contact between them and foreigners is allowed under the existing regulations. The camps on the Solovetskiye Islands at present hold only penal-law criminals."

Without being deterred by these objections, the ICRC approached the Soviet Government. Writing on 22 January 1927 to the People's Commissar for Foreign Affairs, ICRC President Gustave Ador, after quoting the reply received from the National Society's President, listed as examples the countries in which the Committee had recently visited places of detention: Hungary, Ireland, Lithuania, Montenegro, Poland, the Ukraine and Upper Silesia, and concluded:

"Moreover, no distinction was ever drawn in this connection

1 Drachenfels to ICRC, August 1926.
between detainees called political and those held under penal law, the distinction between the two categories being frequently too vague and depending on the internal law in each country. Very recently, one of our delegates asked questions without witnesses of Communist detainees, although they had been considered as penal-law detainees. We believe, incidentally, that some prisons in the USSR have been visited by foreign delegations, so that the delegate of an impartial and humanitarian institution such as the International Committee of the Red Cross should have a greater right to access."

No further effort was made, as can be seen, to define the "detainees called political" by contrasting them with penal-law detainees—for the purposes of its work, the ICRC was content to make no distinction. Consequently, it asked to see all detainees of whatever category, without bothering to enter into a discussion of their status. However, neither the request, even in its new form, nor the repeated appeals to People’s Commissar Chicherin on 17 May and 15 December 1927 were granted by the Soviet Government.

In spite of these difficulties, the ICRC delegate in Moscow was able to send relief, in the form of money or food, to a few detainees in camps and prisons. He wrote on 28 November 1927:

"I take the opportunity to point out that, as you know, the problem of aid to political detainees has not been settled generally because the Soviet authorities are opposed to interference by foreign associations in this area; but in specific cases they do not prevent aid being given.

“It is obvious that we cannot vouch for the future, but we repeat that up to now the money and supplies we have sent to the concentration camp on the Solovetskiye Islands (very rarely, it is true) and to prisons in Moscow and the provinces, etc., have been delivered to the addresses with no trouble.”

But the general requests, repeated during the subsequent years, were not granted, though from time to time an isolated relief measure was tolerated. This the ICRC was able to do with parcels or money from its own funds, from other humanitarian institutions or private committees.1

At the end of his last report, Voldemar Wehrlin expressed his regret at having to terminate his mission,2 and hoped that it would be resumed, even if in another form:

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1 Chiefly the Assistance Committee headed by Pastor Kohler, of Winterthur, Switzerland, which acted as a central collecting office for gifts for the needy.
2 Wehrlin returned to Switzerland in June 1938.
"The position of your delegation in the USSR was at one and the same time very advantageous and very difficult. Advantageous, because it had an enormous field of action before it; difficult, because access was virtually prohibited. Nevertheless, there were certain ways in, narrow perhaps but providing a chance to bring real help. This field of action was, I may say, hermetically sealed to all others.

"The USSR is a huge world in itself, and never in history has a country been so cut off. This situation, I feel, makes it highly desirable for a Red Cross delegation to be there, so that the outside world is represented within the Soviet Union, not only by the diplomatic missions pursuing national aims, but also by those of international humanitarian work so ably represented by your Committee.

"Thanks to the prestige of the International Committee, such a mission has been able to work for 17 years in the USSR without deviating in the slightest from the guiding principles of the Committee's existence, namely, the total independence and impartiality of humanitarian activities."

These lines might cause the reader to wonder what reasons decided the ICRC to bring its mission in Moscow to an end. It is likely that Wehrlin, who had wanted to renew contact with the Committee in 1935, had been unable to obtain his return visa for Moscow before he left the country; by 1937, he was being given only temporary residence permits, renewable every 10 or 15 days. But such administrative difficulties were not sufficient to lead to departure. The costs of the tracing service, in comparison with the work accomplished in the Red Cross world, did not seem excessive; in fact more than half the costs were reimbursed. The ICRC's work was certainly appreciated: in fact, when it was announced that the delegation would close, several governments and National Societies urged the Committee to keep it on. One can only suppose that the ICRC was disquieted when it saw the delegation undertaking as a large part of its activities tasks appropriate to the social service of a consular office, while the work which it regarded as traditional—visiting camps and prisons—remained forbidden. It may also be assumed that at that time the Committee had not decided to establish any permanent delegations except in the event of conflicts or specially grave situations. But with the threats of war which became plain in 1938, it soon appeared that the presence of a delegate in Moscow was still of major importance. In November of that year, the ICRC asked for a new visa for its delegate; war broke out before it was granted.

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The Eleventh International Conference had met in Geneva in August 1923, two years after the previous conference, the short interval being justified by Resolution XVI of the latter:

"The Xth International Red Cross Conference decides that the present form of the International Conference should be retained, but that conferences should meet more frequently than in the past. It entrusts to the International Committee of the Red Cross the duty of convening the Conference as soon as it may judge it necessary."

We have already described the Eleventh Conference's concern for the international organization of the Red Cross movement. Other items of no less importance were on the agenda, in the first place the revision of the 1906 Geneva Convention, the drafting of a code for prisoners of war and the study of a draft convention relating to deported or evacuated civilians and refugees. So the International Committee was simultaneously engaged in numerous areas, separated in the account of its history but constantly intermingled in the Committee's correspondence and in the discussions during meetings. Wartime activities, relief work, legal studies, proposals for reorganization, were steadily increasing and influencing each other without any single aspect taking priority, since they were inseparable. Organization, action, legislation: at that time these were the three main guiding forces of the ICRC, and if action was placed before legislation, it was because action when an event occurred was its tradition, to be confirmed afterwards by a Conference resolution giving the Committee authority to act again supported by the Conference decisions, until by analysis of experience and precedents its actions passed into law.

In 1921 the Tenth Conference had produced a preliminary draft of a revised version of the Convention of 6 July 1906 for the Amelioration of the Condition of the Wounded and Sick in Armies in the Field, and the ICRC had sent a copy of this draft to governments and National Societies to discover their opinions. Taking into account the views expressed, the Eleventh Conference made a new draft for transmission to the Swiss Federal Council, with a view to the convening of a diplomatic conference. It is noteworthy that a French Government representative, Dr. Niclot, proposed the regulation and neutralization of medical aircraft and their use, and the International Conference made a study of the subject.

The Tenth Conference had requested the ICRC to draft a Convention relating to prisoners of war, deportees, evacuees and refugees and, in due course, to propose that the Swiss Government should sponsor a diplomatic conference on the subject. In consequence,
the ICRC had formed a *diplomatic commission* composed of Dr. Frédéric Ferrière, the chairman, Paul Des Gouttes, Edmond Boissier, Paul Logoz, and Georges Werner, all members of the ICRC, and Alexandre Girardet, secretary of the Swiss Political Department. This commission had come to the conclusion that matters concerning civilians who fell into the hands of an enemy should be dissociated from questions relating to military prisoners, and that they should be the subject of a special study and a separate international convention. The commission had therefore prepared a draft Convention relating to prisoners of war, containing 103 articles which the International Committee decided to send to the Swiss Federal Council, with amendments and further proposals, so that it could be examined by the same diplomatic conference to be called to revise the Geneva Convention. In addition, the ICRC had drafted a Convention for the protection of civilians. Dr. Ferrière, already suffering from the illness which was to cause his death less than a year later, was unable to present the draft of which he was the principal author to the plenary session of the International Red Cross Conference, but he insisted on taking part in the meeting of the Fourth Commission which began to examine the draft on 29 August 1923.

A number of delegates in the Fourth Commission took a different attitude to the draft Convention on civilians from the one they had adopted with regard to the Convention on prisoners of war, proposing that the Red Cross limit itself to setting forth general principles and abstain from giving precise directives. The French Government representative said:

"There is no doubt that the work of the ICRC has been extremely valuable, but this question is concerned with making rules for hostilities in a particular branch. Such rules, however, are a function of governments. The more careful governments are to bear in mind the charitable views of the ICRC on subjects within its competence, the less approachable they will be on subjects not strictly within the competence of the Red Cross."

In the report which the Commission presented to the Conference, the point was referred to again:

"To a much greater degree than the treatment of prisoners of war, that of enemy civilians during a war, especially in occupied territories, forms part of the conduct of military operations. This means that it is chiefly dependent on political and military considerations, which governments, in general, reserve the sovereign right to judge for themselves."
The resolution proposed, and adopted by the Conference, recom-
mended that “the conditions for civilians fallen into enemy hands ... should be dealt with in a Diplomatic Conference, which would ex-
tend the IVth Hague Convention of 18 October 1907 concerning the
Laws and Customs of War, and Part III of its annexed Regulations”; it enumerated the humanitarian principles which the belligerents should bear in mind, not only when drafting the new convention but also, pending its entry into effect, when “enforcing the measures they may be obliged to take in regard to enemy aliens, in the interests of national defence”; and it requested the International Committee to “take all measures and any initiative it may consider necessary to put the above recommendation into effect”.

Thus, according to the conclusion of the Fourth Commission, the ICRC should be left free to choose the method it judged most likely to accomplish the result the Commission desired. In any case, the draft convention on civilians had been detached from that on prisoners of war, and was not to be studied by the same diplomatic conference. This circumstance was to delay its adoption by twenty years.

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Did Resolution XIV of the 1921 Conference apply also if there was a rebellion in a colonial territory or a protectorate? The ICRC thought it did, but the States did not agree. The Rif war illustrates the difficulties hampering the Committee’s activities in such circumstances.

The disturbances broke out in 1921, when Abd-el-Krim proclaimed a revolt against the Spanish authorities and set up an independent Rif government at Adjir. The first military operations by the Spanish army against the territories held by the emir had gone virtually un-noticed by European public opinion, largely preoccupied by the immediate post-war problems. However, when in January 1923 Spain ransomed Spanish prisoners in the hands of the rebels, at the same time releasing Rif prisoners, it was evident that the conflict was continuing, with the rebel party in control of part of the Protectorate. Combined operations in 1924 by Spanish and French forces, supported by aircraft, seemed to give the conflict the nature of undeclared war.

The first proposal that the ICRC should intervene came in July 1924 from a British organization, the Near and Middle East
Association. The Committee forwarded the proposal to the Spanish Red Cross, which rejected it:

"The Spanish Red Cross, in agreement with the Government of Spain and the Maghzen, does not consider as opportune the aid of an international commission to help alleviate the sufferings of the Rif on the occasion of the police operations necessary to re-establish order disturbed by insurgents, not belligerents, who refuse to acknowledge the authority of the Maghzen, protected by the Spanish Government in accordance with the international treaties."

In September, the British Red Crescent—a private organization having no structural links with the National Red Cross or Red Crescent Societies, and which had already been active in Tripolitania in 1912—in turn asked the ICRC for help in its plan to send a mission to the Rif. Then, at the end of October, ICRC delegate Raymond Schlemmer travelled to Paris and Madrid to present the ICRC's requests to the authorities there. The French War Ministry and Foreign Ministry, though not going as far as to advise Madrid to agree to an ICRC mission to the Rif, were disposed to facilitate matters if Spain agreed. But in Madrid the delegate encountered merely another refusal; he did however return with the news that the Spanish medical services were preparing to send a medical mission into Rif territory.

Throughout 1925 the ICRC continued its approaches to the two Governments, quoting in support requests by families for news of missing persons, and inquiries by various National Societies: the Swedish Red Cross, which wished to know whether the ICRC could help, the German Red Cross, anxious as to the fate of the German legionaries, the Turkish Red Crescent, which wanted to send its own medical mission to the Rif. The ICRC then succeeded in persuading the Spanish Red Cross to open a bureau to supply news of the German legionaries, as it had done for the Portuguese members of the Legion.

In September 1925, during the Sixth Assembly of the League of Nations, Gustave Ador broached the subject with the French Minister of Foreign Affairs, Aristide Briand, while Raymond Schlemmer had talks with the Spanish Ambassador Quiñones de Leon. Briand at first appeared to be favourable, but handed over the practical implementation of the projects to the army high command in Paris.

In October, no reply having been received, the ICRC was preparing to undertake its mission of assistance despite the lack of response from the Governments concerned. A former delegate was asked if he could leave at short notice for Morocco and was told the position at the time:
“Up to now our approaches have not achieved any practical result. But the International Committee considers that the time has come to renew these efforts with much greater urgency and to send a mission to Abd-el-Krim, if necessary without official permission from the Governments concerned, to gather information about the prisoners held and to forward this news—unofficially if not officially—to their families, a large number of whom have already asked the Committee for news.

“The French Government will probably make no difficulties about allowing the International Committee to act effectively in Morocco, in accordance with specific procedures to be decided in discussions in Paris over the next few days.”¹

However, on 26 October, the French Consul General in Geneva informed the ICRC of the Foreign Ministry’s reply: “Mr. Briand asks me to express to you his sincere gratitude for your proposal and his appreciation of its generosity and deeply humanitarian character. He feels that at the moment he is not able to accept it.”

In an attempt to circumvent these obstacles, the ICRC decided in November 1925 to send a delegate, Dr. Henri Mentha, to the international zone of Tangier which, under the Paris Convention of 18 December 1923, was then administered by an assembly made up of representatives of eight foreign nations having interests in the area, together with representatives of the Muslim and Jewish communities. The delegate concentrated on ascertaining the needs of some 5,000 refugees in the zone who were receiving assistance from various bodies, such as Muslim religious institutions and foreign organizations like the “British Red Crescent”, the Near and Middle East Association and the Christian missions. Dr. Mentha also went to Rabat but was unable to meet Resident-General Steeg.

Meanwhile public opinion and the press were becoming increasingly concerned about the fate of civilian and military victims in areas where fighting was going on. The International Committee was careful to inform its correspondents that it was powerless to act, since the Spanish and French Governments had not granted permission—it seems that in this way the ICRC, normally reticent concerning its dealings with the authorities, was trying to alert the public. In fact, on 18 February 1926 it noted: “Repetition of this statement may perhaps eventually, through the correspondents of the ICRC, lead to public pressure on the Spanish and French Governments and cause

¹ The ICRC to Dr. F. Blanchod, 24 October 1925.
them to reply favourably if the ICRC makes a further request in the
event of renewed hostilities next spring.”

One of the correspondents, J. V. Kohler, a Swiss who was a lieu-
tenant in the French army, had taken it upon himself to approach his
superior officers directly to persuade them of the necessity of agree-
ing to an ICRC relief mission in the Rif territory. General Frey-
denberg, to whom Kohler had written on 16 March, forwarded his
proposals to the Resident-General, whose reply, notified to the
ICRC, seemed encouraging: it stated that the sending of a mission to
the Rif was currently under examination and that if necessary the
Resident-General would not fail to call on the ICRC. To give instruc-
tions to its delegate in Rabat, the Committee needed only await the
outcome of peace talks then in progress in Ouja.

Just then, a private move provided the ICRC with more hopeful
prospects. A Swedish journalist called Langlet had visited the area
held by the Rif rebels in the spring of 1926 and had brought out with
him a letter from Abd-el-Krim to Prince Charles of Sweden, Presi-
dent of the Swedish Red Cross, drawing his attention to the situation
of the Rif people and the great suffering being endured by their
wounded. He asked the prince for help:

“It would be an honourable act in the eyes of God and men, the
more so since the Rif nation is weak and without support or help, cut
off from the rest of the world and unable to communicate with per-
sons such as Your Highness in order to explain its cause to the com-
passionate and to those who defend mankind. If Your Highness were
able to give a little assistance to our wounded, who are without
medical care and have no remedy except patience, you would per-
form a very great service to the cause of humanity.”

Prince Charles forwarded the letter to the ICRC on 30 April,
asking it to take all measures it considered practicable and
appropriate.

This request gave the Committee the opportunity it had been
waiting for: it was a direct appeal from Abd-el-Krim, which implied
that an ICRC mission would be well received in Rif territory, and an
assurance of support from a large National Society. Without bother-
ing to consult Paris or Madrid, the Committee quickly appointed
Raymond Schlemmer as its delegate in Morocco; he left Geneva in
the evening of 4 May and arrived in Rabat on 8 May.

That morning, a Franco-Spanish medical mission headed by Pierre
Parent, President of the Union des Mutilés et Anciens Combattants,

1 ICRC archives.
and Dr. Maurice Gaud had left Rabat for the Rif zone, with the consent of Abd-el-Krim. Schlemmer asked for authorization for an ICRC medical mission to join the Parent-Gaud unit. Negotiations went ahead rapidly in Rabat and Madrid and on 13 May the Resident-General gave his agreement, followed on 25 May by that of the Spanish Government.

While the ICRC delegate was involved in these dealings, the outcome of the war was being decided in the Rif. With no more resources, no support, and forced to withstand the combined attack of two modern armies, Abd-el-Krim was unable to keep up the struggle. On 23 May, Pierre Parent had carried to General Sanjurjo at Melilla and to Resident-General Steeg at Bou Jeloud an offer of surrender from Abd-el-Krim. On 27 May the surrender was officially announced, and the ICRC, considering that the medical mission it was about to send to the Rif was no longer required, took no further action.

In its dealings in Syria in December 1925 the ICRC had been more fortunate. To be sure, the situation was different: the region was not a protectorate but a mandated territory and the Committee had sent a delegate there directly. He travelled to Syria on the same boat as the new High Commissioner, Henri de Jouvenel, and had no trouble in securing all facilities for his assistance mission. In fact, this success had spurred the ICRC to deal directly with the Resident-General in Morocco.

There was no question, either, in this case, of sending a mission into the rebel areas of Djebel-Druze in Syria, but principally of helping in the work already being done by the French Red Cross and local relief and religious bodies. A permanent delegate, Robert Burnier, was installed at once in Beirut to co-ordinate relief supplies from outside and to collaborate with the local bodies grouped in an international relief committee. In association with the High Commissioner’s office and the military authorities, Burnier supervised the installation of dispensary-hospitals at several places in the zone adjacent to Djebel-Druze, where the local population could be treated.

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While these events were taking place, the Twelfth International Red Cross Conference had met in Geneva in August 1925. Again the ICRC had left an interval of only two years between what it called “the official series of great world meetings of the Red Cross
movement" , as a reminder that it regarded the Conference as the sole authority of the institution. It was at the most sensitive point of the discussions concerning amalgamation with the League, and the Twelfth Conference would in fact have to decide what action to take in the light of the report from the Commission of Fifteen.

On this occasion the ICRC had organized a large exhibition of medical equipment, with seventeen countries and fifteen companies presenting a complete range of the latest products for transporting the wounded and treating them in the field. Collapsible stretchers, stretchers on wheels, skis and pack saddles, tents for the medical services, sterilizers, surgical kits, dressings, masks, respirators, showed the public a wide selection of advanced techniques as well as the diversity of medical equipment, the individual variations in the design of apparatus, which the ICRC was attempting to combat. At the Cornavin station in Geneva, the Swiss federal railways and the Pullman company showed ambulance coaches. On the Cointrin aerodrome the latest French types of medical aircraft were on display: the Bréguet 14 T bis, the Gourdon and Leseurre, and the Hanriot with a 120 HP Salmson engine.

Transport of the wounded by air had, in fact, developed considerably, and the use of medical aircraft raised a new problem for the Red Cross. If the distinctive emblem was to be placed on such aircraft, there would have to be a convention in force to regulate their use and their protection. For this reason the ICRC had presented to the Conference a draft text for protecting medical air transport from attack.

Beginning in 1912—just after aircraft had first been used in combat—the lawyers Charles L. Julliot and Paul Fauchille had studied the way in which the benefits of the Geneva Convention could be extended to aircraft assigned to search for the wounded on the battlefield or to evacuate them to the rear. In the same year the Ligue nationale aérienne, meeting in Paris, had expressed the wish that the French Government would take the initiative in convening a conference to prepare an international convention and that the ICRC would continue its studies on the subject in co-operation with such a conference.

During the First World War, the army medical services had successfully employed aircraft to carry the wounded, but it was chiefly after the war, in the colonial type of conflicts, that air transport was used for this purpose. The proceedings of the Twelfth Conference, referring to the demonstration of wounded persons being evacuated by air, stated that "the French medical services and the aircraft
manufacturers who registered for the demonstration were more than fully occupied in dealing with orders for Morocco, where all the seriously wounded are now taken out by plane, and so were able only at the last minute to give any attention to their participation in the exhibition, with the result that their exhibits were not ready in time”. In the conflict in question, where the adversary had no aircraft and no anti-aircraft defences, experience had shown only the practical advantages of evacuating the wounded by medical plane, without raising the legal problems of their protection.

It was, of course, also obvious that the aeroplane constituted an excellent means of observation and of transmitting information, and if it was desired to prevent it committing “acts harmful to an enemy” it was desirable that its use should be regulated. Several speakers commented that the drafting of a text as detailed as that presented by the ICRC was a task for the army high commands and not for the National Red Cross Societies. Nevertheless, the Committee’s draft was noted with interest, after two significant amendments had been made. The first laid down that “overflying and even approaching the lines inside a limit to be determined by agreement between governments shall be strictly prohibited except in the case of special and explicit permits”; while the second stipulated that medical aircraft should not be equipped with “signalling or documentary apparatus such as rockets, cameras or radios”, provisions which greatly limited their range of action and their navigability. In this way the subject of immunizing medical aircraft had been definitely embodied into the programme for the development of humanitarian law; but the difficulty which would attend the mere extension to airspace of the rules for protecting medical transport on land and at sea became evident from the first examination of the draft.

The Twelfth Conference was not required to deal with the draft Code for prisoners of war, which was then in the process of being written. On the other hand, the Conference discussed the situation of civilians who found themselves in enemy territory in wartime and, while confirming the resolutions of the preceding Conference, drafted general principles which it asked the ICRC to submit to governments for examination. Noting with satisfaction that the Geneva Protocol of 17 June 1925, confirming and supplementing the Treaty of Washington of 6 February 1922 and the Treaty of Versailles of 28 June 1919, condemned chemical and bacteriological warfare, the Conference urged the States which had not yet done so to accede to the Protocol and conferred on the International Red Cross and the National Societies the duty of carrying on the moral battle
and the publicity campaign against the use of these weapons and of developing scientific and technical methods for preventing and curing their effects.

Finally, the Conference turned its attention for the first time to the problem which would arise in the event of military action by the League of Nations or of blockading of a State in breach of the Covenant, and it requested the ICRC to study the role of the Red Cross in such an eventuality and to present the conclusions of the study to the Thirteenth International Conference.

So, in the first postwar decade, the ICRC had prepared a set of draft humanitarian conventions adapted to the use of new weapons and new forms of warfare evolving from the recent conflict or its immediate consequences. The drafts related to the protection of the sick and wounded, prisoners of war and civilians in enemy territory, and to the regulation of medical aircraft. But neither the ICRC nor the International Conference were competent to decree rules of international law—detailed as the drafts were, they still had to be submitted to the decision of the States assembled in a diplomatic conference.

* * *
CHAPTER VI

Law, justice, charity

When the International Committee conferred the Presidency on Max Huber, after the death of Gustave Ador, Bernard Bouvier expressed the feelings of all his colleagues when he said: “If there is one man whose name, international position and character, whose personality in its essence and individuality were made to reassure us at the moment when we have lost our leader, it is Mr. Max Huber. In this, our hearts and our minds are at one.”

The new President brought to the Committee the authority of a lawyer and a magistrate whose personality had been demonstrated in the field of international law, the development of which in various circumstances it had influenced. Even before the First World War, he had taken part in the second Peace Conference at The Hague as one of the Swiss delegates. Later, as a legal expert in the Swiss Federal Political Department, he had collaborated with Gustave Ador, Federal Councillor Felix Calonder and William Rappard in setting forth the principle by which Switzerland was able to join the League of Nations, reconciling the demands of its neutrality with the obligations entailed by Article 16 of the Covenant. In the same post, Huber also helped to establish the Federal Council policy on arbitration and conciliation.

Arbitration and conciliation were in fact the two dominant themes in his thought, which refused to accept the idea that reason could not one day take the place of force. This approach to his work was to find full scope for application when, in 1921, he took up his functions as a judge in the Permanent Court of International Justice in The Hague (he was President of the Court from 1924 to 1927) and in 1922, when he became a member of the Permanent Court of Arbitration. Professor Paul Guggenheim has paid tribute to the eminent qualities which Huber brought to the exercise of the magistrate’s
duties: "the ability to get to the heart of the documents, an intimate knowledge of legal problems, remarkable judgement and, last but not least, the realization of the need, in spite of the hard, matter-of-fact considerations, for contributing to the building up of a community devoted to peace, without ever losing sight of humanitarian as well as constructive objectives connected with public international law". 

Max Huber saw the exercise of the judge's office as entailing great responsibility to which the incumbent had to devote himself entirely. "The magistrate's office", he wrote, "always carries with it something of priesthood, since the justice it represents is moral in character and therefore related to the divine and hence the absolute. It is a heavy responsibility to be a judge, and this is specially apparent in international jurisdiction, where the magistrate is not supported by a wealth of national tradition or a body of law whose interpretation is based on thousands of previous decisions... Pronouncing judgement in these conditions, with full awareness of one's responsibilities, particularly when one is the only judge or has to give the casting vote as president of the court, is a grave matter. I have known moments I shall not forget." 

He also said: "Perfection does not exist in this world. So it will always be necessary to take a personal decision which commits one's moral responsibility, since judicial arguments will never have the constraining and impersonal force of a mathematical demonstration."

The course on which he embarked in 1928, the way of the Red Cross, which he saw as "filled with grandeur and tribulation", was to prove very discouraging in many ways. Buoyed up by his religious faith, though devoid of illusions about human nature, he was to devote his career from that time onward to preserving, as far as possible in an "apocalyptic age", the structure of humanitarian law, and in so doing fully lived up to the device which his colleagues of the Committee were to have engraved on the medal commemorating his sixtieth birthday: IUS, IUSTITIA, CARITAS.

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3 Ibid., p. 12.
The year 1928 had been marked by the signature of the pact renouncing war, known as the Briand-Kellogg Pact: ratified by 46 States, it came into force on 24 July 1929. Three days later, 47 States meeting in Geneva drew up two humanitarian conventions, one a revised version and one a new text: respectively, the Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field, the other being the Geneva Convention relative to the Treatment of Prisoners of War. At first sight, the terms of the Pact and the provisions of the Conventions might appear incompatible, since the latter proposed to regulate what the former was aiming to proscribe. But at that time the world was not sure where it was going. Ten years after the First World War, and ten years away from the Second, it seemed to be having a brief respite; and while it proclaimed war to be illegal it was also doing its best to make sure that, if war could not be banished, its effects could be limited.

The Briand-Kellogg Pact formed a significant stage in the efforts, characteristic of the twenties, to achieve lasting peace between nations. Up to that time, war had not been absolutely prohibited as a means of settling differences between States. Up to 1914, resort to force was forbidden only in certain specified circumstances, and it was mainly the ritual of starting hostilities which was regulated by international agreements. The League of Nations Covenant had condemned wars of aggression and threatened the aggressor with economic sanctions or collective action. It also set up an arbitration procedure but did not formally exclude the right of a State to resort to force when all conciliation procedures had been exhausted. Such a system could prove effective provided the nations remained united and were unanimous in naming the aggressor. In addition, there was the system of bilateral treaties on arbitration and conciliation, of which Max Huber was one of the promoters.

Under the Kellogg Pact, the contracting parties declared, in the name of their nations, that they condemned the recourse to war for solving international disputes, that they forswore it as an instrument of national policy in their mutual relations, and that they agreed to settle disputes and conflicts among themselves only by peaceful means. The treaty, some of whose signatories, such as the United States and the USSR, were not members of the League of Nations, thus went further than any previous agreements. It constituted a moral obligation, though not upheld by sanctions, and was close to the spirit of the appeal made by the ICRC-League Joint Commission.
on 19 July 1921 and some of the resolutions of International Red Cross Conferences.

It was nevertheless characteristic of the Red Cross movement to foresee the possibility that international solidarity might not prove sufficiently lasting and to try to have the humanitarian conventions brought up to date without delay. “As long as the States have not laid down their arms”, wrote Max Huber, “the Geneva Convention is not without purpose, and for the Red Cross to prepare to give aid in the event of war is by no means superfluous. This part of preparedness for war is indeed the last thing which should be dropped, seen from the viewpoint of universal peace. Countries which, in the circumstances, are in the least danger of being involved in wars also have every reason to remain ready to procure such care, since neutrality combines the privileges it confers with the moral obligation to give fraternal assistance to the victims of war.”

The preparation of new humanitarian conventions is, literally, the International Committee’s reason for existence. It was founded to bring about the conclusion of an international agreement, and it is the existence of the Conventions which make the Committee necessary. They would not exist without the Committee, or the Committee without them. Yet its role in the conclusion of agreements appears very slight: it is not a legislative body and cannot enact texts or even drafts. Since it is not a government, it can neither convene nor organize the diplomatic conferences which lay down the provisions. For the same reason, it does not vote on them, or sign them, and is not a party to them. But it generally initiates new conventions and plays a vital role in preparing and drafting the texts. For, when the government delegates meet in an international conference, the preparatory work must be sufficiently advanced for study of the texts presented to bear fruit.

The ICRC, as a general rule, consults the Red Cross Societies as to the desirability of revising a convention or preparing a new one; it then submits the drafts to the International Red Cross Conferences, where Red Cross and government delegates are able to examine them and give their opinions. These are borne in mind in further studies by the Committee, backed up, if necessary, by the conclusions of commissions of experts. Once it has completed a text, it sends it to the Swiss Federal Council, which assumes responsibility for subsequent

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1 See page 195.
moves: consulting governments, collecting and publishing their suggestions or amendments and, finally, convening a diplomatic conference. The conference works out the final text of the convention, which is usually signed by the plenipotentiary representatives of the States at the closing ceremony, but does not come into force until after ratification by the governments or legislative assemblies of the signatory States.

The procedure, therefore, is a thorough one, requiring several years from the initial conception to the final form and taking into account the often divergent views of legal experts, military authorities and health services. The proper timing is also essential: care must be taken, in proposing revision of a convention, not to give the participating States an opportunity to reduce its scope.

The first step towards producing new conventions had been made in February 1918, when the ICRC, in its 172nd circular, proposed to the National Societies of the belligerent and neutral countries of Europe to attend a conference for the purpose of “supplementing and clarifying the Conventions of Geneva and The Hague, drawn up in peacetime, on the points relating to prisoners, or those not dealt with in the Conventions, and which the war has shown to be important”. This plan, dropped owing to the circumstances, had been taken up again immediately after the armistice. As we have seen, the ICRC presented to the Tenth Conference in 1921 a draft revised version of the 1906 Convention and a statement of the principles which should govern the Code for Prisoners of War. With the approval of the Conference and encouragement from the States, the Committee set up two commissions to continue the work of drafting the two conventions; and at the Eleventh Conference in 1923 it submitted very detailed drafts which were adopted in plenary session.

At the Committee’s suggestion, the Swiss Political Department wrote on 17 January 1925 to the States participating in the previous Conventions, inviting them to attend a Conference to revise the 1906 Convention and possibly to draw up a new convention on the treatment of prisoners of war. In 1928, having been informed of the consent of the Powers, and bearing in mind the long period needed for consultation, the Political Department convened a Diplomatic Conference for the following year and proposed to the governments that the ICRC and the Order of Malta should also be invited in an advisory capacity. Finally, when all the affirmative replies had been received within the required period, the Conference was able to hold its opening session in the Palais du Conseil Général in Geneva on 1 July 1929.
The ICRC delegation was composed of Georges Werner, Dr. G. E. Audeoud, Dr. Georges Patry and Mrs. Frick-Cramer. Paul Des Gouttes, one of the principal authors of the draft conventions, had been appointed secretary general.

The Conference lasted four weeks, and proved a triumph for the Committee's efforts, as it resulted in two new Conventions, the texts of which closely followed those of the preliminary drafts. It is worth examining their main features at this point, since to a great extent they were to determine the activities and the role of the ICRC until after the Second World War.

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The Convention of 1906 which the Conference was to revise was a soundly constructed text. As Paul Des Gouttes wrote, “The 1906 Convention was an admirable monument; it has been called a “tabernacle”. It had to be approached with caution, stones to be changed or new ones added only if an undeniable improvement for the victims of war would result and if the harmony and the masterly equilibrium of the whole did not suffer. This respect for the high standard of the 1906 agreement, which had triumphantly withstood the test of four years of war, was evident at every stage of the debate, and in every one of the delegations.”

Indeed, although the fate of medical personnel and wounded combatants had given rise during the war to numerous complaints, the reason was not that the provisions of the Convention were inadequate but that they had not been properly applied.

The revised Convention therefore maintained the major principles on which the 1864 and 1906 Conventions had been based: protection and respect for the wounded and sick, medical personnel and medical buildings, equipment and transport; and only six new articles were added to the thirty-three making up the 1906 Convention.

One of the rules which had caused the largest number of protests and been the most frequently violated during the war was the obligation to repatriate captured medical personnel. Under the 1906 Convention, they had to be returned to their own country or army when their help was no longer indispensable. This limitation had caused abuses to take place, the medical personnel being retained beyond the time necessary, often even without occupation. Anxious to avoid a repetition of this, the ICRC, with the support of the Tenth and Eleventh Conferences, had proposed rewording Article 12 to the
effect that persons attached to the medical services “are exempt from capture and may not be retained”. But experience had also shown that there were cases when the presence of doctors or nurses among the wounded captives and the prisoners of war had been necessary, and some of the delegates to the Conference had insisted on this point.

The Conference then attempted to reconcile the two viewpoints, and was satisfied with this rewording:

“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 an agreement to the contrary, they shall be sent back to the belligerent to which they belong as soon as a route for their return shall be 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 which they belong.

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

The text was therefore a compromise which in certain circumstances allowed an exception to be made to the rule concerning repatriation of medical personnel. “But”, as Paul Des Gouttes pointed out, “as soon as a route is open, such personnel must be returned. Thus, the medical requirements are no longer taken into account: they may only be considered if there is an agreement. Paragraph 2 explicitly states the two conditions: as soon as a route is open and military considerations permit. These are the only conditions, and they must be reasons, not pretexts.”1

On several other points, the new Convention clarified or supplemented the 1906 text. To allow the wounded to be removed from the battlefield, it provided for the conclusion of a “local armistice or a suspension of fire”; it laid down rules for identifying the dead; and it extended the Convention’s protection to auxiliary nurses and stretcher bearers.

The Conference officially recognized the use of the signs of the red crescent and the red lion and sun by the countries already using them. In addition, the recognized voluntary relief societies were authorized to use the distinctive sign for their humanitarian work in peacetime, and even to permit its use, in exceptional cases, to identify first-aid

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posts which were free of charge. Lastly, sanctions were introduced into the Convention: the States undertook to open an inquiry in the event of an alleged infraction and to suppress it at once when it was proved. Paul Des Gouttes wrote, “It is a cautious attempt, because of the difficulty of the subject. Even so, it represents a step forward.”

It was in the 1929 Convention that regulations first appeared concerning the use of medical aircraft. The 1925 Conference had adopted the draft convention on the immunity of medical aircraft; the debates in the second commission had shown the difficulty of adapting to medical air transport, a self-contained service, rules which applied to land transport. It had proved impossible to use to find the wounded on the battlefield—as had originally been envisaged—and military necessity was opposed to aircraft being authorized to overfly enemy or occupied territory or even approach the firing line. So aircraft remained an important means of medical transport, but behind the lines. In the view of General Pau, a veteran of the war of 1870, the problem of immunity for aircraft was quite different from that for hospital ships, for “the latter move at a moderate speed on the same surface as the hostilities, while the aeroplane moves with great rapidity in a region overlooking the fighting”. This conception, however, was soon to be swept away by advances in combat aircraft which made the entire air space a combat zone. The planes used for medical transport, recognizable by their white fuselage marked with the red cross, were to prove so vulnerable that their use—with nothing but the sign to protect them—was greatly reduced.

Immunity for medical aircraft was not on the Conference agenda, but France and Great Britain had asked for the subject to be examined. In the absence of experts on air warfare, the delegates felt unable to draw up a detailed convention on the use of aircraft. But, in order to fix a date for this, they incorporated into the Geneva Convention an article which, in six paragraphs, summarized the draft and made it legal for aeroplanes with a red cross to be used for transporting the wounded.

One of the major innovations of both Conventions—without which their provisions might have remained ineffective—was the deletion of the *si omnes* clause, which had previously required that all the belligerents without exception must be parties to the Convention for it to have binding force. In future, during a conflict, the Conventions would continue to govern relations between the States Parties to them. Moreover, denunciation of the Convention in
wartime would not take effect until after the conclusion of peace and in any case until repatriation had been completed. These two technical provisions considerably extended the range and duration of application of the Conventions.

For the Convention relating to prisoners of war, the ICRC submitted a very detailed draft based on its experience during the war and particularly on agreements then made between belligerents. The preliminary draft presented by the United States proposed a different approach to the problem. It considered that the new Convention should comprise only broad fundamental principles of general application; for no code could be sufficiently detailed to obviate the need, once war had broken out, for an additional arrangement between the belligerent States referring in detail to the means, methods and administrative measures necessary for implementation of the principles in question. A marginal note in the working copy of the draft used by Paul Des Gouttes well explains the ICRC’s concern to construct a Convention which would have no gaps and no loopholes:

“Experience in 1914-18 proved precisely that detailed provisions would be necessary, since, in the monotonous daily life of the prisoners of war, it is the details which matter. In the course of a war such as those which may occur in the future, the idea of an “additional arrangement” between States has to be excluded. Why wait until the last moment? Moreover (Article 93), the belligerents can always make special agreements.”

It was in this frame of mind that the second commission of the Conference, taking as its basis the 103 articles of the ICRC draft, drew up the 97 articles of the Convention relating to prisoners of war. Based on the principles of the Regulations annexed to the Fourth Hague Convention of 18 October 1907—which it supplemented without replacing it—the Convention explicitly referred to Articles 1 to 3 of the Regulations to define the nature of belligerent. It then considerably expanded the provisions relating to the treatment of prisoners of war, with reference not only to the material conditions of captivity—food, clothing, hygiene, discipline, work, correspondence—but also to relations with the authorities, establishing the system of prisoners’ representatives, recognizing the right to make complaints, laying down rules for the application of disciplinary and legal punishments, and dealing in detail with repatriation and with hospitalization in neutral countries.

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1 ICRC archives.
The prisoner-of-war Convention also included a number of new provisions, based on experience in the First World War and illustrating the advance which had taken place in humanitarian conceptions since the Hague Conventions had been drawn up.

One of these provisions, of the greatest importance, was intended to put an end to the practice of reprisals, which had too often entailed, during the 1914-18 war, a worsening in the conditions of prisoners. The bilateral agreements between the belligerents in those years had usually been intended to regulate the use of reprisals and moderate their effects, but without completely eliminating them. Under the 1929 Convention, reprisals on prisoners were prohibited.

The problem of supervision was discussed at length. As we saw, during the Great War the camps of prisoners of war and civilian internees had been visited both by representatives of the Protecting Powers and by the ICRC delegates. In the draft presented to the Conference, the ICRC envisaged being given the responsibility of appointing itinerant commissions composed of nationals of neutral Powers, assigned to ensure that the provisions of the Convention were being applied. The authors of the draft had not considered it desirable to impose a special duty on the Protecting Powers since, as Georges Werner, rapporteur to the second commission of the Conference, explained, "the Protecting Powers incontestably have the right to take an interest in all nationals of any State whom they have been requested to protect, including prisoners of war".1 The Conference nevertheless judged it necessary to define clearly the role of the Protecting Powers, based until then on custom, and to determine their task precisely. Under the draft adopted (Article 86), the agreed representatives and delegates of the Protecting Powers were authorized to go into all localities where there were prisoners of war, to have access to all premises occupied by prisoners and to talk to them, "as a general rule, without witnesses", personally or through an interpreter.2 These provisions—additional to the one giving prisoners the right to forward to the Protecting Powers any complaints they might wish to make—supplied the Protecting Powers with the means to exercise an effective check on the conditions of captivity.

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2 Several delegations were opposed to the principle of the interview without witnesses which, in their opinion, might encourage the divulging of military secrets. It was to take their objections into account that the expression "as a general rule" was adopted: while maintaining the principle, this allowed its application to be limited in specific cases.
Moreover, in the event of disagreement concerning the application of the Convention, the Protecting Powers were authorized to propose a meeting of the belligerents in neutral territory, with the assistance of a personality who was a national of a neutral Power or delegated by the ICRC.

The ICRC’s prerogatives concerning assistance to and protection of prisoners were safeguarded by the provisions of Article 88: “The foregoing provisions do not constitute any obstacle to the humanitarian work which the International Committee of the Red Cross may perform for the protection of prisoners of war with the consent of the belligerents concerned.”

This moderately worded provision implicitly recognized the rights acquired by the ICRC in matters relating to assistance and protection for prisoners of war in conformity with its statutes and the resolutions of International Red Cross Conferences.

Lastly, the new Convention, taking its tone from the terms of the Regulations annexed to the Hague Convention of 1907 and the ICRC’s activities during the First World War, considerably strengthened the system for protecting prisoners of war in the sphere of information and relief, by explicitly designating the national and international bodies to be responsible for these questions and by defining their competence:

— the official information bureaux established by the belligerents to give news of prisoners of war within their territory. These official bureaux were designated especially to collect all information, documents and objects concerning the prisoners from the moment of capture until their release, to forward promptly all necessary indications to the Powers concerned through the Protecting Powers and the Central Information Agency, and to establish and keep up to date an individual record for each prisoner of war (Article 77). It will be seen that in practice, the organization of these bureaux was to be made the responsibility of either a State body (War Ministry, Prisoners’ Ministry), or the National Red Cross Society;

— the societies for the relief of prisoners, duly constituted under the laws of their countries to act as intermediaries for charitable purposes (Article 78). The Convention laid down that these Societies and their properly accredited representatives should receive all facilities, within the limits of military necessity, to accomplish their humanitarian work efficiently and would be able—also under certain conditions—to distribute relief in the camps and in the halting places of repatriated prisoners;
— a central prisoner-of-war information agency set up in a neutral country, its organization to be proposed by the ICRC if it were considered necessary (Article 79). The agency’s mission was defined thus: “This agency shall be charged with the duty of collecting all information regarding prisoners which they may be able to obtain through official or private channels, and the agency shall transmit the information as rapidly as possible to the prisoners’ own country or the Power in whose service they have been.” The ICRC was therefore officially allotted the function it had spontaneously undertaken during four preceding wars as intermediary and co-ordinator for all matters relating to the fate of prisoners of war.

The mandate, moreover, was not restrictive: Article 79 stated, in fact, that the provisions “shall not be interpreted as restricting the humanitarian work of the International Red Cross Committee”.

This was the Convention, adopted in plenary session on 27 July 1929, which was to be applied ten years later at the outbreak of the Second World War. Even though, at that time, it was thought that a number of its sections would have been the better for revision or addition, the Convention’s provisions provided a broader treaty basis for the activities of the Protecting Powers, the ICRC and the officially recognized relief societies, and in this way supplied reliable protection for millions of prisoners of war in situations where the Convention’s applicability was not contested.

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The USSR had not taken part in the 1929 Diplomatic Conference. This may have been due to deteriorating political and diplomatic relations between Soviet Russia and Switzerland which were broken off completely in 1923 following the murder of the Soviet diplomat Vatslav Vorovsky by a Swiss who had returned from Russia; but this is not certain. These events had not interrupted relations between the Soviet Red Cross, represented in Berne by Dr. Serge Bagotzky, and the ICRC, represented in Moscow by its delegate Voldemar Wehrlin, who moreover fulfilled some of the functions of a consul for Swiss nationals in the USSR. The Soviet Red Cross had shown its interest in the development of the humanitarian conventions by presenting to the 1923 International Red Cross Conference in Geneva a draft code for prisoners of war drawn up in agreement with the Soviet
Commissar for Foreign Affairs. It had later participated in the 1925 International Conference, also in Geneva, and the 1928 Conference in The Hague.

However, when in January 1925 the ICRC, acting in the name of the Swiss Federal Council, invited the Soviet Union to take part in a diplomatic conference to revise and extend the Geneva Convention, the Foreign Affairs Commissar, Litvinov, replied that his Government was willing to participate in such a conference and that it was preparing an alternative draft to the code for prisoners of war, but that it would not send a representative to the conference if it were held in Switzerland.

This reservation could have been lifted following the Berlin Agreement of 16 April 1927, under which Switzerland and Russia settled the differences which had separated them and agreed to resume trade relations. The USSR took part after that in the conferences of the League of Nations, to which it had been invited as an observer. But in 1928, when the Federal Council repeated its invitation, the Soviet Union did not reverse its initial decision.

Notwithstanding its absence from the Conference debates, the Soviet Union was prompt to adhere—on 25 August 1931—to the 1929 Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field. But it stopped at this one Convention, and did not sign the second 1929 Convention relative to the Treatment of Prisoners of War.

Japan, which signed both Conventions at the closing session of the Diplomatic Conference, ratified only the first, in 1934.

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The protection of the civilian population, meanwhile, was left in abeyance. Eloquent speakers had indeed reminded their hearers that in any future war the civilians would be more exposed than anyone else to the attacks of the adversary: "What protection can be given to them", asked Senator Ciraolo, "if the enemy draws them into the whirlwind of invasion? What limits can be imposed on belligerents, when their instruments of destruction are deployed, not against the opposing army, but against unarmed populations incapable of action, composed of old men, women and children?"

1 Rapport sur l'activité de la Société russe de la Croix-Rouge du 1er août 1922 au 1er août 1923. Published by the Russian Red Cross Society, 1923. (Documents sent to the Conference.)

2 Both these States are now Parties to the four Geneva Conventions of 12 August 1949.
Considering it desirable for the situation of civilians in wartime to be studied thoroughly "by legal experts, the major international law associations, the leading men of law assembled in The Hague", the Senator successfully proposed that a clause be inserted in the final Recommendations of the Conference, to the effect that "comprehensive study be undertaken for the conclusion of an international convention governing the position and the protection of civilians of enemy nationality who happen to be on the territory of a belligerent or on territory occupied by him".

In this way, two essential instruments of humanitarian law, additional to the 1907 Convention on war at sea, had been created or refurbished, and there was still the hope that before much more time elapsed there would also be a convention on civilians and—another wish expressed by the Conference—on immunity for medical aircraft. The two new Conventions had been signed at the most propitious moment, before the sudden deterioration in international relations made the conclusion of any agreement problematic.

"The atmosphere in the debates", wrote Paul Des Gouttes, "was as if charged with the painful memory of the sufferings in the Great War, at the same time as being dominated by the burning desire, one might almost call it the obsession, to diminish such sufferings as much as possible, if by misfortune the scourge of war should once more descend upon the world. There was a feeling both of the weight of the past and of responsibility for the future."

That future the Red Cross intended to construct through the young people of the world. And as if to make this intention more perceptible, while the States were discussing means of limiting the effects of war, the Red Cross youth organizations were also meeting in conference in Geneva, under the auspices of the League of Red Cross Societies which, since 1919, had made promotion of Red Cross youth sections one of the mainsprings of its action. "It is on youth, indeed," declared Colonel Draudt, "that the Red Cross relies to preserve peace for future generations and to hand on the torch."

The year 1929 was not only marked as the year of the Geneva Conventions. The diplomatic activity of international congresses and mutual accords was at its peak. Without any profound knowledge of the problem of war and its causes, the world was attempting to protect itself by means of treaties, while various associations, chief among them the Red Cross movement, were trying to supply in material safeguards what protection under conventions did not perhaps guarantee.
It was not that war already threatened. The mutual security system had considerably developed over ten years. Even arbitration, one of the most difficult methods of keeping the peace, since it trespassed on the sovereignty of States, had been able to solve some disputes. But disarmament, without which arbitration and security were mere palliatives, had made no progress. In conference after conference, the land, sea and air forces of the major Powers were measured, but not restrained. The vast human problems of Asia and Africa, where the systems of colonial or economic domination had survived the war, had not been resolved. The effects of technical progress did not succeed in concealing social inequalities. Yet it was not from troubled Africa or Asia, or from impoverished Europe, that the alarm signal came—it was from rich America. On 24 October 1929, the stock market crashed in New York. It was the first sign of a general crisis, which was soon to spread to Europe and the rest of the world, shake the inadequately stabilized edifice and open the way to the upheavals which led, conflict by conflict, to the great massacre of the Second World War.

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Armis bella non venenis geri: wars are fought with weapons, not poison.1 Although poisonous and incendiary substances had been used in war at times before 1915, the practice had not been systematic. Not only public opinion, but even military leaders were repelled by the idea. Montesquieu reported that the Italian chemist Martino Poli discovered a poison which, “when set on fire and carried by the wind, could destroy an army”. The invention was proposed to Louis XIV of France, who replied, “What an abominable idea! The man should be imprisoned.”2

After the First World War, public opinion retained its instinctive repulsion against the use of asphyxiant gases, but the army commanders had changed their opinion. It appeared in fact—all the more so since chemical weapons could now be combined with aerial weapons—that the effects of gas were so sudden and irresistible that the only response would be a similar attack as a means of dissuasion. It was then decided to take three simultaneous protection measures: to prohibit the use of chemical weapons, to protect the civilian

1 Quoted by Mohamed Abdel Monem Riad in L'amélioration du sort des blessés et malades dans les armées en campagne, in Revue de Droit international public, July-October 1930, 37th year.
2 Montesquieu, Le Spicilège.
population against their possible effects, and to prepare a riposte of equal strength.

We have seen that the ICRC, in 1917, took the lead in a movement of opinion which was to lead to a protocol, known as the Geneva Protocol of 17 June 1925, prohibiting the use of chemical and bacteriological weapons. But the ban on their use did not involve banning their manufacture and storage; and in 1929 only thirteen States had ratified the Protocol. It was therefore desirable to add to the prohibition some safeguards for the civilian population. Acting on a mandate from the 1925 International Conference, the ICRC convened an international commission of experts in Brussels in January 1928; the commission drafted an extensive technical programme aimed at protecting the population from the effects of aerial chemical warfare.

At the time it was generally thought that, if a war broke out, it would start with airborne chemical warfare which might cover the whole of a country's territory. The Brussels Commission noted: "In general, owing to the uncertainty prevailing as to the extent of the territorial areas in which the population could be subjected to attack, there is no reason, a priori, to divide up a country into danger zones, since all points may be equally vulnerable. In the case of Europe, in particular, the distinction would be completely pointless."

The International Committee had divided the items to be dealt with into three main categories: technical measures for collective and individual protection of civilians; tactical arrangements to be applied in the event of a gas attack; and an overall plan for the defence and relief of the civilian population, based on collaboration between representatives of the authorities, social groups and the Red Cross. What had to be done, therefore, was to outline a definite plan for a system of civil defence, prescribing the role of National Societies in the protection and defence arrangements. In addition, the Commission requested the International Committee to create an anti-chemical warfare documentation centre, to encourage the dissemination and teaching of safeguards and of treatment for gas victims, to initiate international competitions for the design of an ideal shelter against gas attacks and for a reagent capable of indicating the presence of mustard gas, and to undertake studies on the ventilation of shelters, special protective clothing, and the protection and purification of food and water. Lastly, the Brussels Commission, realizing that the proposed measures would not suffice to give the civilian population total immunity from the consequences of an attack with toxic substances combined with bombardment, stressed
that it was more than ever important for this form of warfare to remain explicitly condemned by the law of nations.

The work of the Commission had hardly been completed when a serious accident reminded the public that their discussions were not theoretical speculation but dealt with an ever-present danger. On 20 May 1928, a tank of phosgene exploded accidentally in Hamburg and eight tonnes of toxic gas escaped. Carried by the wind, the gas cloud spread over a wide populated area, and although preventive measures were taken immediately ten people died, thirty were gravely injured and 300 more were slightly affected, up to 13 kilometres from the site of the disaster. The day after the explosion and within a radius of three kilometres officers of the fire service contracted skin lesions from touching contaminated grass without protecting their hands. Public opinion was all the more shaken by the accident since it was a reminder that large quantities of toxic gas continued to be manufactured and stored, for either industrial or military use.

The Thirteenth International Conference, held in 1928, followed the lead of the 1921 and 1925 Conferences in condemning chemical and bacteriological warfare, and asked the ICRC "to bring once again to the attention of the governments the great desirability, on humanitarian grounds, that they should declare their final adhesion... at the earliest possible date" to the Geneva Protocol of 1925. But it was also realized that the threat of total airborne chemical war remained a constant danger to the civilian population, as long as air forces could spread its effects over the whole of a territory under attack. The German Red Cross had presented a report to the Thirteenth Conference proposing a radical solution, namely, to ban bomber aircraft: "The German Red Cross sees only one possibility of preventing these attacks which, as technical progress continues, will increasingly disregard humanitarian considerations—namely, to prohibit strictly the use of aircraft for the purpose of bombardment. The evil would be cut off at the root if there were a ban not only on the use of chemical weapons and practice with them in peacetime, but also on bomber aircraft and all the preparatory measures they require. Such a prohibition would not merely save the peace-loving population from a grave danger, it would delay the declaration of war because the most dangerous of all assault weapons would have been put aside."

In pursuance of the studies entrusted to it by the Brussels Commission, the ICRC called a meeting of the Second International Commission of Experts for the protection of civilians against chemical warfare. The meeting was held in Rome on 22 April 1929.
The Committee was no longer envisaging the single possibility of a gas attack but that of a combined attack including other means of bombardment such as high explosive and incendiary devices. The specialists then considered that the combination of these methods would make any collective protection extremely problematical and, in a final resolution, the Commission gave expression to its distress and confusion:

"The Commission therefore thinks that, while future attacks using explosives and chemicals will, as technical progress continues, become much more powerful than during the last war, with the means of defence failing to advance at the same pace, the protection of civilians, already a difficult matter with the only means known hitherto, will in time inevitably become an insoluble problem, with considerable losses among the civilian population. In the major urban areas a large proportion of the residents may be killed.

"The Commission considers that such an eventuality—and it is far from impossible—should be brought to the attention of the nations.

"It is vital for the Red Cross to direct attention, as it has done and continues to do, towards the need to provide against chemical and air warfare and to make preparations for protecting the civilian population. It is equally necessary for the Red Cross to state that such protection will always be uncertain and that, even well prepared, the civilian population will run great risks which may steadily increase in the future. It is imperative for all nations to know that the entire population of a belligerent country will in future be exposed to the dangers of war.”

The Commission repeated all the recommendations of the Brussels Commission concerning the most effective possible preparation of collective and individual protection and asked the ICRC to take the lead in a movement to publicize the issue so that civilians might be protected from the effects of airborne chemical warfare.

Thus the Red Cross remained in the front rank of the fight against the perils of aerial warfare: in a number of countries, joint committees made up of members of National Societies and official experts studied means for shielding the population from its effects, while the documentation centre created by the ICRC gathered all the relevant information and made it available to Red Cross Societies and the public. The movement had thus increased its area of activity: not only was it taking up research into technical protection methods—normally a field reserved for governments and military authorities—

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1 Revue int. CR, May 1929, p. 298.
but it was tending to become the international centre for information and publicity on the subject.

But the work, to be completed, would have required a large administrative organization and special financing. As matters stood, in spite of the wishes of the International Conferences, the Committee had available, for carrying out its mandate, no more than a few thousand francs per year—the total over nine years was 41,725 francs, half of which came from its own funds. After 1934, it received no more contributions from National Societies for this activity, and the International Documentation Centre on airborne chemical warfare had an annual budget of only about 3700 francs. On 1 January 1938, realizing that its work lacked support, the ICRC closed down the Documentation Centre. It may be, nevertheless, that its activities had drawn the attention of the public authorities to the formidable threat hanging over the civilian population and succeeded in encouraging governments, on the eve of the Second World War, to take a few precautionary measures.

* * *

Another subject which engaged the ICRC's attention was the diversity of equipment used by the medical services. Since it could be used if captured, the medical services inevitably found themselves using dissimilar material. The ICRC therefore thought that medical equipment should be standardized, so that the various elements would be interchangeable. In its 243rd circular, dated 22 January 1925, the Committee had proposed that the National Societies should study the possibility of a single design for each type of stretcher, and had placed the subject on the agenda of the 1925 Conference. The Conference had concluded that it was necessary to envisage a single universal design of stretcher, a standard card for the wounded and a standard field dressing; the ICRC was requested to set up a standing international technical commission and to investigate ways of standardizing the coding of wounds. As a consequence of this resolution, the ICRC had created in Geneva the International Institute for the Study of Medical Equipment, which made a collection of articles used by army medical services. The Committee also founded the International Standing Commission for the Standardization of Medical Supplies. The 1928 Conference renewed the Committee's mandate, noting that "thanks to the strict economy which has characterized these measures, the Institute has already been created in Geneva,
where it constitutes an agency, absolutely unique of its type and capable of rendering very appreciable services”.

The achievement was due principally to Dr. Albert Reverdin. An eminent surgeon from a family of surgeons, Reverdin had taken part early in life in the work of the Red Cross, first with the Swiss Red Cross, then with the International Red Cross. In 1912, as soon, as he had received his doctor’s degree, he had headed the “Genève-Vaud” ambulance unit sent to the Epirus during the first Balkan War. In 1914 he volunteered his services to the French army medical service and was first of all surgeon to a hospital, then surgeon-in-chief of a sector in the 7th region. Throughout the war he worked unstintingly in the service of the sick and wounded. In July 1928 he had been able to inaugurate the 3rd session of the International Standing Commission for the Standardization of Medical Supplies; but he was seriously ill and could not attend the last meetings. After his death on 28 January 1929, the chief medical officer Dr. Marotte paid a well deserved tribute to the man who had been the untiring architect of the Commission’s organizational structure.

In seeking to standardize medical equipment, the ICRC found itself involved in a familiar field for which it was probably better qualified than for the technical study of protection for civilians. The efforts to secure international agreements on the protection of the wounded, the use of the international distinctive sign and the development of the international activity of the National Societies would of necessity lead to the standardization of equipment used. But it was no easy task. Even medical science at that time was still strongly imprinted with national characteristics. Man’s thought is freely accessible to the universal, but it is not easy to change habits, which are the outward sign of individuality. So true was this that while the International Commission for examining the matter and the Institute for Medical Studies were outstanding innovations in the field of standardizing medical equipment, and while these studies undoubtedly exercised a strong influence on research, it was unlikely that they would achieve any definite result in the short period remaining before the outbreak of the conflict, at a time when political tension was causing the States to become increasingly isolated. So in 1948 the ICRC revealed that during the Second World War medical equipment had still been far from standardized:

“At all points on the front, heterogeneous medical units were to be found side by side, and never had the differences in the design of their equipment, and especially their carrying equipment, appeared so marked and so disadvantageous to the interests of the wounded.”

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But the ICRC did not give up the mission assigned to it—quite the contrary—and in 1948 it re-established the Commission under the title of the Standing International Commission for the Study of Medical Equipment. It functioned for only a few years, however, and was finally dissolved when specialized agencies such as the World Health Organization, the International Standardization Organization and the International Committee of Military Medicine and Pharmacy took over its work.

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On 28 June 1929, the Standing Commission of the International Red Cross had held its first session in Geneva. It appointed as chairman Dr. Pierre Nolf, President of the Belgian Red Cross, and set the date for the opening of the Fourteenth Conference, 6 October 1930, in Brussels. This time, the Red Cross movement had found its equipoise. Under the new statutes, the Board of Governors of the League and the Council of Delegates would meet within the same Conference. The new Geneva Conventions brought increased responsibilities to the National Societies and the ICRC and the consequences were to be the subject of study. The Conference, held in the Palais des Académies under the honorary chairmanship of Queen Astrid, at a moment when the Belgian people were celebrating the christening of Prince Baudoin, set the seal, after a period of crisis and adjustment, on the signal success achieved by the Red Cross in the post-war world. Fifty-six countries and twenty-one international organizations took part in the Conference, which could be described as taking place under the sign of co-operation. Just when Aristide Briand was putting forward his project for a federated Europe, the Red Cross bodies were engaged in encouraging closer relations between nations and adopted a resolution, proposed by Max Huber, expressing their conviction “that the Red Cross... will bring the support of its moral force and prestige to the world movement towards comprehension and conciliation, the essential guarantees for the maintenance of peace, and will thus work efficaciously against war as the sole means of preventing that suffering the mitigation of which originally formed the primary object of its activity”.

The Conference, going beyond the resolutions of previous Conferences, was clearly attempting to define the possible role of the Red Cross in preventing war. “Work efficaciously against war”—but what were the means? Its moral force, its prestige and, according to
the comments on the final record, the education of youth towards understanding and peace. These means were not negligible, but the Red Cross was unable to go very far in this field. It had no desire to engage in politics or explicitly oppose militarism or armament policy. Its neutrality acted as a restraint: it could oppose war, but not a war. The moment war was no longer a hypothetical concept but something affecting relations between States, the Red Cross then considered it was unable to take any action. Max Huber, who had been associated with the League in drafting Resolution XXV of the Fourteenth Conference, emphasized, in 1940, how greatly the Red Cross was restricted in this matter: “The Red Cross never ventured to intervene in political conflicts capable of threatening peace, or between belligerents to persuade them to cease hostilities. And with good reason! A conflict in which the only element needed to negotiate an agreement was intervention by a neutral person or institution would only very rarely be a serious one.”

It should be noted that the Second World War, by demonstrating that the use of weapons of total destruction could make any form of humanitarian action useless, led the ICRC to modify its viewpoint and to offer its services for the purpose of preventing a conflict. It thus appears that while the position of the Red Cross with regard to war was still unsure and could not have any marked effect, it nevertheless represented an awareness in the Red Cross movement of the new kinds of war menacing humankind.

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In the meantime, neither the Briand-Kellogg Pact nor the measures of collective security sufficed to keep the peace. From the beginning of the thirties, fresh outbreaks of fighting, in China and in Latin America, required the intervention of the ICRC and the League of Nations.

In China, the occupation of Shanghai by Japanese forces in 1932 drew the attention of the International Committee. Since the end of the First World War the ICRC, in collaboration with the League, had repeatedly called the attention of the National Societies to the disasters, floods and famines which had struck the province of Hunan. The Red Cross representative sent by the Committee, with the agreement of the International Labour Office, to help Russian refugees there had been able to inform the Societies of the scale of the needs. But at the same time as they were encouraging the dispatch
of relief, the Committee and the Joint Relief Commission considered
that, in the economic and political conditions prevailing in China, an
outside move would not have the required effect. The situation
within China, where the aftermath of the 1912 revolution and the
consequences of the war continued to disturb the whole social
system, was complex and confused. The Kuomintang Government,
having installed itself in Nankin, had extended its authority as far as
the northern capital, in this way carrying on the work begun by Sun-
Yat-Sen, who had died in 1925. But General Chiang Kai-Shek, who
succeeded him, had put an end to the policy of collaboration with the
Communist forces instituted by the founder of the Republic. In 1927,
he led severely repressive drives in Shanghai and Canton against
these forces, which regrouped under the leadership of Mao-Tse-Tung
in the province of Kiangsi, thenceforth outside the authority of
Nankin. In the northeastern provinces, local administration was
largely dependent on independent war lords supported by their
troops. In Manchuria, where Japan had retained important
economic interests and garrisons, the Japanese high command took
military action on 18 September 1931 after an attack on the South
Manchurian railway, administered by Japan, and within a few weeks
had occupied the province. Lastly, in Shanghai there was still the
system of foreign concessions, in spite of the Nankin Government’s
announcement of its decision to put an end to exterritoriality on
1 January 1932. In the midst of these constantly changing cir­
cumstances, where effective authority did not often coincide with
political sovereignty, the ICRC tried to find support at least with the
Chinese Red Cross, whose Central Committee happened to be in
Shanghai, and the Japanese Red Cross, responsible for preparing the
Fifteenth International Conference, due to meet in 1934 in Tokyo.

When Manchuria was invaded, China had appealed to the League
of Nations and urged the boycotting of Japanese goods in Chinese
ports. Political tension, backed by the reaction of the population in
the large cities towards Japanese residents, was steadily mounting. In
Shanghai, the murder of a Japanese Buddhist monk on 19 January
1932 led to counter-demonstrations and to clashes between the
Chinese population and the Japanese in the city. On 29 January,
Japanese army and naval units attacked the suburb of Great
Shanghai.

The ICRC delegate, Sidney H. Brown, had already arranged to
embark in Marseille on 6 February for Japan, where he was to visit
the National Society. On the Committee’s instructions, he broke his
journey in Shanghai, which he reached on 5 March, the day after the
truce proposed by the League of Nations had come into effect. The city and the outer suburbs still bore the traces of fighting, especially Chapei and Woosung, destroyed by bombardment by Japanese planes and artillery and compared by the delegate to the devastated villages of northern France in 1918. Tens of thousands of refugees pressed against the barriers of the foreign concessions, where they hoped to find safety.

On 22 February the ICRC asked the two national Societies whether their Governments had set up official information bureaux in conformity with Article 14 of the Hague Regulations, and proposed the creation of the neutral agency envisaged by Article 79 of the Prisoner-of-War Convention. The Chinese Red Cross replied briefly that the two articles were being observed, and drew the Committee's attention to the bombardment of the hospital at Danzang. The Japanese Red Cross informed the Committee that there was no war between Japan and China, and that the question of the application of the two articles therefore did not arise. The same communication stated that Chinese soldiers, "whether regulars or in ordinary clothes", who had been arrested to prevent imminent danger, were not held more than the time necessary.

On his arrival, the Committee's delegate found that the consular corps had formed a committee under the chairmanship of the Norwegian consul-general and with the help of Father Jacquinot, who was later to create in Shanghai the first neutralized zones. This committee had made visits, beginning on 23 February, to three camps of Chinese prisoners, 800 in all, in Japanese hands. Brown did not think it necessary for him to visit the camps, which at that time were being closed down. He spent most of his time ascertaining the health conditions and the facilities for treating war wounded. He visited the main hospitals in Shanghai, whether permanent or temporary, Chinese or Japanese. Thirty-nine of the Chinese hospitals were run by the Chinese Red Cross. At the University of Shiaotung the delegate met Mrs. Sun-Yat-Sen and noted the excellent state of her hospital, where a large medical detachment numbering about a hundred was working, sent there by the Hongkong brigade of the Order of St John. A detachment of the local Red Cross had come from Canton to help the public services, Shanghai Medical Aid, the mission hospitals and various medical associations give treatment to the wounded and the refugees. It thus seemed that medical services were well organized. To relieve the shortage of medical supplies, the ICRC requested help from National Societies in the neighbouring countries.

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As he travelled through the region where the fighting had taken place, Sidney Brown visited the zones occupied by the Japanese forces, sometimes going beyond the advance posts. The Japanese had cremated the bodies of their own soldiers, while the Chinese dead, which according to tradition should have been buried, were still lying in the open, hardly covered by the late snows of a lingering winter. The delegate obtained permission from the Japanese military authorities to collect the dead. He accompanied the members of the charitable organization, the Shanghai Municipal Benevolent Cemetery, and Red Cross volunteers who took up the bodies scattered over the combat areas or half-submerged in canals and gave them decent burial, while at the same time limiting the danger of epidemics.

As he was awaited by the Japanese Red Cross, the ICRC delegate did not extend his stay and left Shanghai on 20 March. The ICRC then appointed Henri Cuénod, delegate of the International Office for Refugees in Shanghai and a former ICRC delegate in Greece, as its representative in Shanghai. He had already represented the ICRC and also the International Labour Office in China.

While these events were taking place, Japan had set up an autonomous state in Manchuria, Manchukuo, heavily under its influence, and headed by Prince Pu-Yi, last emperor of the Manchu dynasty. The ICRC had considered sending its delegate there, but, apparently fearing that it would not have sufficient freedom of action, it abandoned the idea. The political repercussions of the conflict were hardly encouraging. When the League of Nations Assembly, after lengthy debate, refused to recognize the autonomy of Manchukuo and requested Japan to remove its armed forces, Japan reacted by withdrawing from the League on 27 March 1933. So the system of collective security meant to guarantee peace had suffered a severe defeat; and the League of Nations had lost one of its founding Powers and with it a part of its authority and its universality.

In this first period of the Sino-Japanese conflict, the ICRC had therefore tried to assert its presence, though without carrying out any activities of the traditional kind, probably limited by the unusual circumstances of the war. The International Committee had acted primarily as an intermediary between the two National Societies and supported them in their relief operations, while also asking for medical assistance from the neighbouring countries.

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In August 1932, fighting broke out between Bolivia and Paraguay, the result of a long-standing frontier dispute over the territory of the Gran Chaco, which lay like a huge triangle between the Paraguay and Pilcomayo rivers. The frontier had been traced when the two countries were liberated, following the boundaries of the colonial territories. It was neither the first time nor the last that frontiers bequeathed by colonial empires to newly independent States held the seeds of future conflicts.

Armed clashes had taken place in 1927 and 1928, and the ICRC had offered its services then, but the agreement reached between the two countries had made such services unnecessary. In 1932, the capture of a small fort by a Bolivian patrol had caused negotiations to be broken off and hostilities resumed, developing rapidly towards war. Neighbouring States tried to persuade the two countries to seek conciliation, while the League of Nations Council appealed to them to make peace.

The ICRC had already received an appeal from the German Red Cross in August 1932, asking it to come to the aid of the Mennonite colonies in the Chaco, religious communities with many members of German origin. They had emigrated to the Ukraine in the 18th century, but were forced to leave by the revolution. Travelling through Siberia they reached Mukden and were then caught up in the civil war. The ICRC delegate Henri Cuénod took charge of them, and they had settled in the Gran Chaco only a short time before the fighting began again. A long and arduous migration for a community whose religious beliefs forbade them to carry arms.

In March 1933 the Committee decided to send a mission to the two warring countries. For this, it appointed Emmanuel Galland, secretary of the YMCA Federation in Buenos Aires, and Dr. Rodolfo Talice, professor of parasitology in the Faculty of Montevideo. Having obtained from both Governments the authorizations they had requested, the delegates were able to make visits, from 20 to 31 May, to most of the POW camps in Paraguay, where at that time about 1200 men were held, and to military hospitals, then from 1 to 17 July to the camps in Bolivia where the total number of prisoners was 137.

In September 1932, Uruguay had set up in Montevideo an information bureau for prisoners of war, able to forward correspondence to prisoners with the help of the information bureaux opened in La Paz and Asuncion and with assistance from Rotary International.
The ICRC sent a second mission to Latin America in September 1934, the members being Lucien Cramer, a member of the Committee, and Félix Roulet, who were joined in the field by Emmanuel Galland and Dr. Talice. By then, despite a short truce at the end of 1933, hostilities had intensified and the number of prisoners had considerably increased. At the end of November 1934, after the fort Ballivian had been taken by the Paraguayan forces, there were approximately 18,000 prisoners in Paraguay and 2,500 in Bolivia, in the camps visited by the ICRC delegates, who had once more received permission to visit the prisoners and interview them without witnesses.

In this case we again find the ICRC engaged in its most typical activity in time of international war, in which the two parties to the conflict authorize, for their own country, and encourage, for the adversary’s, the humanitarian work of the International Committee. It is true that neither of the countries involved was a party to the 1929 Conventions; and the Committee was to discover that it could have been even more effective had the two Conventions been fully in force. But that did not hamper its activities. What restricted its scope was the fact that it had no permanent delegation with the two Governments and was obliged to limit its action to two missions, effective as long as their mandate continued, but not as much as they would have been had the ICRC’s representatives been present throughout.

Several exchanges of wounded and invalid prisoners had taken place during the conflict and immediately after the armistice, at the suggestion of the ICRC or the Apostolic Nunciature in Buenos Aires, supported by Uruguay and the Argentine Republic. The last convoy, of 22 wounded or sick Bolivian soldiers, travelled through Argentina on 15 October 1935. The ICRC was not, however, required to assist in the general repatriation of the prisoners, which was settled by direct agreement between the belligerents.

The combined efforts of the League of Nations, the Pan-American Conference and the Peace Conference in Buenos Aires had prompted the belligerents to conclude an armistice on 12 June 1935 and to end the war officially on 28 October of the same year. It seemed, then, that even an international war could be halted by collective action for peace. In this instance, it is true, the belligerents were not supported

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1 Bolivia had signed the Conventions, and ratified them on 15 August 1935. Paraguay at the time was party only to the 1906 Geneva Convention (sick and wounded).
by other powers, and the League of Nations Assembly in Geneva, presented with a conflict unlikely to spread, did its utmost to bring about voluntary reconciliation. But this outstanding success in seeking peace was not followed by others. As the Chaco war came to an end, events in Europe were leading to a crisis which the Assembly was to prove powerless to avert.
On 1 June 1933, the ICRC moved into its new headquarters, in the former home of Gustave Moynier. Over the years, the offices in the Promenade du Pin had been found too cramped to accommodate the various departments the Committee had created since the end of the war. Its traditional services had been supplemented by the International Institute for the Study of Medical Equipment, the centre for documentation against chemical warfare and now, shared with the League of Red Cross Societies, the secretariat of the International Relief Union. The General Council of this latter body, in fact, was to meet in the Palais Wilson on 10 July, and the ICRC was eager to have the use of the Villa Moynier so that, together with the Executive Council of the IRU, to be constituted on that occasion, it would be able to receive the representatives of the League of Nations, the League of Red Cross Societies and the National Societies.

The ICRC’s new home was admirably situated, facing the renowned panorama of the lake and the Savoy Alps and surrounded by extensive grounds which, together with those of La Perle du Lac and Monrepos, formed a green expanse along the Sécheron side of the lake. It was there that the League of Nations had planned to build its headquarters before settling on the Ariana site. The Villa Moynier, which belonged to the City of Geneva, having then become available, the ICRC did not lose the opportunity to link up with its past while at the same time moving nearer to the major international institutions, the International Labour Office and the League of Nations.

The house was spacious, allowing the various sections to be more conveniently distributed. The basement served as a museum—or, more accurately, as a store—for the collections of the Institute for the Study of Medical Equipment. On the ground floor were the committee room, the President’s office, the library and the ICRC
museum. The first floor was occupied by the administrative services. The second floor was intended for publications and perhaps for archives, provided the beams were reinforced to take the constantly increasing weight. The Red Cross flag waved beside the lake, while a mass of *coleus* and *gnafalium latanum* indicated the ICRC to the park's visitors by forming a red cross on a white ground. With satisfaction—and maybe with optimism—the Committee noted that it felt at home in the house and would remain there.

It still had to be furnished. While the nearby Palais des Nations was being provided by the member States of the Assembly with elaborate and costly ornamentation, the ICRC, always financially restricted, hunted here and there for the essential items of furnishing. The furniture from its former headquarters was supplemented by a few tables from the Agency. The members of the Committee provided the rest. Adolphe Moynier gave two paintings and the large conference table.

But no longer did eight or nine people assemble at meetings, as in the past: the Committee now had 24 members. Two of them revived old memories in the Villa Moynier: Adolphe Moynier, who saw his family's home once more at the service of the Red Cross; and Paul Des Gouttes, who had worked with President Moynier forty years earlier. Among younger Committee members, whom we have seen at work during and after the war, were Colonel Edmond Boissier, Minister Frédéric Barbey, Mrs. Frick-Cramer, Professor Bernard Bouvier, Jacques Chenevière, Paul Logoz, professor of penal law, Georges Werner, professor of public and administrative law and chairman of the Administrative Council of the International Nansen Office for Refugees, Lucien Cramer, Mrs. Chaponnière-Chaix, a member of the International Council of Women, Giuseppe Motta, President of the Swiss Confederation, the lawyer Aloys de Meuron, and the ICRC President Max Huber. More recently appointed members were: Suzanne Ferrière, secretary of the International Migration Service, Rodolphe de Haller, the Committee's treasurer, Dr. Georges Audeoud, a former divisional medical officer, Dr. Georges Patry, medical officer of the 1st division, the divisional commander Colonel Guillaume Favre, Lucie Odier, former head of the home nursing service of the Geneva Red Cross, Colonel Franz Rodolph de Planta, Joseph Raeber, director of the International Office of the Telegraph Union in Berne, Dr. Heinrich Zangger, Professor of the University and Director of the Institute of Forensic

1 Three of them honorary members.
Medicine in Zurich, who had placed his knowledge at the disposal of the chemical warfare documentation centre, and finally, appointed on the very day the Committee took possession of the Villa Moynier, Carl J. Burckhardt, historian, professor at the University Institute of Advanced International Studies in Geneva, and the man who was to succeed Max Huber as President in 1944.

The Committee had continued, therefore, from 1923 onwards, to widen its field of recruitment, in this way augmenting the number of specialists capable of helping it in its new duties and at the same time strengthening its ties with the various international bodies with which its new members were associated. Not all of them could attend the meetings, sometimes prevented by their functions or by distance, but they were consulted by telephone or letter. In addition, the Committee had established an office which dealt with day-to-day matters. Thus as time went by, the ICRC had adapted itself to the growing demands of the day. Circumstances had not allowed the Committee, as it had planned after the war, to become “in the philanthropic sphere what the League of Nations was in the political sphere”. Yet with a small administrative organization—perhaps too small—it was able to devote its energies to the mandates entrusted to it in the various legal or technical areas of protection against the effects of war, to maintain continual relations with numerous international bodies, to collaborate with the Red Cross League in relief operations and at the same time to remain the one body to take humanitarian measures during disturbances and in war. It was preparing to confront threats that were about to take definite shape.

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Early in 1933, under the growing pressure of the National-Socialist party in Germany, Marshal Hindenburg had nominated Adolf Hitler as Chancellor of the Reich. Less than a month later, on 27 February, the burning of the Reichstag acted as the signal for stringent repressive measures. Within a few months, the National-Socialist party had acquired full dictatorial powers which were confirmed when, on the death of Hindenburg, on 2 August 1934, Hitler assumed complete power.

The ICRC had been approached at the beginning of May 1933 by Jewish groups in Germany and Switzerland, by the Quakers and by pacifist bodies concerning the fate of persons arrested in Germany. The Committee’s meeting on 18 May was the first at which it examined the problem of the camps. Commenting on the situation created by
the new regime, Suzanne Ferrière discerned two distinct questions: that of the refugees and stateless persons, and that of the concentration camps. The first she considered was not within the ICRC’s competence, the Nansen Office being responsible for stateless persons, while the second question, she said, came within the responsibilities of the Committee. Georges Werner supported her: “If there are concentration camps, one may say there is civil war, perhaps without weapons”. The Committee collected documents on the subject, but did not feel itself to be in a position to take spontaneous action and, without reaching any decision, debated whether it would be possible to prompt a request from the German Red Cross.

On 24 August, following a meeting of the Committee, Carl Burckhardt confided to Etienne Clouzot his interest in the subject of the detainees in Germany. “The information he has received about the camps”, wrote Clouzot in a note on the matter, “is disturbing, not to say alarming... Would it not be desirable to envisage—for a not too distant date—sending Mr. Burckhardt to Berlin on a mission similar to that carried out by Mr. Clouzot in Rome concerning the persons held prisoner on the islands? Mr. Burckhardt might ask the German Government, through the German Red Cross, whether the latter could be given the responsibility for inspecting the camps of political detainees from the point of view of hygiene and care of the sick.”

Press reports had also reached Prince Charles of Sweden, always prompt to act in defence of victims of violence. He wrote on 11 August to the German Red Cross, recounting the particulars received on the treatment of persons detained in the camps or held without trial and, basing his arguments explicitly on Resolution XIV of the 1921 Conference, affirming the right and duty of the Red Cross to provide assistance not only in the event of civil war but also in “social and revolutionary disturbances”, requested President von Winterfeldt to make an inquiry and to notify the Swedish Red Cross of the conclusions.

The prince wrote, “A simple declaration in reply to this letter and published by us, to say that the German Red Cross, in unison with the general opinion of the Red Cross Societies all over the world, considered it a duty to defend the humanitarian interests of political prisoners and other victims of the revolution and had devoted its attention to this cause, as it would continue to do—such a declaration

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1 At this time, the expression “concentration camps” applied to any camps used to hold internees.
2 See page 198.
made public by the Swedish Red Cross would undoubtedly help Ger-
many's cause. If, in addition, the German Red Cross could refer to a
direct inquiry and make a statement on the subject, this would most
certainly enhance the significance of any press release by the Presi-
dent of the German Red Cross."¹

A month later, on 18 September, Prince Charles notified the ICRC
of his action and enclosed a copy of the letter he had sent to Presi-
dent von Winterfeldt, probably because of the time taken by the Ger-
man Red Cross to reply to his proposals. He wrote: "To date, I have
received no response from Berlin apart from a communication in-
forming me that an inquiry would take time and that consequently I
could not expect a reply for some weeks. If the German Red Cross
had really wished to justify the Reich authorities and if the latter had
a perfectly clear conscience, the most rational and efficient pro-
cedure would most likely have been to ask Red Cross delegates from
the former neutral countries to take part in the inquiry. But I did not
wish to suggest this procedure myself, since that is, in my view, the
prerogative of the International Committee."

The President of the Swedish Red Cross concluded: "The deci-
sions of our Conferences must not be treated as worthless scraps of
paper at the very moment when they are needed and where they
ought to be applied."

The ICRC studied the terms of Prince Charles's letter on the day it
was received. The discussion demonstrated the Committee's uncer-
tainty in dealing with a confused situation, the legal definition of
which was imprecise and the available information on which was
only fragmentary. Nevertheless, the Committee considered that if in
fact Resolution XIV of the 1921 Conference was applicable here, the
onus of taking action lay primarily with the German Red Cross, as
indicated in the third paragraph of the resolution.

It was however noted that there was no civil war. In any case, since
the National Society had been approached, the ICRC felt it best to
await its reply: Colonel Draudt, when consulted a few days previously
by Max Huber, had told him that the German Government was plan-
ing to include the German Red Cross in the relief work within the
concentration camps. The President therefore advised the utmost
cautions and discretion. It was pointed out that as long as the German
Red Cross had not given evidence of "unwillingness or inability to
act"—the actual wording of Resolution XIV—the Committee could
do little, and it hesitated to undertake any measure which might do

¹ Original German.
harm to a National Society currently undergoing the repercussions of political events. The general opinion was that the President should be asked to tell Colonel Draudt, who happened to be in Geneva, that the ICRC would like the German Red Cross to take up the question of the detainees in the concentration camps. This was the decision Max Huber notified to Prince Charles of Sweden on 26 September 1933:

"The International Committee has requested me to notify the German Red Cross, through Colonel Draudt, of its keen desire to see that National Society efficiently concerning itself with political detainees from the humanitarian viewpoint and thus dissipating the anxiety shown in many quarters, even in those not suspected of lacking understanding towards Germany.

"In deriving our conduct from the principles laid down by the 1921 Conference for the case of civil war and applicable to other circumstances, we have felt it the duty of the National Society, in the first place, to care for the victims of exceptional political events and, consequently, for political detainees. Assistance by other National Societies or an international body, unless requested or suggested by bodies within the country, would not arise unless the National Society failed to act. National action, in fact, is by nature the least likely to encounter resistance in delicate situations and the most likely to obtain the consent and the help of the government. It is precisely these considerations which led Your Royal Highness to make your letter a private message, as from a friend, to the President of the German Red Cross."

Then, on 5 October, President von Winterfeldt sent the ICRC a copy of his letter of the same date to Prince Charles, stating that the German Red Cross had met with complete understanding and the greatest good will from the competent government services:

"Thanks to the express authorization of the Government, the German Red Cross has access to all the concentration camps. The Government wishes to be informed, by reports from the German Red Cross, of any shortcomings in the measures taken by the authorities, shortcomings which, in the opinion of the German Red Cross, might be evident in the sanitary installations and in general."

The President added that the treatment of prisoners was determined in accordance with modern principles of detention, that the accommodation and the food were good and the infirmaries properly equipped, that sports were practised and that the standard of living

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1 Original German.
was normal. He also invited Prince Charles to visit the camps if he wished.

So the system set up by the 1921 Conference, while applied in theory, did not fulfil the hopes to which it had given rise. What can a National Society do when faced with a despotic government? It is probably not capable of ascertaining, still less of condemning facts which, in the eyes of such a government, form part of its domestic policy. The International Committee, with only its moral strength to support it, is admittedly no better placed to discover facts which a government wishes to conceal; but at least it possesses an independence impossible for a National Society in such circumstances.

The German Red Cross, moreover, had had its structure changed by the new order. New statutes adopted on 29 November 1933 gave the Government the right of direct control over its activities: the ministers concerned were entitled to take part in meetings of its governing bodies and, within the limits of their portfolios, oppose measures taken by the Society. The admission of members was subject to reservations which, in the spirit characteristic of the regime, virtually excluded German Jews.

This trend in political doctrines, which by that time affected several States and not only Germany, was naturally a source of disquiet to the ICRC. In a message to the Tokyo Conference in 1934, Max Huber examined the consequences for the Red Cross movement and its ideals. It should be recalled that in 1933 Germany and Japan had withdrawn from the League of Nations, thus breaking up the universality which had been the ambition of the Allied Powers after the end of the war. Japan, moreover, was at war with China. So the meeting in Tokyo of representatives of all the National Red Cross Societies and the States demonstrated the robust and valuable nature of the Red Cross idea, “accessible”, as Max Huber pointed out, “to all nations, which form among themselves a bridge of mutual understanding and keeping it intact even when, in the tragic situations of international life, almost all other bridges are down”.

Huber then analysed the changes which had taken place in the functions of the State:

“Today the State is no longer satisfied in all parts of the world to codify individual liberties in a legal constitution common to all. It seeks to intensify and safeguard the concept of the nation by producing a broad consensus of social and political thought. Party rivalry based on equal rights is no longer universally accepted, and even neutrality towards the State has in places become problematic.”
What, then, in a world dominated by politics, are the relations between the Red Cross and the State? Max Huber did not think it possible for a National Society to come into conflict with the regime under which it was established:

"The Red Cross must in no way be a kind of foreign body within a nation or a State, it cannot be in opposition to national feeling or to the State or government by which it has to be recognized and authorized to fulfil its prime function. The unity and the universality of the Red Cross do not reside in a superficial unity of its elements but in the existence of strong and health Societies rooted in national life, each one embodying in its own way the idea of the Red Cross."

Yet Huber did not believe that this adaptation to the new political structures should entail any falling away from Red Cross principles:

"While adaptation and negotiation are possible and normal on the plane of political repercussions they are, on the other hand, totally excluded in the ethical and spiritual sphere. It is therefore necessary to find the point where human beings holding different convictions may meet without betraying what is closest and most sacred to them."

The ICRC President concluded:

"The concept of the Red Cross is the act of disinterested assistance to all who suffer, all who need help and receive none from others. Wherever there is suffering, the Red Cross is ready to step in as far as it is able with the personnel and resources available to it. The Red Cross is action, simply action made up of selflessness, not only on the part of the person giving help but selflessness as an institution. And that is why it wishes to work together with all those willing to aid others, without asking what feeling of responsibility causes them to act." 1

These reflections, stamped with a high evangelical idealism—for it was in the teaching of the Gospels, and especially in the parable of the Good Samaritan, that Max Huber found the sources of his inspiration—were then coming up against a doctrine so foreign to them that it was highly unlikely the ICRC would succeed in getting them accepted by the men with whom it had to deal on the subject of political detainees. These men were Heinrich Himmler and Reinhard Heydrich, the most ruthless of a group of men who had elevated violence into a rule of conduct. In their eyes, unselfishness was weakness and charity defeat. Moreover, one of the fundamental principles of the Red Cross was that the institution was open to all,

1 *Croix-Rouge, quelques idées, quelques problèmes*, Payot, Lausanne, 1941 p. 70.
that all who suffered were cared for—in direct opposition to the racist doctrine of National Socialism, which drew a distinction in humankind between a superior race and inferior races, thus negating the value of the human person and opening the door to all types of abuse of power.

The ICRC had replied to the German Red Cross that it would forward all information received from third parties which it considered interesting, and asked the Society to draw up a report on its activities in this field for presentation to the Fifteenth International Conference. Protests and publications concerning the plight of the detainees were in fact being received from various public sources: the International League for the Rights of Man, the Women's International League for Peace and Freedom, the German Social Democratic Party; and they were notified to the German Red Cross. But at this time the ICRC took no direct action.

The spread of National-Socialist ideas had affected Austria also, chiefly in groups of German origin. In 1933, following disturbances caused by the National Socialist movement, the Austrian Government had installed a concentration camp at Woellesdorf, 40 kilometres south of Vienna. The Communist revolution in February 1934 and the acts of violence by the National Socialists, which had greatly increased in frequency and gravity since the beginning of the year, rapidly swelled the numbers in the camp. At the request of the Czechoslovak Red Cross, the ICRC had already approached Chancellor Dollfuss on 14 February to ask him for a delay of four days in the execution of capital sentences.

In this context of troubles, the assassination of Dollfuss by the Austrian Nazis in July 1934 made an armed clash seem imminent. Mobilization of Italian troops on the Brenner frontier probably helped to prevent intervention by Germany, but from that moment onwards the internal situation in Austria began to worsen. The abortive putsch was followed by mass arrests: thousands of people were locked up in prisons or any available space once the Woellersdorf camp was full.

Colonel Draudt, who retained the entire confidence of the ICRC, met Max Huber in August 1934 and told him that "the situation in Austria is dangerous for itself and for Germany. What happened was a sort of civil war". He stated that the Government of the Reich was concerned over the fate of the persons arrested. Chancellor Hitler, he said, wished action to be taken to help them.

This time, the ICRC was better placed to offer its services, which it decided to do at the meeting of the Committee on 3 October. In
particular, it saw the importance of taking the first step in an operation which might give it access to the concentration camps in Germany. "It will prove a strong advantage for the International Committee", commented Jacques Chenevière, "to have acted in the present circumstances."

What was more, the Committee was able to appoint a delegate already on the spot, in the person of Dr. Louis Ferrière, who lived in Vienna and was well known to the Austrian authorities, both for his collaboration with the Vienna Central Bureau for combating epidemics, in 1920, and through the welfare work done by his uncle, Dr. Frédéric Ferrière. On 16 October he received authorization from the Chancellery of State to "visit the camp at Woellersdorf and any other prison where political detainees were still being held". The next day, Dr. Ferrière, accompanied by Dr. Langer, Secretary General of the Austrian Red Cross, and by the police commissar in charge, paid a visit to the camp.

At Woellersdorf, the detainees included 600 Socialists and Communists and just over 4,000 National Socialists. The ICRC delegate was able to visit all the installations without restriction and talk to the detainees without witnesses. The impression he received was that of a properly conducted camp. However, there were still about 5,000 political detainees in the prisons; and while Dr. Ferrière was able to get into one prison in Vienna, he was not given permission to see the other political detainees. According to his information, their number had been reduced by the Government to 2,700 by November: these detainees had been sentenced or were awaiting trial and were considered by the authorities as penal-law prisoners.

The ICRC, which had initially planned to continue its investigations in the prisons, then felt that the results obtained were appreciable, and decided to call a halt. But, as it had hoped, it had established a precedent. Could it use this as support in renewing its approaches to the Reich? Suzanne Ferrière had pointed out that "there are things going on in Germany at least as grave as those in Austria". It appeared, therefore, that here was an activity for the Committee which, if not completely new, required more thorough re-examination as to its means of action. The ICRC consequently created a special body, the Political Detainees Commission, which held its first meeting on 1 May 1935 under the chairmanship of Edmond Boissier.

The Conference Resolution, the Committee realized, did not confer on it all the liberty it wished. In a memorandum he presented to the Commission, Boissier proposed a fresh approach. He noted that
while the Resolution of the 1921 Conference laid down very clear general principles concerning the treatment of political detainees and while it gave the ICRC the duty of taking part in relief action in the event of civil war, it made the intervention subject to a certain number of conditions, the term *relief*, moreover, being capable of a restrictive interpretation. “For this reason”, he wrote, “while we acknowledge the value of the decisions of the 1921 Conference, we believe that the ICRC would do better, when it has to take action for political detainees, to refer when appropriate to Article 5 of its Statutes, granting complete freedom of judgement and action. The 1921 Resolution, on the other hand, exposes the Committee to the risk of debate as to the interpretation of its provisions; moreover, it is applicable only when the political detainees are the instigators or victims of a civil war. But there are other categories of political detainees.”

This was in fact the case in Germany: the situation there was less one of specific disturbances than of political and racial repression. The Commission, agreeing with Boissier’s advice, suggested that the Committee ask the German Government for “access to one or more camps, basing its request on what has occurred in Austria”. Early in September, negotiations were proceeding well. The ICRC felt, however, that visits to one or two camps would not be enough and asked to visit four. It still feared, at that time, that its activities might be exploited by the National Socialists’ propaganda or that they might not effect any real improvement in the detainees’ conditions.¹ Then, on 21 September, the ICRC was told by the Duke of Saxe-Coburg, who had replaced von Winterfeldt as President of the German Red Cross, that an ICRC delegation would be allowed into the concentration camps of Lichtenburg, Esterwegen, Oranienburg and Dachau.

Professor Carl Burckhardt has since published the circumstances of his visit to Berlin, particularly how he was obliged to show great

¹ This is clear especially from the minutes of the meeting of the Political Detainees Commission on 10 September 1935:

“Mr. Burckhardt has been able to see for himself the way in which the German propaganda machine works and it has roused him to the keenest awareness of the dangers. The ICRC visit would in all probability be used to state that the delegation found everything wonderful. Very recently, the Committee has had word of more killings in the camps.

“Mr. Burckhardt does not see how and by what means the ICRC could act in the matter. The problem is to know whether there is still hope that some form of action would improve the conditions of the prisoners in the camps. The delegates would very likely be shown only admirably well run camps to force them to admire the good order, and so on. It would be difficult to invoke the principle of reciprocity, as might be done in wartime.”
insistence to obtain authorization from Reinhard Heydrich to talk to detainees without witnesses in a camp of his choice.\(^1\) Once the authorization had been obtained from Himmler, Burckhardt visited three camps between 19 and 27 October 1935: Lichtenburg, Esterwegen and Dachau. The camp at Oranienburg, not yet permanently occupied, had been dropped from the list.

According to his statements, it was not the material conditions at that time which needed improvement, but the treatment of political detainees, mixed with penal-law criminals, knowing nothing of their future fate or the length of their internment. Esterwegen, where Burckhardt spent a long time inspecting and where he was able to talk with a few detainees, appeared to have had the worst conditions and the commandant was replaced after Burckhardt had made his report on the visit. Professor Burckhardt succeeded in seeing two detainees whose names had been given to him: Heilmann, a member of the Socialist party and a former minister in Prussia, and Ossietzky, a member of the International League for the Rights of Man, whose condition was described in the delegate’s report as “desperate”\(^2\).

The efforts made by the ICRC’s representative, either directly with the Gruppenführer Reinhard Heydrich or through the German Red Cross, were aimed at the appointment of commandants to the camps selected for their humane qualities, the separation of political detainees from penal-law offenders, and the right of the detainees to be judged by a normal court. Heydrich replied to the German Red Cross that it was intended to separate the political detainees from the penal-law prisoners and, later, detainees capable of being re-educated from those who were not able to adapt; but that it was out of the question for those in preventive detention to be judged by the penal courts, since the only persons in their category were those “who had not committed any act punishable under penal law but who deliberately threatened security and public order by their conduct as enemies of the State”.\(^3\) He added that the cases of detainees in preventive detention were periodically reviewed by an administrative legal authority.

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\(^2\) Karl von Ossietzky, who had received the Nobel Prize for Peace in 1935, was soon afterwards transferred to a prison infirmary, then, in November 1936, to a civilian hospital. He died in 1938.

\(^3\) “Eine strafrechtliche Regelung der einzelnen Schutzhaftfälle ist nicht denkbar. Wer sich strafbar gemacht hat, wird der Justiz übergeben. In Schutzhaft kommen nur solche Personen, die sich zwar keiner strafbaren Handlung schuldig gemacht haben, die aber durch ihr staatsfeindliches Verhalten die öffentliche Sicherheit und Ordnung vorsätzlich stören.” (Letter from Heydrich to the Duke of Saxe-Coburg, 13 July 1936.)
During another mission to Germany in the following year, Carl Burckhardt visited camps for compulsory civilian labour (*Arbeitsdienst*) in Bavaria, and various social institutions, rest homes for mothers, asylums, children’s homes, but not, this time, concentration camps. The German authorities notified him of a number of improvements made in the detainees’ conditions as a result of his first reports: separation of political detainees and penal-law prisoners had already begun, and their files were reviewed every three months; in addition, social assistance offices had been set up to help detainees’ families and released detainees. These particulars gave some hope at the time that there would be an improvement in the treatment of certain detainees, but they also gave a glimpse of a forbidden zone to which the ICRC would not have access. Carl Burckhardt stressed that in spite of the progress made in some sectors, the situation of eminent political prisoners and former leaders—Ossietzky, Thaelmann, Ebert, Heilmann and others—had not changed and that with regard to them he had encountered only total resistance.¹

After the initial success which the visit to the three concentration camps represented, even taking account of the limitations, the ICRC does not appear to have tried to continue such visits in a systematic way. It did, however, remain alert to the question of political detainees, not only in Germany but in the neighbouring countries. A series of approaches to the Lithuanian Government in the spring of 1937 to arrange visits to detainees belonging to the German National Socialist party was met with a refusal by the authorities, who nevertheless permitted the ICRC to visit a penal establishment where the delegate, Moretti, was able to see three political detainees. This result did not appear adequate to prompt the Reich Government—very concerned to protect the rights of German minorities abroad—to open their own concentration camps.

The matter was again taken up in 1938, after alarming news on the situation in the camps and, in particular, on the arrest of Austrian personalities when Austria was annexed to Germany in March of that year. The ICRC decided to approach the German delegation at the Sixteenth International Red Cross Conference which opened in London on 20 June. On 8 July, Dr. Grawitz, acting President of the German Red Cross, informed the Committee that the German authorities had, “without the slightest difficulty”, given their consent in

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¹ Carl Burckhardt was appointed League of Nations High Commissioner in Danzig on 17 February 1937. Although he remained a member of the ICRC, he suspended participation in the Committee’s practical activities from that time until the invasion of Poland ended his mandate as High Commissioner.
principle to a visit by a member of the ICRC to a concentration camp. The ICRC selected Dachau, which was visited on 19 August by Colonel Guillaume Favre, accompanied by a Swiss doctor. It does not appear that the ICRC representatives were led during the course of their visit to register any unfavourable impressions, with the result that the ICRC was given no chance to undertake negotiations with the German authorities.

The Second World War was soon to change the situation considerably and bring to light the whole truth concerning the extermination camps. It was not until April 1945, as we shall see, when Hitler’s Reich was on the eve of collapse, that the ICRC delegates succeeded, at great personal risk, in entering five of the concentration camps.

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Aware of the weakness of the legal resources at its disposal, the International Committee had resumed examination of the draft conventions intended to extend humanitarian law to people other than the wounded and sick, the shipwrecked and prisoners of war. The draft convention on civilians was therefore once more under scrutiny in 1934.

The analogy between protection for prisoners of war and for civilians is an easy one, but it is misleading. Prisoners of war form a compact group—it might be called a sub-group—of the very strictly defined category of members of the armed forces. On the other hand, the term “civilians” covers disparate elements of the population, in very different circumstances: they may be foreigners in a belligerent country, nationals or foreigners in an invaded or occupied territory, nationals persecuted within their own country, refugees, deportees, internees, evacuees, stateless persons, those in restricted residence, liable for military service or not—many kinds of status and circumstances, difficult to classify under the same law.

It was, as we saw, the 1921 Conference which formulated the general principles relating to deported, evacuated or refugee civilians. Proceeding further, the 1925 Conference demanded a Convention intended to supplement the Hague Regulations of 1907 and enumerated the minimal humanitarian principles which it should embody; while the 1928 Conference, not content with mere enumeration, had formulated principles for protecting civilians in the territory of an enemy State. Finally, the 1929 Diplomatic Conference,
without taking up the idea of a new convention, had recommended that "comprehensive study be undertaken for the conclusion of an International Convention governing the position and the protection of civilians of enemy nationality who happen to be on the territory of a belligerent or on territory occupied by him". At the beginning of the following year the ICRC established a study commission responsible for preparing a draft convention on civilians, the Commission on civilians fallen into the power of the enemy. This step was approved by the 1930 Conference, which confirmed the International Committee's mandate to continue the study it had begun. By the end of 1931 the work was well advanced and it was possible to draw up an initial text of the convention.

Then, in 1932, the Commission seems to have suspended work. It was the time of the Disarmament Conference on which such high hopes were set. If the Conference were to proscribe, for instance, any bombardment outside the war zone or even in any circumstances, the position of civilians would be greatly improved. But the years of crisis were to put an end to these efforts. The Disarmament Conference produced no result, and the system of collective security instituted by the League of Nations proved unreliable. Early in 1934, the Commission on civilians resumed its work—no easy matter. Suzanne Perrière, Paul Des Gouttes, Georges Werner and Edmond Boissier produced several drafts and corrections and never seemed to be satisfied. The reason was that, even though they confined themselves to the two categories designated by the Conference resolutions, namely, civilians resident in enemy territory and civilians in occupied territory, the approach for each category was quite different. The two areas, wrote Des Gouttes, were distinct, in fact and in law: "in fact, because the situation for civilians of a country involved in war is very different from that of civilians living in a country which is invaded; and in law, because the first group was never before the subject of protective legislation or a humanitarian convention, while the other already had the advantage of Section III of the Hague Regulations respecting the Laws and Customs of War on Land, Annex to the Hague Convention of October 18, 1907, Articles 42 to 56". In the end, the Commission dealt with the two categories separately and, as regards enemy civilians in occupied territory, referred explicitly to the Hague Convention while adding strong reservations on the taking of hostages and demanding that deportation be prohibited.

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The choice of Tokyo as the place for the Fifteenth International Conference bore testimony to the concern of the International Red Cross to affirm its presence in every continent—it was only the second Conference to be held outside Europe—and allowed the Japanese Red Cross, one of the oldest National Societies and one of the best established, with 2,700,000 adult members and 2,000,000 juniors, to display its vitality. The meetings were held in the central building of the Society, under the chairmanship of Prince Iyesato Tokugawa. The 252 delegates attending represented almost all the recognized Societies (57 out of a total of 61). The size of the American Red Cross delegation, with 67 members, showed the interest of the United States in their neighbour across the Pacific.

Thus, the supreme assembly of the Red Cross movement in fact represented what the President Max Huber, in his message to the Conference, called “a bridge of mutual understanding” among the nations. Such understanding was more necessary than ever, as opposing ideologies and policies took shape and intensified. Germany, like Japan, no longer recognized the authority of the League of Nations, whose condemnation of the operations by Japanese forces in China and of the creation of Manchukuo had confirmed the opposition between the Empire of the Rising Sun and the western powers. In fact, at the time the Conference was taking place in Japan, the preliminary talks to the 1935 Naval Conference were beginning in London. Japan was hoping to gain from it the naval parity which its former allies had not agreed to give it at the 1921 Washington Conference. But it was too late, and the nations assembled in London could only record Japan’s decision to resume its freedom in relation to naval armament. It was therefore in an atmosphere of uncertainty that the Tokyo Conference, appealing once more for peace, reiterated the wish that the National Societies “would expand by every means at their disposal their activities to prevent war and encourage better understanding among nations”.

It is also noticeable that while the Conference adopted numerous resolutions concerning the activities of the Red Cross Societies in peacetime and the work of the League—Red Cross Youth, publicity, hygiene, role of nurses and volunteers, the International Relief Union, growth of the Red Cross and regional conferences, role of the press, health in the merchant marine, first aid on the roads, prevention of accidents, role of medical aviation—it attached equal importance to the preparation for wartime activities. The International Standing Commission for the Standardization of Medical Supplies, which presented a long document on the state of its work, had its
duties increased and was changed into a Commission on comparative studies. There was a kind of general review of the state of humanitarian law and the Conference tried to speed up the adoption of new conventions or the updating of the oldest. This was true for the Hague Convention, dating from 1907, adapting naval warfare to the principles of the Geneva Convention. The Conference asked the ICRC to continue its studies for the protection of civilians against chemical and aerial warfare; and demanded that the Geneva Conventions be applied, by analogy, even in the case of undeclared war.

A new approach was made to the problem of protecting civilians: study of a plan for “creating zones or cities offering adequate protection to the civilian population and to the sick and wounded of the armed forces”. The Belgian Government had put forward this proposal, based on a resolution passed by the Commission of doctors and legal experts which met in Monaco in 1934 at the suggestion of the Congress for Military Medicine and Pharmacy, and originating in the creation of the “Geneva Areas” by the French army chief medical officer Saint-Paul.

Finally, there was the draft convention for protection of civilians. In presenting it, the ICRC had accompanied it with a draft resolution by which the Conference, approving the draft text, recommended it, subject to amendment, to the attention of governments, and asked the ICRC to do everything necessary to arrive at a convention as rapidly as possible.

The Conference accepted the draft convention as worded by the ICRC, with the exception of one phrase in the text of the resolution: instead of “approve the draft convention”, as suggested by the ICRC, it preferred the expression “recognizes the great interest attaching to”. The delegates responsible for examining it had not wished to commit their governments.

Mandated in this way, the ICRC could at least go ahead. On 21 August 1935 it proposed to the Swiss Political Department that a diplomatic conference be convened to examine both the draft convention on the use of medical aircraft and the draft convention on civilians. The Political Department immediately consented and began to consult a number of States; for the Federal Council thought that if major powers such as France, Germany, Great Britain or Italy considered such a conference inopportune it would not be expedient to pursue the plan. In notifying the National Societies in its circular of 31 July 1936, the ICRC recapitulated the chief subjects on which improvements were still being studied: revision of the Naval Convention of 1907, the proposal to set aside special cities and localities for
medical purposes, and the interpretation, revision and extension of the 1929 Geneva Convention.

The replies were hardly encouraging. Great Britain did not think the drafts sufficiently prepared for the conference to be convened on the date proposed. The French Government, as Federal Councillor Giuseppe Motta wrote, sent “a firm and definite refusal”. The French Foreign Ministry had pointed out that owing to events in Spain, several National Societies were “absorbed by matters which would scarcely leave them the time necessary to prepare for the meeting” and that, moreover, it would be preferable to delay the conference until all the studies in progress had been completed, so that they could all be examined on the same occasion. As a result, the Political Department informed the ICRC on 19 February 1937 that in its opinion “the auguries were insufficiently favourable” for the conference to be held with any chance of success and that, if the Committee agreed, it would drop the plan to convene the conference.

The Committee considered this as merely a regrettable delay, and went on with its studies. With help from delegates of National Societies and States and the Congress for Military Medicine and Pharmacy, whom it called together in 1936 and 1937 as a commission of experts, it had prepared a draft convention on hospital towns, a revised text of the 1907 Convention on naval warfare, and a revision and extension of the 1929 Geneva Convention. With the two drafts on medical aircraft and on protection of civilians, there were now five draft conventions awaiting the approval of the States and to be presented by the ICRC to the Sixteenth International Conference. At the Tokyo Conference, it had been decided to hold the next conference in Madrid. But Madrid was at war, and in the end the meeting took place in London.

For four years, in effect, war had ceased to be a working hypothesis and become a day-to-day reality. No longer were examples of past wars cited by the experts in legal commissions, but instances from current events, with names like Addis Ababa, Barcelona and Shanghai. And if the ICRC was urging the conclusion of new humanitarian conventions, the reason lay in its delegates’ reports from Ethiopia, Spain and China, indicating the nature of future wars.
The Ual-Ual incident—a clash over water-holes on the disputed frontier between Italian Somalia and Ethiopia—which took place on 5 December 1934 might possibly have been settled as other similar episodes had been: it was probably only one among many incidents characteristic of Italo-Ethiopian relations at the time. But because of the importance attributed to it, it is usually regarded as the starting point of the Ethiopian War. The incident was reported to the League of Nations on 14 December 1934 by the Ethiopian Government, which drew the Council’s attention to the gravity of the situation. On 3 January 1935, Ethiopia asked the Council to intervene, in application of Article 11 of the Covenant, which defined the powers of League members in the event of war or the threat of war; and on 17 March, after the exchange of several notes, the Ethiopian Government repeated its complaint, this time referring to Article 15, under which members could notify the Council of any dispute likely to result in relations between the countries involved being broken off.

These events took place in an atmosphere of crisis. The assassination in Marseilles of the King of Yugoslavia and the French Minister of Foreign Affairs, Louis Barthou, on 9 October 1934 had brought a sudden heightening of international tension, and although these two murders had not had the irreversible repercussions of those in Sarajevo, they nevertheless entailed a marked deterioration in relations between Budapest and Belgrade, an appeal to the Assembly by Yugoslavia and possibly a change in policy at the Quai d’Orsay. The great powers of Europe meanwhile were piling up armaments. The French Chamber passed a law on 15 March 1935 to make up for the “lost generation” of the Great War by extending the period of military service to two years. Hitler, now Chancellor for life, published a decree on 16 March reintroducing compulsory military service and raising
the army complement to 36 divisions. Italy called up on 23 March the men born in 1911 and brought the strength of its army to 550,000 men; it kept vigilant watch on the Brenner Pass, since the Austrian question remained the chief concern of the European powers. New alliances were being made, as if to draw up a proper strategy. Versailles had been rejected, Locarno forgotten.

The two parties to the Ethiopian dispute agreed to establish an arbitration and conciliation commission, as provided for in the Italo-Ethiopian agreement of 2 August 1928, and this was noted by the Council of the League of Nations at its meeting on 25 May 1935. On the same day, Mussolini, speaking to the Italian Parliament, was also referring to the situation in East Africa:

"Ual-Ual was the alarm signal indicating the gravity of the position. Those who speak falsely concerning the precautionary measures taken by Italy to protect its colonies are unjust. They are out of their minds if they think that by such manoeuvres they can stop or delay the measures taken and those which may be taken if considered necessary. I repeat that arbitration must be confined to the Ual-Ual affair."

On 9 July the Conciliation Commission, meeting at Scheveningen, in Holland, noted that its members were in disagreement over the definition of its powers and decided to adjourn, while Ethiopia appealed once more to the Council.

After that, the crisis worsened rapidly from week to week. On 18 August 1935, Pierre Laval, Anthony Eden and Baron Pompeo Aloisi, representing the three neighbouring Powers, met in Paris to seek a peaceful solution, but soon had to admit failure, having found no basis for discussion which would enable the conflict to be settled. On 6 September the League Council appointed a Five-Power Committee to examine the possibilities of settlement; but its recommendations were rejected on 22 September by the Italian Government, which put forward counter-proposals. Finally, on the 26th, the Council could do no more than note the failure of the Five-Power Committee's efforts at conciliation and, in a last attempt to reach peace, decided to form a Thirteen-Power Committee which, in application of Article 15 of the Pact, would formulate recommendations.

On the same day, as if forewarned that its turn had come to enter the lists, the ICRC met in special session. It was sure war was imminent. But what kind of war? Would it be a localized conflict between Italy and Ethiopia? Or war between Italy and Great Britain? Or a general state of war? Colonel Favre proposed to his colleagues that
“for the present”, they should envisage a localized conflict, adding that the weeks ahead would show the situation the Committee had to face.

The International Committee had already shown concern for the position of Ethiopia, which was not a party to the Geneva Conventions and had no National Red Cross Society to call on in the event of war. In April, British residents in Addis Ababa had informed the Ethiopian Government of the procedure to follow in order to create a Red Cross Society. In the meantime, committees were being formed in various countries to give medical aid to Ethiopia, known to be greatly in need of it. One of the first to take such a step in Britain was Dr. John M. Melly, who was later to lose his life in Addis Ababa. But if Red Cross units were to be authorized to work in Ethiopia, under the terms of Article 11 of the Convention, the Ethiopian Government had to adhere to the Convention. The ICRC therefore wrote to Emperor Haile Selassie on 6 July 1935, suggesting he become a party to the Geneva Convention, if necessary, “so as not to lose any time”, by telegram, and create a National Red Cross Society. The various efforts made since April at last led to Ethiopia’s adhesion, on 15 July, to the Geneva Convention for the protection of the wounded and sick and, on 25 July, to the creation of the Ethiopian Red Cross. ¹ Apparently fearing the worst, the ICRC proposed on 9 September that the Ethiopian Government should supplement this move by adhering to the 1925 Geneva Protocol condemning the use of toxic and other harmful gases and also the 1929 prisoner-of-war Convention—which Italy had signed. Ethiopia acceded on 18 September to the Protocol but not to the POW Convention.

The International Committee then decided at its meeting on 25 September 1935 to recognize the Ethiopian Red Cross, to continue recruiting delegates, to expedite the drafting of a memorandum on Ethiopia, prepared in the preceding months with the help of the ethnologist Marcel Griaule, and to nominate a special commission to deal in future with Ethiopian affairs. By this time nothing could prevent the conflict, and on the night of 2/3 October, Italian forces from Eritrea crossed the frontier into the Mareb and, pressing forward, captured Adigrat on the 5th and Adoua on the 6th. On 7 October, the League of Nations Council recorded that Italy had gone to

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¹ One condition for recognition of a National Society is that it be constituted on the territory of an independent State where the Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field is in force.
war in violation of Article 12 of the Covenant, and prepared therefore to apply sanctions.

On 4 October the ICRC had offered its services, and those of the National Societies, to the Red Cross Societies of the two belligerents. The Ethiopian Red Cross replied next day asking for medical aircraft, mobile medical teams with ambulances, medicines, equipment and money to maintain the hospitals. The Italian Red Cross answered on 7 October—the very day on which the League of Nations was preparing to apply sanctions:

"Italian Red Cross very grateful expresses sincere thanks to International Committee for its noble and fraternal offer which it greatly appreciates and informs it that the means of assistance available to the Society are sufficient for any eventuality East Africa. President-General Cremonesi."

Before notifying the National Societies of its offer of services and the replies received, which it did in its circular of 8 October, the ICRC had contacted the League of Red Cross Societies which, in turn, informed the National Committees that it would provide the International Committee with any help likely to prove useful in the accomplishment of its duties.

* * *

The war in which the ICRC and the National Societies were about to engage their services was marked by the extreme disparity in the resources of the two belligerents, in manpower, equipment, logistics and medical services. On one side was a modern well-equipped army, organized and supplied along two fronts: the northern or Eritrean front, commanded first by General de Bono, then by General Badoglio, and the southern or Somalian front, under the command of General Graziani; on the other side, an army of the feudal type, huge bands of warriors surrounding relatively independent local chiefs, with no transport and no real unity. Their major advantage was the nature of the terrain, either rocky gorges or desert, impassable in the rainy season. But the Italian forces were strong in the air and made much use of aircraft, not only for reconnaissance and bombing but also for bringing up supplies and transporting men and materials. As for medical services, the Italians were very well organized, while the Ethiopians had virtually nothing.

The disproportion between the resources available to the two parties, and the negative reply by the Italian Red Cross to the ICRC's
offer of services meant that the international assistance provided by
the Red Cross was deployed only on the Ethiopian side. The
Committee's role in the war in Ethiopia remained to be decided. A
number of National Societies were preparing to send ambulance
units and medical personnel and it was therefore natural for the
ICRC to be chosen to act as co-ordinator and central authority, in
spite of the fact that in wartime this responsibility usually fell to the
medical services and the Red Cross Society of the country receiving
the assistance. In the conflict in East Africa, it was the protection of
foreign and Ethiopian ambulance units that became the chief con­
cern of the ICRC, which set itself three main tasks: aid to the medical
teams, development of the Ethiopian Red Cross, and observation of
the international Conventions.

The Committee at once sent two delegates to Ethiopia: Sidney H.
Brown, a member of the ICRC secretariat, and Dr. Marcel Junod, a
surgeon from Neuchâtel, who was working at that time in the civilian
hospitals in Mulhouse and who began, with this mission, a long
career as an ICRC delegate which he later described in his book *Le
Troisième Combattant*. ¹ He and Mr. Brown embarked at Marseilles
on 23 October, in the company of Dr. Fride Hylander, head of the
Swedish medical team, and his colleague Dr. Eric Smith; they arrived
at Djibouti on 3 November and Addis Ababa on 5 November. Sidney
Brown, an experienced legal expert in Red Cross matters, was given
the special task of assisting the Ethiopian Red Cross. Created very
suddenly owing to the imminence of the conflict, with no administra­
tion and no experience, the Society was incapable of starting ac­
tivities at once. Brown worked mainly with the Society's President,
the Foreign Minister Herouy, and with the General Secretary, Dr.
T. A. Lambie, an American missionary who had acquired Ethiopian
nationality.

The hospital system in Ethiopia comprised the government
hospitals and those of the foreign missions, together with the Italian
*Consolata* hospital, taken over by the Ethiopian Red Cross. To these
were soon added the field medical teams composed of six Ethiopian
ambulance units, staffed by personnel recruited abroad by the
Government of the Negus, and six ambulance units sent or sponsored
by the National Societies of neutral countries: Egypt, Finland, Great
Britain, the Netherlands, Norway and Sweden.

¹ Dr. Marcel Junod, *Le Troisième Combattant*, first edition Ed. Ringier & Cie,
By reason of the configuration of the front, as briefly described, and the unreliable nature of communications, the units were distributed over the northern and southern sectors, not along the front but some distance behind it. Marcel Junod, who was mainly responsible for liaison among the ambulance units, had at his disposal a Red Cross plane piloted by a member of the Swedish medical mission, Count Carl Gustav de Rosen. 

From the time the conflict began, numerous protests were addressed from various sources to the ICRC or the League of Nations concerning alleged breaches of the Geneva Conventions or the law of war, and the International Committee forwarded these to the National Societies or, where appropriate, the Governments of the belligerents. In this way it became dragged into an international dispute, which reached its most critical stage when it was found that the Italian air force had used toxic products.

The plight of prisoners of war was particularly disquieting. Although the Convention on the treatment of prisoners could not be formally invoked, since Ethiopia was not a party to it, the ICRC attempted to ensure that prisoners were protected and to obtain lists of captives. "Even when a government has not ratified the Convention", wrote the Committee to its delegates, "and in so doing promised to be faithful to it, we have a duty to do all we can to ensure that the spirit of such a Convention is respected." 

The protests by the Italian Government in this connection were essentially concerned with ill-treatment, execution of prisoners, mutilation and emasculation. The ICRC regularly forwarded to the Ethiopian Red Cross the documents it received from the Italian Red Cross and which were likewise sent to the League of Nations and published in the League’s official journal. Whether these violations were committed by regular troops, irregulars or civilians, it seemed that the central authority was not capable of stopping them.

The Committee’s delegation also made many efforts to obtain lists of those taken prisoner. At the beginning of January 1936, the delegates were able to visit five Italian prisoners held at Dessié, at the Emperor’s headquarters, and immediately arranged for them to be transferred to Addis Ababa, away from the front. It was learned that a fairly large number of Eritrean Ascaris who had surrendered to the

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1 Forty-two years later Count de Rosen was killed, on 13 July 1977, in the attack on the town of Godé, in eastern Ethiopia.

2 Jacques Chenevière to Sidney Brown.
Ethiopian forces were not considered to be prisoners of war. This was all the delegates could discover on the fate of the prisoners. They succeeded in having an "Information Service" set up at the headquarters, but despite all their efforts they received no more information. Sidney Brown wrote to the Minister of Foreign Affairs:

"I take the liberty of drawing Your Excellency's attention to the increasingly embarrassing position in which I find myself with respect to the ICRC which I have the honour to represent to the Ethiopian Red Cross, owing to the obstinate and persistent silence of His Majesty's secretaries in charge of what we have been good enough to call the Information Service. May I ask Your Excellency very urgently to do all in your power to obtain at least a reply to the very numerous requests I have addressed to this Service in the past few weeks, either directly or through the kind offices of Your Excellency."  

Again on 14 March, when he sent lists of missing Italian soldiers, he wrote: "I also take the liberty of returning to the subject of the very numerous letters which I have had the honour to send to Your Excellency on the same matter, and the extremely urgent request which I have repeatedly made for an answer from the Information Service of the Supreme Headquarters of His Majesty."

But these appeals achieved no result.

The ICRC meanwhile had tried to obtain information from the Italian side concerning the Ethiopians captured. It could not find out anything, either from the Italian Red Cross, which did not itself possess the information, nor from the authorities, which did not wish to give it. The dispatch of an ICRC delegate to the territories occupied by the Italian army might possibly, as Sidney Brown suggested, have offered better opportunities; but the ICRC felt that this question was to some extent linked with the creation of a bilateral mission of inquiry which would seek particulars on the fate of the prisoners. As we shall see, this mission was never constituted.

The medical units of the Ethiopian Red Cross and the National Societies of the neutral countries were going through nerve-racking experiences, whether being bombed by Italian planes, attacked by irregular troops or involved in accidents. The bombing of the Swedish ambulance unit at Melka Dida, on the river Ganale, on 30 December 1935 was particularly severe. Badly damaged and with part of its equipment lost, the unit was forced to retire to Nuggelli, about 300 km away. The head of the Swedish team, Dr. Hylander,

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1 Sidney Brown to Minister Herouy, 3 March 1936.
had been wounded in the attack, and the ambulance driver Lundström, gravely injured by bomb fragments, died before reaching Nuggelli. Casualties among the team and its patients amounted to 28 dead and 50 wounded. Marcel Junod, accompanied by Dr. Hanner, the Swedish Consul, travelled to Nuggelli on 4 January 1936, in the Red Cross plane flown by Carl de Rosen, and continued his journey by truck as far as Melka Dida, while Count de Rosen and Dr. Hanner took the wounded back to Addis Ababa. The report by Dr. Junod after his inspection confirmed that the Swedish ambulance was clearly marked with the protective emblem:

“The Swedish ambulance was placed in a perfectly appropriate position with respect to the Ethiopian troops, 25 km behind the lines and 7 km from the Ethiopian HQ. It was working quite overtly, having displayed the signs laid down by the Conventions.”

Other ambulance units also met with tragic losses in diverse circumstances. The Number 1 Ethiopian unit, whose head, the American doctor Hockmann, had been killed accidentally while handling an unexploded bomb, was bombed on 4 January. Number 2 ambulance unit, damaged when Dessié was bombed, was attacked and looted on 10 April by brigands; ambulance unit Number 3, hit by bombs on 18 January, was subsequently obliged to stay inside a camouflaged shelter; and in an attack by Chiftas on the Dutch ambulance unit, the surgeon, Dr. A. van Schelven, was seriously injured. The British unit, headed by Dr. A. J. M. Melly, arrived at Kworam on 3 March and was hit by bombs on the 4th; it then operated inside a camouflaged cave, whence on 17 March the doctors witnessed the bombing and destruction of the aircraft used by Count de Rosen and Dr. Junod.

Thus, as a result of the war operations or of the insecurity prevailing in the country, half of the major medical teams, national and foreign, were partly destroyed or greatly hampered in their functions. This was a severe blow to the value of the protection given by the emblem, recalling the submarine warfare of 1917, when hospital ships sometimes preferred to forego use of the protective sign and to sail without lights.

The ICRC had not failed to forward to the Italian Red Cross the protests of the Ethiopian Government, just as it sent to the Ethiopian Red Cross the protests received from Italy. However, realizing that the medical teams were in ever-growing danger, the International Committee, having discussed the matter carefully, decided to write this time to the Italian head of government. In a letter dated 23 January 1936, President Max Huber drew the attention of
Mussolini to the damage sustained by the medical units in the air attack on Dessié on 6 December and on Melka Dida on 30 December, and stressed the anxiety of Red Cross Societies and governments concerning these episodes. He concluded:

"The International Committee of the Red Cross therefore takes the liberty of writing to Your Excellency with the earnest request that he ensure that all appropriate measures are taken to avoid a repetition of events which are likely to cause grave impairment to the activities of the Red Cross.

"The International Committee of the Red Cross is most desirous to receive the details which Your Excellency may feel able to transmit on the subject and which may be of a kind to reassure, in particular, the National Societies concerned."

The head of the Italian Government replied to this letter on 16 January:

"Mr. President,

"I have the honour to acknowledge receipt of your letter of 7 January.

"On the basis of the international commitments undertaken by Italy and the instructions relative thereto which they have received, as well as by reason of their own innate feelings of humanity, the Italian airmen, in their operations in East Africa, make it an obligation to respect the emblem of the Red Cross, even though they know that the enemy makes illegal use of this for war objectives.

"As the President of the Italian Red Cross has recalled in the letter he sent to the honourable International Committee on 11 January and which he has communicated to me, it may nevertheless occur, as has happened many times in the past on all battlefields, that during operations a few units bearing the red cross are involved without this being deliberate.

"Nobody deplores such occurrences more than the Italian Government, and it will do its utmost to ensure that they do not occur again.

"The standards laid down in the Geneva Conventions, however, require that there shall be no misuse of the Red Cross emblem for illegal purposes, especially those of war. In addition they prescribe respect for the wounded, the dead and prisoners.

"The Italian Government, through the Italian Red Cross in its letter of 16 January, has denounced to the International Committee the repeated violations of these standards by the Abyssinian troops and the horrible atrocities committed by them on Italian wounded, prisoners and dead, in contempt of the most elementary principles of civilization and humanity."
“The Italian Government can only hope that delegates of the International Committee, selected for the occasion, will go to the area of operations to verify whether and how the standards of the Geneva Conventions are applied or violated by one or other of the parties.

“The Italian Government appreciates the lofty humanitarian spirit, founded on a long and noble tradition, which motivates the International Committee under your eminent leadership, and desires to offer its close collaboration to bring about the victory, even in the present situation, of the principles affirmed by the standards and the conscience of civilized peoples.

“With the assurance of my highest consideration, Mr. President, MUSSOLINI.”

A letter dispatched the same day by Senator Cremonesi, President of the Italian Red Cross, notified the ICRC of the “atrocious and systematic violations by the Abyssinians of the most elementary principles of humanity as affirmed in the Geneva Conventions”. The alleged breaches included misuse of the Red Cross emblem, the use of dum-dum bullets, and atrocities committed on Italian soldiers and local troops.

The ICRC thus accumulated reciprocal accusations, amplified by a press campaign made increasingly political and polarized by the nascent ideological opposition to the advance of Fascism. In the opinion of the Committee’s critics, it ran the danger of being accused of partiality towards one or other of the warring nations. The ICRC felt the time had come to make an inquiry in accordance with Article 30 of the 1929 Geneva Convention:

“At the request of a belligerent, an inquiry shall be instituted, in a manner to be decided between the interested parties, concerning any alleged violation of the Convention; when such violation has been established, the belligerents shall put an end to and repress it as promptly as possible.”

As we have seen, the letter from the Italian Head of Government envisaged precisely such action; while the President of the Ethiopian Red Cross in turn had cabled to the Committee on 23 January:

“In view recent events Ethiopian Government would view with satisfaction dispatch representatives chosen by Intercross1 to investigate observation provisions Geneva Convention both sides. Ethiopian Government will give your representatives full facilities. HEROUY.”

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1 “Intercross” is the telegraphic address of the ICRC, that of the League is “Licross”.

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The Committee therefore decided to continue its negotiations with the Italian authorities and Red Cross Society. On 24 March, an ICRC delegation composed of President Max Huber, Vice-President Paul Logoz, Jacques Chenevière and Carl Burckhardt went to Rome to discuss the procedure for the proposed investigations and the circumstances which made it necessary.

The Italian representatives reiterated their previous assurances, stating that strict orders had been given to make the pilots take the greatest possible care. They agreed that reprisals against the Red Cross could not be contemplated following atrocities, even if these were properly proved. With the consent of the Foreign Ministry, the negotiators drew up a provisional protocol laying down the procedure for the inquiry. Under this plan, the ICRC would be empowered to form an inquiry commission—including one representative of each belligerent—meeting in Geneva and to send one or more of its members into the field. Under the protocol, the commission would inquire into both governments' allegations of violations of the 1929 Geneva Convention for the improvement of the condition of wounded and sick in armies in the field.

On 30 March, Mussolini received the delegation in the Palazzo Venezia and in replying to the address of Max Huber he emphasized, as Jacques Chenevière reported, “the necessary prestige of the Red Cross which in the very near future would be capable—perhaps the only body capable—of saving certain human values”, and expressed the respect he wished to be shown to the movement. “As far as Italy is concerned”, said the official communiqué published after the interview, “strict orders have been given to this effect, arising from the profound conviction of the Italian Government that the Red Cross has essential value for the States concerned. The emblem of the Red Cross must be scrupulously respected and not open to any misuse.”

There was consequently a possibility of Article 30 being applied for the first time. In the Commentary on the Convention, Paul Des Gouttes had written: “The introduction of this article into the Convention constitutes a considerable innovation, a genuine triumph, in regard to the strict and faithful application of the Convention. Together with the matter of medical air transport, it is probably the most remarkable progress established by the Convention in comparison with that of 1906.”

But these opinions were very optimistic. In reality, to set an inquiry in motion is a highly complex operation and always encounters serious obstacles. The first attempt made this clear, and it is not without point to analyse the reasons.
A request for an inquiry had been presented to the League of Nations by the Ethiopian Government on 3 January 1936, following protests concerning the bombing of the Swedish ambulance unit on 30 December at Melka Dida and the use of poison gas. The letter from the Ethiopian representative asked for an impartial inquiry to be carried out "into the way in which hostilities were being conducted by the two belligerent armies in Ethiopian territory".

However, the Minister Wolde Mariam, in a communication dated 20 January, after reference to the request of 3 January for an inquiry to establish the facts and ensure the avoidance of any repetition, added:

"This inquiry is now less needed. One has been made by the Swedish Government and the results given in the note of protest sent by this Government to the Rome Government. It is now the duty of the League of Nations to determine, on the basis of the Swedish inquiry, whether collective intervention is desirable and whether vigorous measures should be taken to prevent the recurrence of such atrocities.

"The Ethiopian Government denounces the manoeuvre which would consist in transforming the demand for an inquiry into the atrocities committed by the Italian authorities into a political inquiry intended to prepare an attempt on Ethiopian independence and integrity."

The League of Nations' Committee of Thirteen immediately noted this change. During the meeting of the Council on 23 January, the Committee stated: "The Ethiopian Government does not therefore insist on its demand, nor does the Committee (of Thirteen) consider itself called upon to take action in the present circumstances."

This meant that the ICRC was the only body still able to carry out a difficult inquiry. Moreover, its task would be exclusively concerned, as we have seen, with violations of the Geneva Conventions and not with breaches of the customary conduct of war.

The ICRC had agreed to the proposal of the Ethiopian Minister of Foreign Affairs for a bilateral inquiry. On 1 February, it requested the Ethiopian Government to "lose no time in appointing an eminent person with the powers necessary to discuss and settle if possible in Geneva the procedure for an inquiry". ¹ It also asked for the expenses of the inquiry to be borne by the contestants. From then onwards, the Committee considered that it should observe the strictest equality of treatment between the two parties and that the result of the

¹ Telegram from ICRC, 1 February 1936.
bilateral inquiry would be prejudiced if it were to communicate to the parties concerned the information received from its own delegates on mission with either party.

On 27 February, Sidney Brown telegraphed to the Committee: “Ethiopian Government begs inform you officially impossibility participate expenses inquiry for budgetary reasons in view refusal League of Nations to grant financial aid Ethiopia and imperative necessity halt all expenditure other than for national defence. Ethiopian Government would provide all facilities railway Djibouti-Addis Ababa air transport accommodation your delegates.”

The ICRC took the matter up again with its delegation on 17 March: “Ethiopian Government having accepted principle inquiry ask it appoint plenipotentiary without delay to examine procedure for inquiry in accordance with our telegram [of 1 February]. Financial reservations should not hamper solution problem but be discussed additionally with plenipotentiary. Obtain immediate reply. Our delegation about to visit Italian Government.”

Meantime, there had been new occurrences: the Ethiopian Government had accused the Italian forces of using asphyxiant gases. The first complaints had been received by the delegates at the beginning of January. On 29 February, Sidney Brown had sent the ICRC a report from Dr. Dassios according to which the Italians had used mustard gas in the region of Waldia. In his report written on 12 March, Marcel Junod in turn notified the use of large quantities of poison gas which appeared to be mustard gas, and added: “Needless to say, all this news was told to me but I was not a witness to any of the facts and I here make the most explicit reservations. Brown and I feel that the question is serious enough for me to make an investigation on the spot, as our aeroplane has to leave for Kworam very soon.”

He left for Kworam on 16 March with Count de Rosen and it was there that the plane was destroyed next day by Italian bombers. It should be pointed out that the Red Cross delegates had camouflaged it so that it was no longer identifiable as a medical aircraft. During this attack, the delegates found that poison gas was used: “No sooner had we arrived than three Italian bomber planes flew over the plain of Kworam, recognizing the aircraft despite their camouflage, and at once began a real bombing raid. The Government’s plane, 200 metres away from ours, was the first to be hit and burned like a torch. Seeing this, de Rosen and I decided to go to our plane and

1 Excerpt.
remove the camouflage in order to show the signs and so avoid a severe loss. We came down the hill through the bombs, hiding under the few miserable trees or bushes and quickly arrived at the edge of the plain. There we were stopped by a strong smell of mustard gas and decided to take a longer way round on higher ground."

The two delegates finally managed, during a lull, to remove the camouflage from the plane, which bore red crosses in white circles on the wings and the fuselage. But the precaution must have come too late, and the machine, encircled by hundreds of incendiary bombs and hit by machine-gun fire, was finally set on fire.¹

The following day, 18 March, Marcel Junod was able to observe for the first time the release of poison gas:

"That evening I was walking to the British ambulance unit and I had occasion to see with my own eyes an Italian aircraft spraying the ground with an oily liquid, dropping like fine rain and covering a huge area with thousands of droplets, each of which, when it touched the tissues, made a small burn, turning a few hours later into a blister. It was the blistering gas the British call mustard gas. Thousands of soldiers were affected by severe lesions due to this gas and we had already distributed much of the antidote, which exists in commercial form under the name Losantine. If I have time, I will attach typical photos to my report."

Dr. Junod then described the situation in the plain of Kworam as "utter hell", where even the ambulances could no longer move about:

"Living in the mountains in rough shelters are some fifty thousand soldiers, among them the last troops of His Majesty, The Imperial Guard. The Emperor himself seemed to me to be wearied of this terrible war waged by the Italian air force, wounding hundreds of soldiers and burning them with this horrible gas. I myself have seen crowds of wounded men crying out in front of the Emperor’s shelter, "Abiet, abiet", which means "Have pity", for all of them, I mean all those unable to move themselves, are without any treatment, without doctors, and dying like flies. The two ambulances, Dutch and British, are immobilized in their shelters, unable to move because of the Italian planes... The Emperor confided to me that he was going to advance further towards the Front, and I fear there will really be catastrophe if his last troops are routed by the Italian forces. Imagine the road from the north cut behind him by the Chiftas and the

¹ This was the Fokker aircraft of the Ethiopian Red Cross and not the Heinkel used by the Swedish Red Cross.
Italians advancing victoriously—he will be caught in a vice and with him unfortunately our ambulance units. That is why I advised the Dutch and the British to retire towards Dessié.”

On 8 April, the ICRC had received a telegram from the President of the Ethiopian Red Cross protesting against the use of poison gases on Dagahabour and Sassabaneh, and forwarded it on 11 April to the Italian Red Cross. The following day it communicated to the Italian Red Cross the observations contained in Dr. Junod’s report of 24 March, which had reached the Committee on 9 April:

“The protests dispatched by the Ethiopian Government to the League of Nations and various bodies on the use said to be made by the Italian forces of poisonous or similar gases raise a question to which our Committee cannot remain indifferent. The Resolutions adopted by the International Red Cross Conferences of 1925, 1928, 1930 and 1934 testify to the concern aroused by this question in the Central Committees of the National Societies; and the welcome offered in Rome by the Italian Red Cross in 1929 to the International Commission of Experts for the protection of the civilian population against chemical warfare shows that this concern is shared by the Society placed under the supreme direction of Your Excellency.”

After recapitulating the particulars sent in turn by the doctors attached to the Swedish ambulance unit, the second Ethiopian ambulance unit, the Norwegian unit and the second Swedish unit, the ICRC continued by quoting the report of Dr. Junod:

“The day before yesterday we received from Dr. Junod, our delegate, circumstantial details which we believe we should communicate to you. On 17 March, at Kworam, on two occasions, Count de Rosen, pilot of the Swedish ambulance unit, and Dr. Junod, delegate of the International Committee, were moving in the direction of their aircraft when they were halted by gusts of mustard gas released by the bombs all around.

“This statement could leave room for the interpretation that the bombs, of whatever nature, gave off suffocating vapour when exploding. Such could not be the case for the following observation made by Dr. Junod the next day, 18 March. He had the opportunity to see with his own eyes an Italian aircraft spraying the ground with an oily liquid, dropping like fine rain and covering a huge area with thousands of droplets, each of which, when it touched the tissues, made a small burn developing a few hours later into a blister. According to Dr. Junod, this was the blistering gas called mustard gas. Thousands of soldiers are suffering from severe lesions due to this
gas. Moreover, according to Mr. Brown, Count de Rosen, having touched a bush impregnated with this gas, had his hand burned.

"We think we should bring these statements to Your Excellency's knowledge. The use of a prohibited weapon is such as to arouse feelings whose gravity you cannot fail to appreciate. According to our delegate, such conduct might even paralyse all work by the Red Cross in the regions affected.

"In addition, we enclose under the same cover a protest from the Ethiopian Red Cross referring to similar incidents."

Meanwhile, the Committee of Thirteen of the League of Nations had received several protests from the Ethiopian Government concerning the use of poison gas. On 8 April, the Secretary-General, Joseph Avenol, asked the ICRC to give him the information it held relating to infractions of the international Conventions respecting the conduct of war and signed by the two belligerents. He particularly wished to have Dr. Junod's report for March 1936 and the report by the doctors of the Swedish ambulance unit for December 1935. On the same day the Committee's headquarters were visited by Count Vinci, the Italian Red Cross representative to the ICRC. Having heard of Avenol's request, he had come to find out what the reply would be.

Feeling that it could not communicate information held by it to the League of Nations, the International Committee explained in its reply to the Secretary-General on 9 April that it had been in touch with both Governments with a view to investigating allegations made by either side of violation of the Geneva Conventions and could not hand over its documentation for the purposes of another inquiry relating in part to the same facts. The Committee added:

"Moreover, independently of current negotiations concerning the inquiry, the neutrality which the ICRC is obliged to observe imposes a very high degree of discretion. In particular, the International Committee does not consider itself able to communicate information received from its own delegates or entrusted to it as an international body of the Red Cross if the inquiry is other than that for which provision is made in the Geneva Convention for investigating alleged violations.

"Any other information supplied to the ICRC by governments or National Red Cross Societies may be made available as they themselves decide."

The motives adduced by the ICRC to justify its refusal did not convince the Committee of Thirteen, and on 18 April the chairman, Salvador de Madariaga, wrote as follows:
"The Committee of Thirteen cannot but regret this decision greatly, the more so since the letter from the Secretary-General on 8 April clearly indicated that the points on which particulars were asked for—there was no question of handing anything over—from the documentation in the possession of the ICRC included a considerable number of important matters unrelated to the Geneva Convention.

"It would further seem from your letter that the ICRC considers itself unable to communicate any information received, even on matters not coming within the scope of the Geneva Convention, because the neutrality it is pledged to observe imposes a very high degree of discretion.

"The Committee of Thirteen can only express its surprise to see such a reason invoked to justify a refusal to communicate information to a body which is acting in the name of the League of Nations."

President Max Huber replied in a letter dated 24 April reaffirming the International Committee’s position and again explaining the reasons:

"The purpose of the ICRC is purely humanitarian and apolitical: the Committee must first and foremost do everything it can to relieve the sufferings of victims of war. To do so, it must adhere scrupulously to a line of conduct enabling it to maintain relationships of trust with parties to a conflict, even in cases where the Geneva Conventions may not be legally applicable. The International Committee also considers itself unable to depart from these principles even in the event of conflicts where the right to go to war is in dispute."

This correspondence having been published by the Secretariat of the League of Nations, the debate became public and gave rise to fierce controversy. The European press commented widely, sometimes in favour of the ICRC decision, most often not. The Committee found that approval came largely from press opinion supporting the Italian Government’s claims, while part of the English-language press and most left-wing journals disputed both the decision taken and the reasons given, some commentators ascribing them to pro-Italian feeling rather than to the strict application of principles.

The Committee of Thirteen had meanwhile appointed a committee of legal experts to investigate the documents concerning the alleged infractions of the customs of war. This was defined in the Committee’s report as “collecting information and explanations, examining them and drawing the relevant conclusions, without deciding on points of fact which may continue to be contested or insufficiently
clarified by the documents.”¹ The report, accompanied by abundant documentation enumerating and analysing the allegations and testimonies supplied by both sides, was devoted to Italian complaints of atrocities committed on military or civilian Italian prisoners, misuse of the red cross emblem, the shelling of an Italian hospital by Ethiopian artillery and the use of dum-dum bullets, and Ethiopian allegations and testimony relating to attacks on ambulances, the bombing of open cities and the use of poison gas by the Italian forces. The report also included the replies or justifications of the two parties.

Baron Aloisi, Italy’s representative, first of all expressed clear reservations as to the competence of the Committee of Thirteen to inquire into the conduct of the war, then continued:

“Secondly, I note that the letter sent by the Chairman of the Committee of Thirteen to the Italian Government states that in the Committee’s opinion the use of chemical weapons cannot be justified even to repress acts of atrocious cruelty committed by the adversary in contempt of law and morality. By this statement the Committee of Thirteen sets itself up as a judge, giving an interpretation on perhaps the most delicate and complex point respecting the scope of the Protocol of 17 June 1925, which contains no provision prohibiting, as an exception to the general principles, exercise of the right of reprisals against atrocities such as those of which Italian soldiers have been victims and the documentation concerning which has been brought to the notice of all members of the League of Nations.

“The Committee of Thirteen itself was careful to state that in proceeding to set up an inquiry into documents it would not attempt to decide on matters of fact which continued to be contested. I must now point out that, in the letter from its Chairman, the Committee has endowed itself with much wider power: that of deciding, regardless of all rules of procedure, an extremely grave question of law.

“It is obvious that I can accept neither the principle nor the motive for such a judgement and for this reason I wish to voice the most explicit reservations on the subject.”

Many speakers hotly opposed such an interpretation and demanded that measures be taken to ensure respect of the Geneva Protocol. Anthony Eden [representative of Great Britain], declared:

"If a Convention such as this can be torn up, will not our peoples, whether living in the thronged cities of Western Europe or in less densely crowded areas elsewhere ask, and ask with reason, what is the value of any international instrument to which our representatives put their name; how can we have confidence that our own folk, despite all solemnly signed protocols, will not be burned, blinded, done to death in agony hereafter? These are questions which every Member of the Council must put to himself today." ¹

After three days of discussion in which representatives of Ethiopia and Italy took part, the Council in fact refrained from deciding on questions of fact or matters of law and addressed the contesting parties in very general terms:

"The Council...

"recalls that Italy and Ethiopia are bound by the Protocol of 17 June 1925 on the use of asphyxiating, toxic or similar gases, and by the conventions on the conduct of war to which the two States are parties, and emphasizes the importance given to these documents by all the Contracting States."

Nevertheless, the Italian Government, in a letter dated 30 April to the Committee of Thirteen, restated its view that the Geneva Protocol of 1925 "did not modify the existing law concerning the right of reprisals" and, repeating that violations of the 1925 Protocol and of other international conventions and rules respecting the conduct of war should be placed on the same footing and examined at the same time, proposed that the inquiry on every aspect of the facts alleged should be made "through the agency of a body having the qualifications required for missions of this kind".

"Such a body" stated Minister Suvich in his letter, "could be the International Red Cross, an institution of neutral and humanitarian character which, because of its noble tradition, enjoys undisputed moral prestige and offers the necessary guarantees of competence and impartiality besides being currently responsible for an inquiry on some of the alleged violations."

This inquiry was the one proposed by the ICRC following Mussolini's letter of 16 January, and intended at that time to investigate only breaches of the Geneva Conventions and not violations of the law of war. The International Committee had repeatedly asked the Ethiopian Government to appoint a plenipotentiary to discuss the inquiry procedure; but no reply had been received and the

ICRC does not seem to have thought it necessary to send a special envoy to Addis Ababa as it had done to Rome. On 2 May the Committee wired to its representative in Ethiopia:

“Our 9155 still not answered. Please impress competent authorities necessity appoint qualified Ethiopian plenipotentiary to study inquiry procedure and especially to state whether Ethiopian Government desires inquiry exclusively on documents or otherwise.”

But the wire could not be delivered. Dessié, the Emperor’s headquarters, had been captured on 15 April by Italian forces of the northern front. From there two motorized columns were converging on Addis Ababa. The day the telegram was sent, the Emperor Haile Selassie left his capital in a special train with a suite of 120 persons and the city, with no authorities or forces of order, was abandoned to looting and destruction.

Dr. Junod, by then the only delegate left in Addis Ababa, was worried about the five Italian prisoners brought from Dessié, who were in the greatest danger. He decided to give them into the care of one of the legations and found strong support in the French Minister, Mr. A. Bodard, who approached the Ethiopian authorities and, in a last audience in the afternoon of 1 May, received from the Emperor permission for the five prisoners to be placed in the safe custody of the French Legation.

Early on 2 May rioting began and ended only with the arrival of the Italian forces on 5 May. For four days the city was a prey to starving Ethiopian troops, rioters, fire-raisers and looters. The Red Cross itself was wrecked in the wholesale destruction. Marcel Junod wrote:

“The Abyssinians have completely looted the city, smashing everything they laid hands on, even the X-ray apparatus of Dr. Hanner’s Beth-Saida Hospital, the Menelik Hospital (Dr. Martinie), the Ethiopian hospital and our Ethiopian Red Cross building. They then set fire to the Red Cross building and burned our entire stock of medicines worth about 10,000 pounds... So nothing is left of the Ethiopian Red Cross but a few debts, some trucks and poor Dr. Lambie who has automatically become an Italian citizen. I went to see him the day before yesterday; his mission had remained untouched, like the two American hospitals in Addis Ababa, the Goulale Hospital and the one in Filoha, the gentlemen there having managed to defend it with machine guns.”

As the Italian forces advanced, the ambulance units had gradually dispersed. The Dutch unit, wrote Dr. Junod, had left Ethiopian territory; the Finnish and the Egyptian units were at Djibouti.
“The British ambulance unit lost its leader, Dr. Melly, who died a brave death, killed by an Abyssinian as he was collecting wounded. I was told that Melly, who was driving around in the British ambulance on the first day of the revolution, stopped to see whether a woman lying in the road was alive or dead. He found that she was dead and returned towards the vehicle. As he did so, an Abyssinian fired his revolver at him at point-blank range, hitting him full in the chest. He died on Tuesday, 5 May, at nine in the evening, six hours after the Italians entered Addis Ababa. The next afternoon I attended his funeral at the British Legation.”

There remained the Norwegian and Swedish ambulance units, which were now behind the Italian lines but in regions not yet occupied. Dr. Junod had an air search made for them and dropped messages telling them the situation and advising them to retire. One of the Swedish teams, led by Dr. Hylander, who had been able to resume work, and a few members of the Norwegian team succeeded in reaching the British colony of Kenya, where they arrived in August after a difficult and dangerous journey.

Dr. Junod himself had had to leave his hotel, which had been attacked and set on fire by the rioters and, after spending three days in makeshift shelters, where he was able to dress the wounds of some injured people, he finally succeeded, on 4 May, in reaching the French Legation, where the Minister had organized a medical post and a reception centre for about 2,000 refugees. On the 5th, the first Italian troops entered Addis Ababa and by next day they were in complete possession. Not all the country had been conquered or pacified, but the war was over.

In such a situation, it was very late to start investigating violations of the humanitarian Conventions. Even so, to follow up the proposal made by the Under-Secretary of State Suvich on 30 April, the ICRC announced simultaneously to the Italian Government and the Secretary-General of the League of Nations, on 14 May, that it was still prepared to undertake the inquiry referred to in Mr. Suvich’s note if it could be organized in conditions providing all the necessary guarantees.

But in the end nothing came of these proposals. The ICRC still had to give its opinion on the Italian Red Cross Society’s reply to the Committee’s letter of 12 April concerning the use of poison gas. The reply from Senator Cremonesi, dated 11 May, repeated the arguments used by the Ministry of Foreign Affairs, according to

1 Report by Dr. Junod, 11 May 1936.
which the terms of the 1925 Geneva Protocol did not exclude the practice of reprisals. Expressing no opinion as to the existence or limitation of the right of reprisals, the ICRC pointed out to Cremonesi that from the humanitarian viewpoint which was its own viewpoint and that of the Red Cross in general, it was desirable to affirm the necessity of completely excluding chemical weapons and protecting Red Cross units from all reprisal measures:

"If, in the rules laid down in the Conventions for making war less inhuman, there is not at least a strict limit to the right, unfortunately ill-defined, of reprisals, then the whole system is in danger of breaking down. That limit is marked by the distinctive sign of the Red Cross. The Geneva Convention is not merely the earliest of the Conventions to protect humanitarian interests in wartime, it is also, and must remain, the central and inviolable component." 1

It was clear that while the Red Cross had been able to do vital work in protecting war victims, its activities had been hampered, and, despite great sacrifices, it had not succeeded in attaining all its goals. A number of National Societies, while agreeing that the results obtained by the ICRC and National Societies in those very grave circumstances were praiseworthy, felt that the time had come to reconsider how to increase the efficacity of the Red Cross in a modern war.

The ICRC, in turn, faced with the criticisms or coolness due to its policy of discretion with regard to information held, entrusted to its President the task of explaining its principles on the matter. In an article published in the Revue internationale de la Croix-Rouge in May 1936, Max Huber gave a historical and ideological analysis of the principles of neutrality and impartiality which guided the Red Cross movement. After pointing out that it was mainly from National Societies that the ICRC received complaints concerning alleged infractions of the Geneva Convention and any seemingly justified protest on humanitarian subjects, and that the Committee could even use its right to take initiative in circumstances not the subject of a complaint, Huber defined the limits of the ICRC's action in the event of violations of humanitarian law:

"However, even when dealing with infractions of the Conventions or some act contrary to humanitarian principles, the International Committee of the Red Cross has absolutely no intention of setting itself up as a judge. It is not a judicial body and, moreover, it does not of itself possess the means to carry out investigations which

1 Colonel Favre to Senator Cremonesi, 26 May 1936.
would be the only base for judgements. As a rule, therefore, it is content to forward the protest, whether emanating from itself or another source, to the National Society of the country reproached with the infraction or the inhuman act. This correspondence is usually published by the International Committee, even if it does not receive the reply it has requested. But it is impossible to establish a hard and fast rule as to the method of procedure or the publicity to be given to such action. Unlike individuals in a free association or organizations entirely at liberty to announce, by vociferous demonstrations, their emotion and indignation at acts they condemn, the Red Cross movement, and the International Committee of the Red Cross in particular, are obliged to observe great caution and reserve. The reason is not indifference or lack of courage but the responsibilities incumbent on a body which must always remain capable of offering to all parties a guarantee of the most objective possible judgement and of conduct free from any suspicion of political or other partiality."

* * *

The Swedish Red Cross, whose medical teams had been through a particularly severe ordeal, had followed these proceedings with the closest attention. Stressing the gravity of the Italian military actions against ambulance units, as well as the use of poison gas, Prince Charles, writing to Max Huber on 15 April 1936, ended by saying that it was the duty of the Red Cross to make its voice heard:

"If, in your capacity as President of the International Committee, you should decide that this is an appropriate way to proceed, I would be willing to direct the representative of our Central Committee on the Board of Governors at the Paris meeting to raise, in the name of the Swedish Red Cross, the question of opening an official discussion or of holding private talks on the facts alluded to above and on the very serious situation which, from the Red Cross point of view, follows therefrom."

Max Huber, replying on 27 April, pointed out that the subjects raised were not covered by the statutory qualifications of the Board of Governors or of the Council of Delegates and that the latter, if specially convened, would inevitably take on the character of a tribunal without any judicial powers. He preferred an unofficial exchange of views among representatives of the National Societies when the Board of Governors met.
Prince Charles wrote on 30 May to the presidents of National Societies which had sent medical teams to Ethiopia, giving them some particulars concerning the aims of the proposed meeting:

"I would like to emphasize that the purpose of the proposed meeting is in no way to gather material for an accusatory document reporting any misuse and other violations of the Red Cross emblem by the two belligerent Powers, but solely to establish and deplore facts which show that the protective sign of the Red Cross was so little respected during the air war in Ethiopia that it no longer fulfills its humanitarian role and that a prompt revision of the Geneva Convention or the adoption of other measures seems in consequence to be indispensable; and I point out, furthermore, that the proposal includes the transmission of the resolution which will be adopted by the meeting to the ICRC and, in appropriate form, to the press."

But owing to the poor health of the President of the Board of Governors, Admiral Grayson, which prevented him from travelling to Paris, the Board's meeting and the proposed round table of National Societies were postponed until 25 November. With the agreement of the Presidents of the League and the Swedish Red Cross, the ICRC wrote to the National Societies on 25 September inviting them to take part, on 23 and 24 November 1936, in an exchange of views "on the subject of a possible revision of the Geneva Conventions and other similar agreements, with special reference to recent experiences during the war in East Africa", with the possibility of voting a resolution on the subject.

Addressing the representatives of 39 National Societies, ICRC President Max Huber again explained the position of the International Committee with regard to the alleged violations of the humanitarian Conventions. Basing his arguments on the lessons of the Ethiopian war, he now clearly distinguished between the observations made by ICRC delegates in the course of their traditional duties and those justifying an inquiry into the conduct of both contestants:

"The International Committee is not as a rule in a position to make investigations enabling it to give an opinion concerning an alleged infraction. If, in special circumstances, a delegate of the International Committee is able to ascertain useful facts, he will do so for the information of the ICRC; but any report he may make cannot automatically constitute a complete and objective statement of the facts in question. There are various reasons for this. Generally, the delegates are not selected for such work, far more difficult and delicate than is realized by those with no experience of the profession of examining magistrate. But even were they trained for such a task,
they usually have knowledge of only one aspect of an event under dispute. For these reasons, the International Committee must be extremely circumspect in its use of such documents or reports, in spite of the risk that its discretion may not be understood in all quarters.

"What we have to obtain, if possible, is an impartial statement of the facts, free of any resentment and prompted solely by the desire for justice. Such action is not of course confined to the Red Cross or the International Committee in particular. But if the trust enjoyed by the International Committee leads parties to a conflict to request it, as an impartial body, to investigate acts of war of concern to the humanitarian work of the Red Cross, the International Committee cannot shrink from the task."

The Red Cross representatives meeting on 23 November unanimously adopted a declaration presented by Judge Hammarskjöld which noted the intention stated in ICRC Circular 328 to examine how to ensure rapid, impartial and reliable reporting of acts of war possibly constituting violations of the Geneva Conventions and similar agreements, and which requested the ICRC "to lose no time in taking appropriate measures to guarantee their full value to the Geneva Conventions as an instrument of humanitarian protection even during an armed conflict involving all the resources available to modern military techniques".

There was thus no question of returning to past incidents, but of providing for possible action by the Red Cross in a future war. For Europe by then was entering a new phase of anxiety. Hardly had the war in Ethiopia come to an end that the war in Spain broke out.

2. The Spanish Civil War

It began on 17 and 18 July 1936 with risings in the garrisons in Spanish Morocco, first at Melilla, then at Tetuan, Ceuta and Larache. On the morning of 18 July, General Francisco Franco, who was then Governor of the Canary Islands and who with the support of General Orgaz had taken over Las Palmas, broadcast a proclamation giving the signal for rebellion. One after the other, Seville, Cadiz, Jerez, Algeciras and Cordoba, then Burgos, Saragossa, Pamplona and Valladolid fell to the insurgent officers. On 19 July, General Franco landed in Tetuan and the first troops of the Africa Army disembarked in Cadiz. The map of operations was being traced but in the uncertainty of the first few days, with all links cut and all news distorted, only local clashes were reported.
In Madrid, Prime Minister Casares Quiroga resigned on the evening of 18 July. A new cabinet was formed the following day by Professor José Giral with General Pozas, head of the Civil guard, as Minister of the Interior and General Castello, military governor of Badajoz, as Minister of War. Faced with a rebellion which was spreading rapidly and receiving support from part of the army and the civil guard, the new Government decided to distribute arms to the population. The workers, the trade-union units, the General Workers' Union, the National Confederation of Labour and the Iberian Anarchist Federation formed the first militia units. Military action was met with revolutionary war.

In the capital, news of the rebellion triggered off a popular uprising and on 19 and 20 July there was fierce fighting. General Fanjul, rebel leader in Madrid, retired to the Montana barracks, which were besieged by the mob and the militia, bombed from the air and shelled by artillery. At noon on 20 July the stronghold fell. The failure of the rebellion in the capital was a key element in the course of the war. In Barcelona the members of the anarchist union seized stocks of weapons and took their place in the forefront of the struggle beside the workers and the civil guard of the city, who had remained loyal to the Republican Government, and re-established their authority in the evening of 19 July. In Toledo, Colonel Moscardo, faced with a counter-attack by militia, retreated with 1,200 men, 550 women and 50 children to the Alcazar fortress, where he withstood a 70-day siege, until the city was retaken by the Nationalist armies.

After one week of fighting the Nationalists controlled a strip of territory in the northwest provinces of Spain running from the Portuguese frontier to the western Pyrenees and, in the south, Cordoba, Seville and the province of Cadiz, Spanish Morocco, Majorca and the Canary Islands. The Republican Government held, in the north, the Asturian coast apart from Oviedo and, from Andalusia to Catalonia, the southern, eastern and northeastern provinces, the principal centres being Madrid, Barcelona, Valencia and Toledo.

On 25 July 1936, one week after the insurrection had broken out, the ICRC sent a telegram to the Spanish Red Cross: "Do you require aid sister Societies especially equipment?"

The Committee was faced with an extremely confused situation. Once again, it was for the National Society to make the first move and ask for aid in the event of internal disturbances. The Spanish Red Cross, appointed under its statutes to give medical assistance in the event of civil war, had undertaken relief operations not long
before, during troubles in Barcelona and in the revolt in Asturias. In
Barcelona, where Luis Companys had proclaimed the Republic of
Catalonia in October 1934, the Red Cross stretcher-bearers’ brigade
had collected and removed the victims and given first aid to the
wounded. When there were no longer enough Red Cross ambu-
lances, the brigade used trucks and private cars and handcarts to
transport the stretchers. In the Asturias during the same period the
miners’ revolt had even then taken on the character of a civil war,
which the Government succeeded in quelling only by sending in the
army and the air force. The local Red Cross committees had im-
mediately gone into action, while the Central Committee in Madrid
had sent, in view of the extensive needs, two mobile hospitals, which
were set up on Mount Naranco, above Oviedo. All these operations
had demonstrated the speed and the usefulness of the National Socie-
ty’s work, but at that time the disturbances were only of a regional
nature. Even so, the shortage of equipment and supplies and com-
munication difficulties had posed serious problems. What would be
the situation in July 1936, when the two parties each possessed suffi-
cient territory to make it likely that the war would continue and
would spread to the whole of Spain?

Moreover, the Red Cross Society itself was affected by the revolu-
tion. At the end of July about a hundred militiamen invaded the
office of the President, General Burguete, and forced him at gun-
point to sign a letter of resignation. Once this had been handed over,
the General said, his successor, Dr. Romeo, treated him very
courteously and more than once turned to him for advice.1

On 12 August, the ICRC was informed that a new Central Com-
mittee of the Red Cross Society had been formed by a decree dated
31 July. The new President of the Central Committee, Dr. Aurelio
Romeo, without explicitly replying to the ICRC’s offer of assistance,
added: “We cordially greet International Committee and offer our
sincere adhesion”. In a telegram sent the same day, the Spanish Red
Cross notified the ICRC that rebel troops had captured a Red Cross
doctor, Louis Senis, and asked the Committee to act urgently “to ob-
tain release and to inform rebels of obligation to respect institution”.
On 5 August, Aurelio Romeo asked the Committee to secure protec-
tion for children in the preventorium in San Rafael and the school
colony of La Granja and to arrange for them to be evacuated to
Madrid.

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1 Interview of General Burguete with Etienne Clouzot on his way through Geneva
in September 1936.
The ICRC had therefore been officially requested to intervene. It at once forwarded the requests to General Franco in Tetuan and General Cabanellas, head of the National Junta in Burgos. At that time the Nationalist side had not formed a government. Only on 29 September 1936 was General Franco appointed Generalissimo and on 1 October installed in Burgos as head of state.

On 12 August, the ICRC wrote simultaneously to Dr. Romeo and to General Cabanellas, asking each of them for information concerning the activities of the Spanish Red Cross and the treatment of the wounded, at the same time sending them copies of Resolution XIV of the Tenth International Conference of 1921. That Resolution thus appeared more and more frequently, during the period between the two world wars, as an unofficial convention in a non-international war.

Meeting on 22 August, the ICRC decided to send a delegate to each party, merely announcing his visit. President Romeo gave his agreement on 28 August and next day Dr. Junod left for Barcelona, air links with Madrid having been suspended. The Committee immediately informed General Cabanellas that Dr. Junod was on his way to Madrid and that it intended to send a delegation to Burgos.

The negotiations by Dr. Junod were soon successful. Nothing is more difficult than to get a government to agree explicitly to let a delegation go to an area in open revolt. The ICRC delegate was received by the Central Committee of the Spanish Red Cross and by the President of the Council, José Giral, and obtained the signature to two important agreements. In the first, dated 1 September 1936, the Spanish Red Cross declared that it would accept any aid offered to it by sister Societies through the ICRC, that it would do its best to ensure respect for the Red Cross emblem and that it would support ICRC delegates in creating information agencies for civilian prisoners and prisoners of war, “under their complete control”. In the second agreement, the Government of Madrid stated that it accepted “the sending of a double delegation of the International Committee, delegations which will carry on their activities in Madrid and Barcelona, on the one hand, and in Burgos and Seville on the other”. Their mission would be “to protect the sign of the Red Cross, ensure its respect by both parties and to facilitate the humanitarian work of the institution”. The Government also stated that it would look favourably on an information agency run by these delegations for the benefit of prisoners of war or civilian detainees, and granted the possibility of exchanging some of them, especially women and children. The President, José Giral, resigned the day after the
agreement was signed, but the Government of Largo Caballero, who succeeded him, confirmed the commitment.

Dr. Junod next went to Burgos, where he was received by General Cabanellas, President of the National Junta, and the Count of Valledlano, President of the Committee of the Spanish Red Cross of the National Junta. The agreement signed by the Count on 15 September 1936 was worded in the same terms as that with the Spanish Red Cross in Madrid. On the same date, the National Defence Junta issued a statement that, having learned of the agreement made by the ICRC with “the Red Cross of Madrid and the Government of that capital”, it thanked the International Red Cross for its intervention and took good note of the high-minded feelings by which it was motivated; it approved the agreement concluded between the Nationalist Red Cross and the ICRC, accepted the assistance of foreign Red Cross Societies and declared its willingness to observe and respect “the Geneva Convention concerning war wounded, the sick and prisoners”. On the question of hostages and their exchange, the National Defence Junta, while denying that it had had recourse to the taking of hostages, a practice of which it accused the adversary, indicated that it was willing for women, children and young people not liable for military service to be evacuated, provided there were reciprocal arrangements.

The ICRC now possessed agreements from both sides confirming its intervention, and established in Geneva a new executive office, the Commission for Spanish Affairs, composed of members of the Ethiopia Commission: Colonel Favre, Miss Odier, Jacques Chenevière and Dr. Audeoud, with the addition of Miss Perrière.

Four ICRC delegations were immediately sent to Spain, and in mid-December they were increased to nine: Dr. Georges Henny was in Madrid,1 Dr. Horace Barbey in Barcelona, Dr. Roland Marti in Valencia, Eric Arbenz in Alicante, Georges Graz in Bilbao, Pierre Weber in Santander, while on the Nationalist side there were Horace de Pourtalès in Burgos, Dr. Werner Schumacher in Seville and Paul de Rahm in Saragossa. Dr. Marcel Junod, the delegate general, remained accredited to both parties.

The number of delegations and their headquarters changed frequently during the war, either because of the movements of the front.

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1 Dr. Henny was wounded by a bullet on 8 December 1936 during an attack on the French Embassy’s aircraft which plied between Madrid and Toulouse. The attack resulted in one person killed (the French journalist Delaprée) and several wounded, among them another journalist and one of the two little Spanish girls Dr. Henny was accompanying to France. Dr. Henny’s place in Madrid was taken by Eric Arbenz.
or because of the restrictions imposed on the ICRC by the respective
governments or by the shortage of resources. In October 1937, after
Bilbao and Santander had fallen to the Nationalists, the number of
delegations was reduced to six, in Valencia, Madrid and Barcelona
on the Republican side, in Salamanca, Burgos and San Sebastian on
the Nationalist side. Two sub-delegations in France, at St-Jean-de-
Luz and Marseilles, were responsible for dealing with refugees and
dispatching relief. Further reductions in the ICRC contingent were
made in May 1938, with three delegations remaining in Madrid,
Barcelona and San Sebastian and the sub-delegation in St-Jean-de-
Luz. There were also about a hundred Spaniards working for the
ICRC, particularly in the information and correspondence services.
The four units were maintained in operation until the end of the war
in April 1939, after which the number of delegates was gradually
diminished.

With permanent representation attached to each of the two
governments in Spain, the ICRC was better placed than during the
Gran Chaco War, in which, until Mr. de Chambrier's appointment
as permanent delegate, it had sent only temporary missions, and
during the war in Ethiopia, where it had been present on only one
side. In the Spanish War the International Committee did its utmost
to extend its operations as much as it would have done in an interna-
tional war, since the conflict increasingly took on an international
character. In the report presented to the London Conference in 1938,
the ICRC stressed that “the Committee's delegates should have, in
time of civil war, virtually the same prerogatives as those of the Pro-
tecting Powers in international wars”.

Though unable to claim such prerogatives, the ICRC was at least
able to operate in important spheres: relief in the form of medical
supplies and food, aid to the National Societies, whether in existence
or in the course of formation, protection of the sign, prison visits,
assistance to prisoners, establishment of lists, exchanging of news,
the exchange and evacuation of persons, aid to civilians.

* * *

From the beginning, the war had been exceptionally violent in
character, only partly restrained by the delegates' efforts. There are
no neutrals in a civil war. Hundreds of accounts have shown how
savage was the struggle in each province, city and town, with no
distinction made between civilians and regular combatants. Each
party accused the other of the worst atrocities, usually while denying having committed any itself. In such a conflict, where the instinct to violence is redoubled by contempt for death, it cannot be expected that appeals or requests for moderation will change a fratricidal struggle into a conventional combat; but at least the delegates' impartial activity often succeeded in preventing excesses.

"At the start of the fighting", wrote Marcel Junod, "both categories (political prisoners and prisoners of war) were speedily executed. Only a few political prisoners were the exception, and they were imprisoned because they were less well known, or lucky, or protected by friends. Men were executed by each side, up to November 1936, after which more and more were held captive. Military operations were on an increasing scale, soldiers were surrendering in larger numbers, and mass executions became impossible. Also, we had asked for news of captives, etc."¹

The treatment of prisoners was all the more high-handed as they belonged to very dissimilar groups, often much more like guerrilla fighters than regular soldiers. On the Nationalist side, most of the armed forces were made up of regular soldiers—often referred to as "military"—together with the Requetés and the Phalangists. They were soon joined by the forces sent by Italy and Germany: German air squadrons, with Junker bombers, Heinkel 51 and Messerschmitt 109 fighters, acquiring their first war experience in Spain, German soldiers, civilians and instructors, 16,000 men in all; Italian air force units and the Blackshirts, backed up by technicians, bringing the total to 50,000 men by the middle of 1937.²

On the Republican side, the fighting forces were composed of groups so diverse in their origins and structure that they often had to be considered as autonomous. A nucleus of officers and soldiers who had remained loyal to the Government had been joined by the militia of the workers' organizations, which formed the greater part of the Republican forces. They were supported by the International Brigades, large units of volunteers whose assistance to the militia was often decisive, and by Russian tanks and aircraft. A civil war whose causes were basically national had thus had grafted on to it an international ideological conflict in which the two major political groups then taking shape in Europe, that of the totalitarian States and that of the democratic States, while proclaiming the principle of

¹ Marcel Junod, manuscript note for a general report.
non-intervention, demonstrated their allegiances, tried out their weapons and took the measure of the future adversary.

The conditions, therefore, were very far removed from those in which the ICRC had had occasion to act until then, even in civil war. True, there had been the situation in Russia at the revolution, with foreign intervention, the appearance of independent governments, mass uprising, ruthless fighting. But in the Iberian peninsula the conflict was taking place in territory virtually shut off by sea coasts and the frontier of the Pyrenees, where there was no opportunity for retreat and all were fighting for their lives. To negotiate terms was treason. Moderation, in stark contrast with the vituperation current on both sides, was suspect. The neutrality of the ICRC delegates, the balance they tried to maintain between “reds” and “whites”, did not always make them popular. Some were attacked verbally on the radio or in the newspapers. Several were escorted back to the frontier. Very little was needed to become suspect, even outside Spain. In Nimes, the column of trucks sent by the Swiss Red Cross to help evacuate civilians from Madrid was threatened by the population: the drivers had been heard speaking in the Swiss-German dialect and the column was taken for a German unit bringing supplies to the Nationalists; there was talk of setting fire to the vehicles.

Taken as a whole, however, the work done by the delegates in Spain was greatly appreciated by both sides: ready for anything from the adversary, they were more than ever grateful for the results obtained by the delegates. The fact that they were targets of criticism in one zone, moreover, enhanced respect for the ICRC delegates in the opposing zone by showing that the delegations, in whichever area they were working, were in no way under the power of the government in authority there. In fact, as Dr. Junod remarked, any delegation, wherever located, acts for both sides at the same time, under the rule of “dual sharing”. In this way, the assistance of the ICRC was shared first between the Republican zone and the Nationalist zone, then, within each zone, between Nationalist and Republican beneficiaries.

This applied particularly to relief operations. From the very start of the war, in fact, many National Societies, various institutions and private individuals were concerned to find out how to send aid to the Spanish people. But these numerous offers of assistance at once revealed an essential problem. Should the ICRC send to each party the gifts addressed to them by the donors, or should it centralize and share out the relief equitably, with no special allocation? In Circular 329 of 21 August 1936, the Committee, in acknowledging the first gifts sent, emphasized that they had not been accompanied by any
obligation to allot them to one or other of the parties. "This method", it said, "seems in fact the most appropriate to the circumstances. Needless to say, the Committee will act in accordance with its traditions and its duty to be impartial." In preparing Circular 330 of 18 September, the Committee appears to have planned to mention also gifts for a specific purpose or for only one party. However, the views of the League of Red Cross Societies and of some National Societies and the French Government’s decision to forbid fund-raising in the schools by any bodies except the French Junior Red Cross "clearly indicate", wrote the ICRC, "that the public expects the Red Cross to provide relief on a rigorously equal basis for both parties in the conflict". It therefore decided not to bring up the subject of relief intended for one side only, "so that the circular will contain no mention of action which might be considered partial". At that time, as we see, there was no talk of "due proportion", under which "the help available shall be apportioned according to the relative importance of individual needs and in their order of urgency", with the implication that "the only aspect in which the Red Cross must maintain equality between two countries is in its readiness to serve". The ICRC, adhering strictly to the rule of even-handed distribution, nevertheless adapted the nature of relief to the specific needs of each party.

The operation promising to be on a large scale and dependent chiefly on the national Societies, the ICRC immediately consulted the League in order to define the procedure for collaboration and ensure a successful operation. It was agreed that the League, as the federative body of all the National Societies, would fully support the appeals sent out by the ICRC, inform the Committees of the National Societies of the needs and of the operations undertaken, and offer the cooperation of its services to approach the authorities, purchase relief supplies and dispatch them to the ICRC delegates in Spain.

On their first visit to Spain, Dr. Junod and Dr. Broccard had taken consignments of medicines with them. In Circular 330, dated 18 September 1936, the ICRC appealed to the National Societies and published the first lists of medical and surgical supplies urgently needed in Madrid and Barcelona. Lists of requirements were thenceforward regularly published by the Committee on the basis of requests from the Central Committees in Spain or from its own delegates. The response from Red Cross Societies was immediate and

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effective. By November 1936 gifts totalled 441,000 Swiss francs, more than two thirds of which had come from the committees set up in Latin America to help the Spanish Red Cross. But their zeal could not be expected to sustain such a high level for long. Even when the National Societies met in Paris on 22 and 23 November—to discuss the lessons learned in Ethiopia—Max Huber, after quoting these figures, which he described as "impressive", indicated the difficulties facing a continuous operation: "We must not forget that most countries are going through a terrible crisis, that goodwill is greatly burdened by national needs and that it has got to the point almost everywhere of being exhausted by the constantly increasing number of appeals made to it." Subsequently, in fact, contributions from National Societies and individuals gradually dropped, and by March 1937 the ICRC, which had received a total of 613,543 Swiss francs at that date, noted that funds were rapidly running out and that more contributions were vital for continuance of the operations in progress. In April 1937 it turned for the first time to the governments which had signed the Geneva Conventions, asking them to help finance its activities. But funds for relief were still far from guaranteed. The war between China and Japan had flared up again in May 1937, involving the ICRC in further operations; and the needs in Spain grew more urgent. In February 1938 the Committee informed the National Societies that unless it acquired new resources it would be obliged, as from 1 June, to limit its representation in Spain to one delegate on each side. The appeal was heard and the contributions received from National Societies and governments allowed the ICRC, not indeed to expand its operations as it would have wished, but at least to maintain them at the minimum acceptable level.

Relief supplies were sent through France via the frontier posts of Cerbère and Port-Bou for the Republicans and Hendaye-Irun for the Nationalists. British and French warships gave help in carrying goods from St-Jean-de-Luz to the coast of Cantabria, other consignments being shipped from Marseilles. When the fighting prevented goods being sent by train, the ICRC added to its consignments the fuel necessary for transport by road.

The delegates in Spain took delivery of the relief supplies and sent them to the Red Cross committees or, more rarely, to the military medical services. The supplies included surgical equipment, first-aid kits, hospital supplies including beds, X-ray apparatus, surgical instruments, ward furnishings, operating theatre and laboratory, etc. The Committee did not think it was able to undertake relief supplies
to the civilian population. In Madrid, however, given the conditions of great distress, amounting almost to famine by the end of the siege, the ICRC distributed food and condensed milk to sick persons, women and young children. From 1938 onwards, supplies to the Republican zone had become very precarious and food was rationed; so the ICRC organized a system of free individual packages of medicines, then, after lengthy negotiations, personal food parcels. The Nationalist zone was better supplied and the Committee, anxious to take the situation into account while maintaining the impartiality of its operations, sent relief to hospitals and dispensaries of the Red Cross, to various charitable establishments and to the agency called Auxilio-Social.

By the end of 1938, the Republicans controlled only part of Catalonia. The major battle of the Ebro, one of the bloodiest of the war, had begun in December. In spite of extremely determined resistance by the Republicans, the Nationalist forces, supported by tanks, broke through the enemy lines. Barcelona fell on 26 January 1939, and the dramatic exodus from Catalonia began. The population fled from the cities and villages; endless columns of refugees, civilians and soldiers alike, ill-clad, shivering in the snow, without food and utterly exhausted, moved towards the French frontier in the Pyrenees, where they hoped to find safety. Their sudden arrival swelled the total number of refugees in France to 500,000, about half of them civilians. Housing and feeding them was a serious problem for the French authorities. They were collected in huge camps, by no means easy to set up. The ICRC, which had sent a delegate, Pierre Jequier, to Perpignan in March 1939, handed over part of the stores of food and clothing held by the Committee at Cerbère and, as we shall see, organized an extensive news service for the refugees.

The aid requested and forwarded by the ICRC represented only part of the relief received by Spain. The Committee's action allowed those who wished to help the population to do so equitably with no distinction as to party, an important factor at a time when the policy of non-intervention, adopted by numerous governments, made even National Societies hesitate to accept and forward gifts for a destination on only one of the two sides, while, on the other hand, many donors were moved either by their own ideology or by a feeling of compassion for the most needy to send their aid directly to one side or other. These movements grew to a great scale in favour of the Republican party. International Red Help provided large quantities of medical supplies and food and sent numerous medical personnel who often represented, on the Republican side, the equivalent of the
army medical service. Assistance operations were mounted by many bodies—workers' first aid groups, a popular relief agency, trade unions, an international central medical service specially created to aid Republican Spain and many national associations—which sent truck convoys and ambulance units and organized the transport of the wounded. Their operations were separate from those of the Red Cross, but the ICRC was in communication with a number of these bodies for the purpose of information and, occasionally, contact in the field.

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The ICRC delegates therefore found themselves carrying unusual responsibilities. Although it was true that the governments in conflict had undertaken commitments towards the ICRC, it was to be expected that the application—always in danger owing to the proviso of reciprocity—would not be easy. Civil war creates two conceptions of law, each side interpreting codes and conventions in its own way. Marcel Junod, after his experience in Ethiopia, thought that in view of the special nature of the war the efficacy of ICRC operations depended more on the personal connections of the delegate than on printed conventions. But even establishing such connections raised grave problems. First of all, the delegate general, appointed to negotiate with the various parties in dispute, could be suspected of partiality. In addition, the position of the authorities and the possession of real power were matters that were not always clear. On the Republican side the delegates had to deal with four successive Ministers of Justice—and a change of minister frequently entailed a change in his staff. Then, there was not only the Madrid Government but a number of autonomous or provisional governments with which the delegates had to negotiate: the Basque Nationalist Government, the Generalitat of Catalonia. The various fighting units, the International Brigades, were not always willing to accept orders from a central power. On the Nationalist side, the various movements—phalangists, legitimists, Carlists—were more centralized under the authority of the Burgos government. However, precisely in the name of this principle of centralization, General Franco would not recognize the existence of autonomous governments on the opposing side. A great part of the ICRC's action as an intermediary was slowed down and even hampered by this dispersion of authority.
Even the efforts to protect prisoners and hostages by means of reciprocal measures or exchanges aroused vehement protests. The ICRC attempted to exchange personalities particularly in danger or groups of similar status. But its proposals were regarded as inequitable and as such badly received. To the delegate Pierre Weber, who proposed the evacuation or the reciprocal release of prisoners, the governor of Gijon replied "that is of no concern whatever to us. We are at war and we have already sacrificed our own families, who are in the Whites' territory". General Mola told Dr. Junod: "If I let the prisoners go, people would take me for a traitor." On each side, whenever an agreement was about to be concluded, there were fears that the adversary would not implement it, and the negotiations were endlessly repeated.

Equally endless were disputes over the status of the persons exchanged. A person who had sought sanctuary in one of the diplomatic missions in Madrid could not be exchanged for a prisoner. A phalangist was not to be exchanged for a "gudari", 1 nor a soldier for a civilian. So, in Barcelona, Burgos and Geneva, it was necessary to collate and alter the lists of prisoners from whom exchange was often the only hope of escaping execution.

Dr. Junod's first mission to Bilbao faced him with situations which the ICRC was frequently to encounter in its work in Spain. He had gone there to arrange the evacuation of 100 women held by the Basque Nationalist Government, the exchange of children from the holiday centre at La Granja, who were to be taken to Madrid, and the exchange of the former Carlist deputy Esteban Bilbao, who had been in prison for 60 days, for the former Socialist mayor of Bilbao, Ercoreca, imprisoned in Burgos. In addition, Dr. Junod was asked by the French Government to escort the cargo ship Kilissi, which was bringing food to Santander, and to help to embark on the ship 300 children from holiday centres in Santander for return to Madrid and 40 foreign and Spanish refugees to be taken to France.

The operations were, however, under a grave threat: an ultimatum had been delivered to the city stating that it would be bombed on 25 September unless it surrendered. The ICRC, having been told of this, wired to General Cabanellas in Burgos: "Our delegate Dr. Junod travelling Bilbao 24 and 25 September informs us urgent necessity present to National Junta authorities pressing request to obtain if possible consent to postpone 24 hours planned military operation against Bilbao 25 September. Completion humanitarian operation would need further 24 hours..."

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1 Militiaman of the Basque police.
The general who headed the National Junta sent the following telegram in reply: “Final deadline granted by General Mola for not bombing Bilbao noon 25 inst. Entrance Bilbao harbour mined dangerous to shipping drawing more than 1 metre 50. CABANELLAS.”

On 24 September a further telegram was received from General Cabanellas: “Impossible grant new deadline set 5 days ago. Ultimatum period set by General Mola midnight 24-25 inst. Urgent notify Dr. Broccard great danger in remaining in Bilbao from midnight today. We are trying ourselves to warn him through radio transmission Castella Burgos.”

Nevertheless, Dr. Junod went to Bilbao on 24 September as planned. While Burgos radio repeated its warnings—“Dr. Junod in danger do not remain after midnight”—which, as he remarked, did not make negotiating any easier, he succeeded in getting Esteban Bilbao to St-Jean-de-Luz the same day, but was not able to achieve the repatriation of the women and children at that time.

He went back to Bilbao on 28 September and saw the damage caused by the bombing. By telephone, he told the ICRC:

“The bombing of Bilbao has angered the population, and 100 hostages have been shot. The guard of Basque Nationalists which Junod had obtained to protect the hostages were unable to save those shot. The ships carrying the other hostages moved from the wharf and anchored in the middle of the harbour so that the crowd could not board them. They can be reached only by boat.”

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After these initial experiences, Dr. Junod proposed measures which would make it possible to reduce the excesses of war and protect prisoners and civilians. He suggested the creation of a kind of joint commission with representatives of the ICRC and delegates of Burgos and Madrid, who would be concerned with:

— humanizing the war and obtaining the release of children and women;
— creating international zones in certain cities (like the one in Bilbao);
— compiling a complete list of prisoners and hostages, and collecting all information relating to them.

Dr. Junod’s proposal for a tripartite commission was never put into effect, but the ICRC remained extremely concerned for the hostages and drew up a protocol for the exchange of hostages which was intended to lead to abolition of the practice of taking hostages:
“Once the date for the release of the hostages has passed, the
governments concerned undertake to abolish the hostage system,
under the supervision of the delegate of the International Red Cross.
The release is therefore not the result of an exchange but the
acknowledgement of a lasting principle.

“Definition of a hostage: a person who has been arrested without
having weapons in hand and without being guilty of a grave offence
such as treason or espionage.”

But it became clear that it would be difficult to reach an agreement
on the principles and that it was preferable to agree on local ex­
changes or the evacuation of persons in danger. The ICRC delegates
then entered into urgent negotiations with the two adverse govern­
ments and the authorities of the autonomous regions to obtain the
protection and if possible the release of non-combatants.

In October 1936, Dr. Junod and the Argentine Ambassador to
Spain had been given permission to visit the women’s prison in
Bilbao and draw up a list of those who wished to be evacuated to
France or to the Nationalist zone. Of 158 women questioned, 130
chose to be evacuated, the others asking to remain at liberty in Bas­
que territory. An agreement was signed on 10 October by Dr. Junod
and the President of the Basque (Euzkadi) Provisional Government, José A. de Aguirre, under which the 130 women would be evacuated
by a British ship.

The Government demanded at the same time that “all women resi­
dent in or natives of Euzkadi—that is, of Alava, Guipuzcoa, Viscaya
and Navarre—and at present active on the other side of the fighting
front, be set free immediately and with the same international
guarantees; they shall be given the means to return to the said Basque
territory which has remained loyal to the Spanish Republic”.

Dr. Junod then went to Salamanca, where he told the Nationalist
authorities of the results obtained in Bilbao and the intentions of the
Basque Government. From Mr. de Sangroniz, head of General
Franco’s diplomatic cabinet, he obtained a declaration stating that
the Burgos Government, grateful for the intervention of the ICRC,
gave its consent to reciprocal measures. These consisted, for the Bas­
que Government, in releasing all non-combatant hostages “in Bilbao
and the whole of the Basque territory not at present occupied by the

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1 The autonomy of the Basque territory had been proclaimed on 1 October 1936.
On 7 October the municipal councillors of the Basque provinces, meeting in Guernica,
had appointed the members of the “Provisional Government of Euzkadi”.
2 Agreement of 19 October 1936.
Nationalist army””, and giving all facilities for the departure from Basque territory of women who wished to leave, persons under 18, non-combatant men over 60 and sick persons accompanied by doctors; for the Burgos Government, in releasing and authorizing the entry into Basque territory not occupied by the Nationalist forces all the hostages and other persons of Basque nationality or origin of the same categories as released by the Basques.

Yet in spite of the guarantees given by the government authorities, the delegates all too often encountered refusals from those directly in charge of prisoners or of public order, and were thus compelled to appeal to higher authority. In these circumstances, the ICRC sent a manifesto on 3 November 1936 to the authorities of Madrid, Barcelona, Bilbao, Santander, Malaga and Salamanca on the subject of hostages and prisoners. The Committee reminded them that the taking of hostages was “not in conformity with the methods of war of civilized States”, adding that in a civil war, just as in an international war, women, children, old people and the sick, persons who could not be accused of any political activity whatever and, more particularly, in the Spanish conflict, members of religious orders, retired soldiers, doctors and medical workers, provided their activities placed them under the protection of the Geneva Convention, should be guaranteed the maximum freedom possible and especially permission to leave for any destination they wished. Finally, the ICRC stated that these categories of persons might in no circumstances be the object of reprisals, explicitly condemned by the Geneva Convention relating to prisoners of war.

Continuing its campaign, the ICRC concluded a new agreement with the Nationalist Government on 8 December for the release, on a reciprocal basis, of “all those held as hostages or in any other capacity except that of belligerents in the territory and provinces of Guipuzcoa, Navarre, Alava and the part of Viscaya under its control and in all Spanish territory on condition, in this last case, that the detainees are of Basque origin; they will be transferred to a neutral country or to the destination named by the persons concerned”. The agreement envisaged reciprocity by the “leaders in the Basque territory not occupied by the Nationalist army”, and concluded that implementation would have to be carried out under the auspices of the International Red Cross with the help of the British Ambassador, transport of the detainees to be effected simultaneously from both sides by the British fleet.

On the same date, 8 December, the ICRC delegate in Barcelona, Horace Barbey, signed an agreement with Luis Companys, President
of the Catalan Generalitat, in which the authorities of the Generalitat and the Internal Security Council declared they would encourage and facilitate the evacuation of non-combatants who registered for the purpose: persons under 18, women, men over 60, and sick persons accompanied by doctors and nurses, the evacuation to be carried out through the ICRC delegation. "The present agreement", it stated, "will come into effect as soon as the ICRC has obtained a written guarantee that the same undertakings have been given and signed by the enemy."

In Santander, the ICRC's representative had received from the Governor, Juan Ruiz Olarazan, only a statement according to which the civil government did not wish "to examine the proposals of insurgents since the signatories are the direct cause of all the barbarous acts committed in the territory under their domination", but added that "nevertheless, as we are still in agreement with the official representatives of the ICRC, we are willing to respond to the lofty humanitarian principles appropriate to democratic ideas and are prepared to fulfil completely the noble proposals generously formulated by the ICRC".

All these different declarations were very high minded, but mutual distrust and suspicion of the enemy hampered their implementation. On 16 December 1936 Dr. Junod was informed by the Count of Vallellano that the Salamanca Government rejected the agreement signed on 8 December between the head of General Franco's diplomatic cabinet, the representative of the Nationalist Spanish Red Cross and himself. Dr. Junod worked with the Count to draft a new agreement on 4 January 1937 but it did not receive the approval of the authorities. The ICRC representative then wrote to the President of the Red Cross in Burgos, on 7 January, deploring the delays in negotiation: "I know how much you regret them and am truly upset to find that all our efforts over four months have come to nothing, but I will not believe that all hope is lost and am certain that all this presented in a different guise will perhaps have more success."

Replying on 10 January, the President of the Red Cross in Burgos disputed some of the interpretations Dr. Junod had given to the attitude of the Nationalist Government, and pointed out that seven days had gone by "with no news from you and without the document (the Salamanca agreement of 8 December) having been signed by the authorities in Bilbao". For this reason, he said, the head of state had given instructions to reject the agreement.

The Count of Vallellano also made the following points:
— that General Franco was unwilling "to sign any new agreement which might indicate some distinction between the Basques and persons born in other regions of Spain, in whose destiny he is equally interested";
— that General Franco would be willing to examine a proposal for a general exchange of hostages throughout Spain and would not refuse to examine proposals for partial exchanges, exchanges of individuals or of groups, with the prior submission of lists;
— that the Generalissimo would probably make no difficulty about giving the ICRC a simple list of names of detainees such as that drawn up by those in charge in Bilbao, but would not be willing to supply lists giving full details which were the concern solely of the High Command.

So the difficulties continued. Each party considered that the agreement it had drawn up should be signed by its opponent, who should give proofs of goodwill. On 18 January, the delegate Horace de Pourtalès was told that the Salamanca Government was unwilling to arrange an exchange with the authorities of Bilbao, whose government it did not recognize. On 27 January, Colonel Favre wrote to Luis Companys, President of Catalonia, who was growing impatient in his turn, that the agreement made between the Catalan Government and the ICRC representative had been sent to the Salamanca Government but that he had not yet been able to secure the desired counterpart agreement. It was in fact becoming more and more difficult to obtain any multilateral agreement covering the whole of Spanish territory, committing all the parties engaged in the war and intended to allow the exchange or evacuation of general categories of persons—women, children, old people, the sick—without their numbers being previously known and their identity stated. There was a better chance of success if negotiations were carried on between two parties for the evacuation or exchange of well known personalities demanded by each side, of specific groups—children from particular schools, detainees from a certain prison—limited in number, or of persons included in the lists of exchanges proposed by the governments concerned.

It was this type of operation, therefore, on which the ICRC delegates concentrated while continuing to press for an agreement on principles. Dr. Junod, on the eve of the first air raid on Bilbao, managed to take out the former Carlist deputy Esteban Bilbao and bring back in exchange the former socialist mayor of the city, Ernesto Ercoreca, who had been imprisoned in Pamplona.\(^1\) During

\(^1\) See Dr. Marcel Junod, _op. cit._, Ch. 7 ff.
the same period Dr. Junod embarked 300 children from holiday centres in Santander on the ship Kilissi, for return to Madrid. In addition, in exchange for 130 women evacuated from Bilbao prison,¹ he had brought back to Bilbao some women who had been condemned to death, relatives of the Basque minister Manuel de Irujo, and 40 children from holiday centres near Burgos. Other operations of the same kind were: the evacuation of civilians from Irun and Fuenterrabia, transfer of children to hospitals in other countries or to the areas where their parents lived, evacuation of the persons who had sought asylum in diplomatic missions in Madrid.² But the difficulties already mentioned standing in the way of the conclusion of a general agreement for evacuation of the civilian non-combatant population could not be surmounted. The agreements of Salamanca (on 19 October 1936) and Barcelona (on 8 December 1936) were, the ICRC noted, “applied only to an extremely restricted extent”.

The ICRC also tried to secure the evacuation of women and children cut off inside a besieged stronghold. In such a situation, the intervention of a neutral intermediary is particularly difficult. From the ICRC viewpoint, it is a strictly humanitarian action, while the authorities concerned very often regard it as coming within the sphere of military operations.

Obstacles of this kind appeared during the ICRC’s attempts to evacuate some hundreds of women and children who had retreated, with their 1,200 defenders, into the Alcazar of Toledo in the first few days of the conflict. After an appeal by the Chilean Ambassador, doyen of the Diplomatic Corps, President Largo Caballero had stated his willingness for them to be evacuated from the fortress and the city and helped the Ambassador to find a building in Madrid to accommodate them. But apparently the authorities in charge in Toledo would give their consent to evacuation only provided the women and children were kept in the city, which hardly seemed compatible with their safety. Dr. Henny, arriving in the Republican zone on 15 September, took up the negotiations in his turn, and two days later advised the International Committee that the Madrid Government authorized “the unconditional evacuation of women and children from the Alcazar under the supervision of the Diplomatic Corps and the ICRC”, and that it requested the military junta in Burgos to notify the defenders. The ICRC forwarded this information to its delegate in Burgos.

¹ See page 345 below.
² General report by the ICRC on its activities from August 1934 to March 1938, p. 129.
News having meantime spread that the Republican forces had blown up part of the fortress, the ICRC wrote again to the Government in Madrid. The reply, dated 20 September, stated that “the persons granted the opportunity to leave the Alcazar of Toledo before the attack began had not wished to do so”. The Committee then asked the Madrid Government and the Burgos Junta to authorize the conclusion of a local truce of 24 hours to allow the evacuation to be carried out. President Largo Caballero replied on the 21st that “the rebels in the Alcazar” had refused “to facilitate the evacuation of the women and children shut up against their will in the fortress” and added, “in any case the truce referred to in your telegram must be requested by those under siege”. No reply was received from the military junta in Burgos.

By now the main assault on the fortress had begun, as Nationalist forces moved rapidly on Toledo. It was therefore impossible for the ICRC to do any more before the Alcazar was liberated by Nationalist forces on 27 September 1936.

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A more direct attempt to mediate was made by ICRC delegates in the siege of the church of Santa Maria de la Cabeza.

This sanctuary had been occupied, soon after the uprising of 18 July, by some hundreds of civil guards from the command at Jaén, principal city of the province of that name, who were loyal to the Nationalist Government. There, cut off with their families, they resisted for months the attacks of the Republican forces surrounding them.

They had no hope of being freed by military action like the defenders of the Alcazar. The Nationalist air forces could only drop food sometimes and bomb their attackers. They were cut off from the world outside except by carrier pigeon or heliograph.

Repeated summonses to surrender were made by the commander of the attacking forces, with the promise that the defenders would have their lives spared and women and children would be protected. The last attempt took place on 16 April 1937, but again without success.

On 19 April 1937, the Count of Valdellano asked the ICRC, with the consent of the Nationalist authorities, to use its good offices to obtain the release of the women and children from the besieged sanctuary. In doing so, the Salamanca authorities did not officially
exclude the possibility of a surrender, but did not ask the ICRC to negotiate it.

Here was a uniquely new operation for the International Committee, since it clearly belonged in part to the conduct of war. The Commission for Spanish Affairs, meeting on 20 April, decided that the service requested of the ICRC nevertheless corresponded with its principles: action should be taken quickly and with the greatest care. The delegates should obtain written authorization from both parties to ensure protection for the women and children but should take no part in negotiating a surrender. The same day, the ICRC nominated as its representatives Dr. Roland Marti, delegate, and Andrés de Vizcaya, assistant delegate, their mission being to travel to the sanctuary of the Santa Maria de la Cabeza, secure a truce for the duration of the negotiations, observe the conditions laid down both by the attackers and by the defenders for their entrance into and exit from the sanctuary, and establish a procedure for evacuation. The Committee instructed the delegates:

"The surrender should not be decided by the ICRC delegates, who are not competent to do so, but they may state to the commander of the place under siege that the ICRC has been informed by Salamanca of the matter of surrender."

Agreement having been obtained from the Nationalist Government, consent then had to be granted by the Government of Valencia. The Prime Minister and War Minister, Largo Caballero, at first considered that the question was one for his Ministry and not for the ICRC. However, the delegates stressed that the operation was purely humanitarian, intended to safeguard women and children, and the Prime Minister, persuaded by their arguments, gave his approval, on condition that the delegates did not enter the sanctuary but spoke to those inside from the exterior, by means of a loudspeaker.

Arriving in Andujar on 23 April, the delegates were received by Lt-Col. Antonio Cordón, head of military operations in the south, who immediately gave them the authorizations and facilities requested. By 5 p.m. on the same day the delegates were in the command post 800 metres from the sanctuary, and unfurled a large flag bearing a red cross. "For a few more minutes", wrote Dr. Marti, "we heard bursts of rifle and machine-gun fire from distant and isolated positions, then complete silence on the whole front."

At 8.30 p.m. the loudspeaker had been set up and Andrés de Vizcaya read out to the besieged a message informing them that the ICRC delegates had not received permission to go as far as the sanctuary, and asking them to send negotiators, who would be treated as
such. He added that all lives would be respected and the women and children freed at once. Those in the sanctuary then answered asking the ICRC delegates to come in person to the sanctuary, where they would be awaited next morning at 10 o’clock. Since the delegates had not had permission from the Valencia Government to enter the sanctuary they were unable to meet this request and repeated the appeal for negotiators, to no avail. At 11 p.m., the deadline for the truce to end, firing began again.

Notwithstanding these obstacles, Dr. Marti decided to try once more to make contact. Two days later, 25 April, he went back to Colonel Cordón’s headquarters and, approaching within 300 metres of the sanctuary, repeated his proposal for the sending of negotiators.

As he did so, two men came out of the church carrying a white flag and, reaching the front lines of the attackers, handed over a message addressed to the ICRC delegates. This proposed the evacuation of the sick and severely wounded, the old, the women and children, on the following conditions:

— that they should be taken by truck, in groups of 40, directly to the zone controlled by General Franco;
— that nobody should be allowed to take the names of these persons during the journey;
— that no group should leave before the names of the previous group and the news of their safe arrival had been communicated by heliograph from Portuña.

Lt-Col. Cordón considered that these proposals were unacceptable, and sent the besieged a new message countersigned by the ICRC delegates expressing regret that he could not accept them and guaranteeing that all those within the sanctuary would be spared, not only the women and children. The delegates carried the reply as far as the forward lines. Dr. Marti described the scene.

"When we arrived, the emissaries gave us a military salute, while the government officers and troops present replied by raising clenched fists. I shook hands with the sergeant of the civil guard and the soldiers with him and handed over our letter. We showed them our Red Cross passes in order to establish our identity clearly. I then asked them whether they had been informed of our negotiations, to which they answered that they were only subordinate ranks, but thought that two days earlier Salamanca had told them of our arrival in Andújar. I told them I hoped to hear that they accepted the conditions stipulated in our letter, and they replied that their chief would decide.

"After making their adiós, the emissaries withdrew."
"Mention must be made here of the perfect behaviour of the emissaries, as well as of the government troops. Not a single word or gesture out of place. The interview took place in a perfectly correct manner on both sides. One of those present was a journalist from the Havas agency, attached to the Andujar headquarters, who had promised to publish nothing about the interview.

"We returned to the command post to await the answer."

At 7.10 p.m., after the expiry of the time allowed, the same emissaries came back with a letter and said they did not expect any reply. The final message from Captain Santiago Cortes left hardly any hope of negotiating. It read:

"Guardia Civil, Command of Jaén, Captain acting commander.

"I have received your letter in reply to the one I sent you a few moments ago, laying down the conditions to be observed for completion of the humanitarian mission which you wish to perform in the name of the International Red Cross. Since in your reply you diverge from the objective which also animates us, I beg to draw your attention to the fact, sincerely regretting that I am unable to continue negotiations on matters which are beyond my functions as commander of this camp.

"I point this out to you so that it may never be said that I forgot for one instant the principles and the humanitarian duties incumbent on me. If you wish us to discuss this matter again, your presence in this camp is necessary. Camp of the Sanctuary of Santa Maria de la Cabeza, 25 April 1937. CAPTAIN SANTIAGO CORTES GONZALEZ."

Once more the ICRC contacted Salamanca in a last effort, but this time the answer referred to instructions from General Franco and General Queipo de Llano: an order to surrender was out of the question. Only the evacuation of the women and children could be discussed.

The final assault on the sanctuary was made at night on 30 April and it fell to the Republican forces at 4 p.m. on 1 May. Inside the ruins there remained about 257 civil guards and 695 women and children. The military prisoners and the civilians were taken by truck the same day to Andujar, where an overnight camp had been set up. The next day, women and children were taken to the castle of the Duke of Santa Cruz, above the village of Viso el Marqués, where they were interned, while the uninjured soldiers were transferred to the prison of San Miguel de los Reyes in Valencia.

The commander of the civil guard in the sanctuary, Captain Cortés, had been gravely wounded by a shell fragment soon after the
final attack had begun. When it was over he was taken immediately to Andujar for treatment but died of his wounds.¹

Dr. Marti visited the captive soldiers in San Miguel on 18 June 1937 and the women and children in Viso el Marqués on 13 August. By that time there were only 130 persons in this latter group, living with people in the village, sometimes made welcome, sometimes regarded with suspicion. Those whose families had asked for them had been allowed to join them, provided that it was in Republican territory.

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Visiting prisoners is one of the primordial tasks of the ICRC, which is often regarded as a sort of prison supervisor without being given, especially during a civil war, adequate means to perform this duty. Its role is then to obtain, in the absence of written agreements, undertakings from the responsible authorities and to point out where they fail to meet their obligations. Whether they respect these undertakings, of course, depends not only on their goodwill but on their ability to do so. In time of civil disturbances it happens too often that parallel police forces are set up, autonomous bodies which, on the pretext of security, protect special interests and do not come under the control of the appropriate ministries.

During the Spanish War, the delegates initially met with refusals on all sides. In particular cases, nevertheless, they succeeded in getting inside places of detention. And little by little, their efforts, even when no visits were made, were taken into consideration.

Pressing on, the ICRC obtained from both sides authorization to visit the prisons and prison camps. It laid emphasis on the effect of reciprocity, quoting advantages granted by the adverse side, and expanded its system of visits, to which it added a news service and the distribution of relief.

The first visits were made on 10 October 1936, on the prison ships anchored in the harbour of Las Arenas, Bilbao, and then in November, to the Montjuich prison and the Cárcel Modelo ("model prison") in Barcelona. The contrast between the two latter prisons was typical of the country. Horace Barbey wrote to the President of the Court that he was reassured about the conditions of the prisoners in the Cárcel Modelo, but that the same was not true for Montjuich, where, he said, hygiene and sanitation were completely absent. He

¹ Information received by Dr. Marti from women detained at Viso el Marqués.
added: "I am therefore unable to give a single statement to the newspapers combining in the same terms the impression I received from these two visits." Such contrasts were constantly to be found in the delegates' remarks, even in the same zones, since there were not only the properly run prison camps but also frequently prisons and camps where conditions were lamentable, owing either to overcrowding, lack of food, dilapidation of premises or because of poor management by ill-qualified governors.

Visiting a prison in Almería, Dr. Marti reported that prisoners were "piled into a few old rooms, about 12 to each, lying half-naked on old mattresses or sacks in total disorder and filth. Everywhere a disgusting stench of sweat and rancid oil". In another prison nearby he reported: "Excellent impression, cleanliness, order. Humane treatment. Evident efforts to make life more tolerable for the prisoners."

The delegates' first concern, therefore, was to get the responsible authorities to give the relevant orders, and after that to observe the effect during their visits. But obviously it was simpler to achieve the first than the second of these objectives, since the application of orders was often haphazard, and at times independent groups performed duties for which the established authorities were normally responsible.

For instance, in Barcelona in January 1937 the delegate noted: "In addition to the more or less legal arrests, many people are arrested unofficially, but there is no way of ascertaining this, as they are held in the secret prisons of the revolutionary committees where, usually, all trace of them is lost so that it is generally impossible to know whether they are still alive. The number of detainees in Catalonia may be estimated at 6,000 to 8,000, half of them in the government prisons, the other half in secret ones."

Reciprocity, as we have seen, was invoked in the agreements concluded with the two governments. This made it desirable to have more precise guarantees concerning respect for prisoners. A decree published by the Madrid Government on 8 April 1937 guaranteed that captured persons would not be killed:

"Article One. Insurgents, whether nationals or foreigners, who may be taken prisoner will have their lives spared and, without loss of time, will be handed over to the competent authorities; no trial may begin without prior agreement with the Council of Ministers."

The second article guaranteed the lives of combatants of the adverse camp who voluntarily came over to the Republican ranks.
The Nationalists had given the ICRC delegate permission, on 7 January, to visit the hospital, the provincial prison and a labour camp containing 450 political detainees.

At the same time the ICRC delegates' efforts were helping to improve and to standardize the treatment in the official prisons. The Minister of Justice, Manuel de Trujo, wrote to Dr. Marti on 21 August 1937: "I can assure you that very shortly nobody will be able with any justification to draw conclusions unpalatable to the Republic from the state of its prisons as compared with those in the rest of Europe." In the Republican zone, some prisoners had been executed in Jaén as a reprisal for the bombing of the city. The President of the Provincial Court took measures to protect the other prisoners, told them they could make any complaints to him and forbade anyone to be taken out of the prison at night unless he had personally given legal authorization.

The delegates' mediation was especially necessary owing to the accusations by both sides, whether justified or not, and the consequent reprisals which jeopardized advantages gained. On 30 July 1938, the head of the National Prison Service at the Ministry of Justice of the Nationalist Government, Maximo Cuervo, informed the ICRC delegate in San Sebastian that he could no longer visit prisons holding convicted and sentenced persons, as the ICRC had had the opportunity to form a definite opinion on the treatment of prisoners; however, he was willing to grant requests for visits to individual prisoners. At the beginning of August, the delegate in Burgos was told that entry to the camps was prohibited to all foreigners, including the delegates of the ICRC, and he was refused entry to the camp at San Pedro de Cardena housing prisoners of the International Brigades whom he had earlier been allowed to visit.

The Republican Prime Minister, José Giral, asked the ICRC, on 3 August, to arrange reciprocal facilities:

"We are prepared to grant maximum facilities for such visits to continue in our zone, but we wish them to be made simultaneously in the rebel zone, in order that we—your institution and ourselves—may be exactly informed concerning the treatment given to prisoners of war throughout Spain."

Colonel Patry then wrote to the Under-Secretary of State at the Foreign Ministry of the Burgos Government, General Espinosa de los Monteros, asking him to review the decision notified to the delegate in San Sebastian, Jean d'Amman, on 30 July, that he should consider his prison visits as being at an end:
“Up to the end of last July”, wrote Patry, “the qualified authorities of Nationalist Spain were good enough to grant the ICRC delegates the most extensive facilities for visiting prisons and prison camps. Not only did this allow our delegates in Nationalist Spain to accomplish their mission to the prisoners there, but also made it possible for our delegates in the other zone, on the grounds of reciprocity, to visit Nationalist prisoners held in that zone.”

The ICRC requested the Under-Secretary of State to intervene in favour of a return to the status quo, and drew his attention to the serious prejudice which would otherwise be caused to ICRC action for the prisoners held in the territory controlled by the Barcelona authorities. But hostilities came to an end without any change having been made. At that time, the ICRC delegates had made 75 visits to places of detention housing a total of 78,655 prisoners.

When Barcelona fell, the delegates had to intervene personally to protect the prisoners, once the guards had left, against the chance dangers of the fighting or against reprisals. In some prisons they themselves opened the doors of cells and freed the prisoners, and as an exceptional measure they hoisted the Red Cross flag over the prisons of Montjuich, Carcel Modelo and Las Corts. Many liberated political prisoners followed the columns of refugees moving towards France, and a large number died on the way, from cold and exhaustion. Two thousand approximately arrived in France, where the delegates Marcel Junod and Roland Marti were waiting for them with food and medical care. The names of the fugitives were immediately listed and sent to Geneva, to be forwarded to their families. Meanwhile, to avoid the kind of violence which had occurred in several prisons in Catalonia, the ICRC, anticipating the fall of Madrid, asked the commander of the military forces there to take all necessary measures to protect prisoners.

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Prisoners’ lives, in fact, were often in danger: at the risky moment of capture, or as a reprisal, or by being condemned to death by military or people’s courts or special tribunals. The ICRC therefore attempted to remove the threat hanging over them. When told of an imminent execution, it negotiated with the detaining authorities and in some cases succeeded in obtaining commutation of the sentence. But a more effective method was to arrange exchanges of prisoners and detainees whose lives were in jeopardy. This was one of the most
time-consuming activities of the ICRC from the start of the civil war, also one of the most difficult and thankless, since the demands made by each side often blocked negotiations and the delegates then found themselves held responsible for delays and failures the cause of which lay in the mutual distrust of the adversaries. The International Committee described the situation as follows:

"Each party carefully scrutinized the names submitted to it, and contested or supported the claims of each case. The International Committee, however, refused to be drawn into a discussion as to individual cases and strove to maintain the principle of numerically equal exchange. It could not, however, fail to recognize the importance attaching to the liberation of a leader, and endeavoured to maintain a certain balance in the lists."

While the lists were being "carefully scrutinized", the condemned persons named had their executions postponed. This gave rise to fresh protests, as others in the same prison were executed. Each human life was no more than a bartering token and, in the emotionally charged atmosphere of the time, the balance sheet of living and dead was drawn up like a business report. One delegate wrote:

"Salamanca never undertook to respect the lives of prisoners other than the 200 gudaris on the list offered. An oral assurance had been given to Mr. de Pourtalès that no prisoners would be executed during the negotiations. This was on 8 January and there has not been an execution since that date. The 31 prisoners who have been shot had been sentenced several weeks before but not executed immediately because it was not wished to shoot too many prisoners at a time. Executions had been carried out by groups, the last group between Christmas and the end of the year. A single prisoner, the last, was shot on 4 January."

In Geneva, the ICRC established a file of the proposed exchanges so as to avoid confusion and eliminate duplication. Once it received the lists it sent them to both parties, received their counter-proposals and at times their protests. When agreement had been reached, there was still a complicated procedure to follow. The delegate at St-Jean-de-Luz, notified by Geneva, went to the military command headquarters in Irun, whence the information was forwarded to the competent authority in Burgos, which in turn gave instructions to the prison governors or camp commandants for the counter-party in the exchange to be conducted to the frontier on the date fixed. The person or persons concerned, however, were not handed over to the

1 ICRC general report, 16th International Conference, London 1938.
delegate until the latter received confirmation by telephone from Geneva that the other party in the exchange had crossed the Catalan frontier or gone aboard ship. In several cases, in fact, the premature liberation of the persons in question by one side had led to incidents and difficulties.

After the first exchange, on 24 September 1936, between Pamplona and Bilbao, Dr. Junod succeeded in securing the release of 150 women held in a prison in the city and repatriating 130 of them; in exchange, women and children who had been cut off in the Nationalist zone were returned to Bilbao. Then on 4 November the Salamanca Government ordered the release of women, men over 60 and youths under 18 who had been arrested in the Basque provinces under Nationalist control, and four sick persons. Most of these people lived in or near Vitoria and so stayed where they were, apart from two women whom Dr. Junod escorted to Bilbao.

When it became apparent that the negotiations undertaken by the ICRC to reach a general agreement on exchanges and releases of persons considered as non-combatants had no chance of being successful, the delegates attempted to arrange exchanges of a limited number of people designated by name. In spite of the difficulties already described, this was the method by which the ICRC had the most success. No longer was time wasted in defining exactly the categories exchanged, which might include soldiers and civilians, Spaniards and foreigners: the sole criterion was the interest felt by each party for the persons proposed by the other side. Examples are the principal exchanges effected by the direct mediation of the ICRC delegates: in October 1937, 20 Russian seamen from the Komsomol and the Smidovich for foreign and Spanish airmen; in January 1938, 40 Basque officers condemned to death or sentenced to prison terms, for 41 officers of the same rank in the hands of the Republicans; in July, 4 Russian and 2 Spanish Republican airmen for 4 Germans and 2 Nationalist Spaniards; on 28 July, members of the Cortés held by both sides; on the same date, 14 Nationalist airmen for 14 Republican airmen; in August, 8 German civilians for 8 Soviet seamen; on 13 August, 159 Basque police militia (gudaris) and 130 prisoners of various kinds from Burgos for 58 Nationalist officers, 191 persons who had sought asylum in the French, Cuban and Uruguayan Embassies, and 40 civilians who had been condemned to death. At that time, the British Government, having conducted negotiations with both parties to the conflict in Spain, formed an Exchange

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1 See above, pp. 332-334.
Commission of British subjects, the chairman being Sir Philip Chetwode. He was given the task of taking over the ICRC’s exchange activities and extending their scope. But it proved impossible for the Commission, to which the ICRC delegates gave their assistance, to carry out before the end of hostilities the large-scale exchanges it had envisaged.

At the International Red Cross Conference in London, from 20 to 24 June 1938, the ICRC had seized the opportunity to arrange, through its President, Max Huber, an exchange of views between the representatives of the Nationalist Red Cross, the Count of Torrellano and the Count of La Granja, and the representative of the Government Red Cross, Dr. Aurelio Romeo. But Dr. Romeo had no instructions from his Government to discuss these matters with the Red Cross of the Nationalist zone and so nothing further was done.

Its own efforts to secure limited exchanges of prisoners or persons condemned to death were continued by the ICRC, which succeeded, on 22 September, in arranging the exchange of four German civilians, one Nationalist prisoner and two families for an equivalent number of persons from the Burgos side; on 7 October, 14 Italian legionnaires for 14 American militiamen; and again in October, two exchanges of individuals; in January 1939, five German airmen and one woman and her child were exchanged for six Republican airmen, and one individual exchange was made; finally, on 29 March, 175 Italian legionnaires for an equivalent group of militiamen of the International Brigades held in the prison of San Pedro de Cardena.

Repatriation was also arranged by the ICRC for 110 Soviet merchant seamen who had been imprisoned in Palma de Majorca and for seven Soviet seamen from the Komsomol held prisoner in Puerto de Santa Maria, near Cadiz.

All these operations were of different character, carried out independently. Unable to invoke any convention or general agreement, the ICRC was compelled to negotiate each specific case, trying hard to mitigate the custom of reprisals through the rule of reciprocal action. In other spheres too, the Committee was obliged to improvise when faced with unfamiliar or imprecise situations where it could be guided only by the imperative necessity to protect the lives of persons in danger or to remove them from that danger.

Those who had sought asylum in the embassies in Madrid were a case in point. When the mass uprising took place in July 1936 they had sought refuge in the embassies of the capital, claiming the right of asylum. About 2,500 civilians and a hundred or so soldiers had taken refuge in this way in various embassies. Sometimes they set up what were a kind of refugee camp with the privilege of extraterritoriality, as
happened in the Chilean Embassy, which was sheltering 622 people. To protect them was the responsibility of the diplomatic missions, which often engaged in direct negotiations on the subject. Owing to its relations with both Governments, however, the ICRC mediated at times for their evacuation and release. In October 1937 the ICRC had obtained the list of these fugitives, which for safety reasons it kept sealed, and had prepared a plan for exchanging them for various categories of political and military prisoners in government hands or for civilians who wished to leave the zone. Each party, however, replied by making counter-proposals difficult to reconcile and no progress was made. The governments of France, Turkey, the Netherlands, Czechoslovakia and Cuba had succeeded in evacuating the persons who had sought asylum in their embassies. When the situation became very critical in 1938—most of the diplomatic representatives having left the capital, several States having recognized the Burgos Government, and supplies being problematic—the ICRC made agreements with the government authorities and took the fugitives under its protection. When the Nationalist forces entered Madrid the fugitives were safe and sound, after 30 months in isolation. The ICRC then turned its attention to 17 leading Republicans who had taken refuge in the Chilean embassy.

Civilians were in danger everywhere, however. Those who had the means and obtained passports were able to get out of Spain; but they were only a small minority. Protection for these in greatest danger was what the ICRC did its best to provide, either by helping to evacuate them or by creating neutral zones, the latter chiefly in Madrid. The Nationalist forces converging on the capital took Brunete on 25 October 1937, the Cuatro-Vientos airfield on 4 November and by 6 November had reached the inner suburb of Carabanchel. On that day the Republican Council of the Cabinet decided to transfer the seat of government to Valencia and put the defence of the capital in the hands of a military junta led by General Miaja.

The attack on Madrid began on 7 November with an intense artillery barrage. Fierce resistance was put up by the people’s militia, supported by the International Brigades. The Nationalist air force bombed the capital from 16 to 19 November. Fighting raged in the University City, part of which was taken by the Nationalists, with stubborn resistance blocking the advance of General Varela's forces, which succeeded in entering the City without getting beyond it. It had to be taken house by house and floor by floor. The offensive then slowed down, but the capital was still in danger. Part of the

1 See Hugh Thomas, “The Spanish Civil War”.

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population had been evacuated, but most of the inhabitants did not want to leave Madrid.

The ICRC, which had made numerous efforts to evacuate women, children and old people, received the consent of Minister Giral on 20 July 1937:

"The International Red Cross is authorized to evacuate some of the civilian population of Madrid (about 4,000 persons) and to transfer to Valencia those concerned, repeatedly mentioned in the talks with Drs Junod and Marti and listed in the head office of the National Security Service. We express the gratitude of the Spanish Government for the generous aid provided. Greetings. GIRAL."

But supplies were running out. The ICRC delegate in Madrid, Eric Arbenz, wrote on 20 August:

"I estimate that about 500 people a day are leaving Madrid, which makes approximately 80,000 people. But in reality the population of Madrid has increased even so, because of all the people who have taken refuge here."

The ICRC delegation distributed food but, being short of supplies itself, could concentrate only on specific and urgent cases. Arbenz noted that "the official rationing system is inadequate, so that we can say definitely that the population is obtaining supplies in addition to the official rations and by means which the authorities cannot control". But most of the inhabitants could not afford to buy food at the prevailing prices and were obliged to turn more and more to the charitable institutions operating in Madrid. The Nationalists took advantage of this for their propaganda, and sent aircraft, on 15 and 22 October, to drop thousands of bread rolls, wrapped in the Nationalist colours. "Better bread than bombs", said the Madrileños, pouncing on the packages. Some people were arrested for having eaten the bread, according to Arbenz, but later released.

During this time several of the consulates, particularly the British Consulate, evacuated thousands of persons to other countries.

To cover the cost of the proposed evacuation, the ICRC received a subsidy from the Swiss Federal Council and the assistance of the Swiss Red Cross. A column of 15 trucks left Geneva on 1 September 1937 and arrived in Valencia on the 9th and in Madrid on the 13th. A number of the trucks having had accidents or broken down were replaced by trucks from the National Confederation of Labour, the Chilean Embassy and Ayuda Suiza.¹

¹ A private body for aiding Spain, directed by Dr. Rodolfo Olgiati, Ayuda Suiza took supplies from Switzerland to Spain. Dr. Olgiati was made a member of the ICRC in 1949.

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For two months the vehicles travelled between Madrid and Valencia and back, carrying a total of 2,500 persons. In Valencia the evacuees embarked on French or British ships, the Djebel, the Iremethie and the Maine, supplied by the two Governments, and were taken to Marseilles, whence they travelled overland to Hendaye and were finally repatriated at San Sebastian. The whole operation required a great deal of arranging: passports to be obtained, lists checked, agreement sought from the Salamanca authorities, accommodation and transport organized. Since it had representatives with both parties, the ICRC was able to operate in complete safety, none of the persons listed being arrested on their departure from Valencia or imprisoned on arrival in San Sebastian. Even so, the procedure was complicated: "For each group evacuated, the baggage and the lists of the evacuees had to be sent three days in advance to Valencia for control by the Customs and police. First 40%, then 60% of the persons listed refused to be evacuated and had to be replaced by others. The Madrid delegation had teams of cyclists, motorcyclists and motorists whose function was to notify the persons and convey their baggage to the place assigned at the proper time.

"Once the list had been drawn up it was impossible to change anything in it, on account of the Valencia police. But the indecision of people in Madrid meant that there were frequent changes. Fortunately Dr. Marti's relations with the port authorities in Valencia were excellent and so we were able to settle these hitches with the minimum of inconvenience.

"In Valencia we had not only to draw up a final list of the persons placed on board ship by us but also to find out which of them were able to pay for the journey from Marseilles to Hendaye and how many evacuees were being transported in each ship.

"I shall say nothing of the tremendous load of work placed on the shoulders of the delegate in Marseilles; as a whole, each stage of the almost circular journey was to everyone's satisfaction."

This was the last evacuation of importance carried out by the ICRC. Subsequently the ICRC delegations worked mainly in helping the departure of persons who had not had the opportunity to leave by coach, obtaining visas and arranging the evacuation of individuals.

* * *

1 Dr. Junod's report.
Bilbao was threatened, as we saw, by the advance of the Nationalist forces in the northern zone. The first evacuations were organized by Dr. Junod, after which the delegate in Bilbao, Georges Graz, took over. Permission had to be obtained from the Euzkadi Government. The ICRC delegate described his difficulties and the results obtained as follows:

"We had to wage a daily struggle with the competent authorities and the Passport Office to get permission for about 200 people to travel to "White" territory, in accordance with the agreement signed by the Basque Government with the International Red Cross. Currently we have deposited with the Passport Office exchange service (created at our request) several lists comprising about 1,800 persons. Authorizations are doled out a drop at a time, and no ship leaves until it is certain that another ship is leaving San Sebastian bringing to Bilbao people who have been asked for by the Basque Nationalists or the Bilbao Popular Front. In spite of the bad grace and the complete lack of understanding encountered on both sides, we have been lucky enough to achieve the following result:

— 30 November, I escorted 192 women and children going to San Sebastian;
— 2 December I repatriated by coach a group of 18 children and 2 nurses from a holiday centre to San Sebastian;
— 8 December, 350 women and children returned to San Sebastian accompanied by me.

"A new convoy is ready for Bilbao (already checked by the passport control service), bound for San Sebastian; but I am waiting for the military authorities to prove equally understanding, so that a ship can leave San Sebastian for Bilbao with a satisfactory number of persons who have been asked for. It is clearly realized that if the ship returns to Bilbao with an insufficient number of women and children, all our work will be useless and we will continue to be impeded in our very difficult job in Bilbao."

The exchanges were virtually suspended as from 4 January 1937. In May, due to shortage of supplies and to bombing by Nationalist planes, the Government decided to resume the evacuations, which were carried out through the consular services of France and Great Britain, under the protection of the war fleets of both nations. Requests for evacuation, however, were still forwarded by the ICRC delegate, who also insisted that persons asked for by the Nationalist side were not systematically excluded by the exchange service.

Proportionally, the number of persons evacuated by the direct action of the ICRC remains small as compared with the number
evacuated through the governments or by various associations; the ICRC concentrated chiefly on cases where simultaneous approaches to both parties were required, something which at the beginning of the conflict only the Committee was able to do. It thus encouraged the activities of bodies which, though lacking the contacts possessed by the ICRC delegates, had greater material resources. The International Committee found that evacuation by columns of trucks had a stimulating effect: its report for 1938 stated that “the Swiss initiative gave rise to a kind of emulation among those concerned with the evacuation of Madrid and speeded up the tempo of departures”.

* * *

Children also had to be evacuated. Many of them were with their families or sent far away from the capital during the first weeks of the war, at the time when the fall of Madrid seemed imminent. The delegate in Barcelona, Dr. Barbey, reported to Geneva on 28 October that 10,000 children had arrived from Madrid, and asked for help.

The uprising had broken out in the middle of the summer, when many families were away from home and large numbers of children, especially those belonging to civil servants’ associations, trade unions and educational establishments, had been sent to holiday homes, which had been set up chiefly in the Basque provinces, Galicia and the Pyrenees, the parents often living in what became the opposing zone.

The first concern of the ICRC was to obtain lists of names of the children and send them to the parents. But most of the homes, equipped for a few weeks’ vacation only, quickly ran out of supplies and were unable to contemplate operating through the winter. With the help of municipal authorities, many children were lodged with families or in institutes where they were able to continue their studies. In collaboration with the Save the Children Fund International Union, the ICRC delegates visited them regularly, ensured supplies and news of their families and made sure that those who were caring for them had their expenses reimbursed.

Efforts were also made to return the children to their parents; but this was not always possible, and permission took a long time to obtain. The delegates hesitated, moreover, to speed the return of children to cities such as Bilbao and Madrid which were in the process of being evacuated. But the families’ view was the deciding factor.
The authorities meanwhile, especially in the Republican zone where supplies were running low, organized hospitalization abroad for orphans and children from poor families. Private bodies or National Red Cross Societies usually organized these evacuation operations. Other children found refuge in a convalescent home on the Basque coast run by a committee of Swedish ladies, the *Kvinnokommitten för Spaniens Barn* and placed, with regard to the authorities, under the protection of the ICRC. Private organizations such as Caritas, the social service for aid to migrants, and the Save the Children Fund International Union were engaged in placing these children with families or in specialized institutions. One group of children had been escorted to Mexico by their teachers, accompanied by administrative staff. Another group, 2,000 strong, was sent to the USSR by the government authorities and remained there, with a few exceptions, until after the Second World War.

* * *

Dr. Junod, as we saw, obtained the agreement of both parties to the creation of information agencies for civilian prisoners and prisoners of war. It had not been explicitly envisaged that the ICRC would in addition take responsibility for organizing a news service for divided families, but it rapidly became obvious that one was needed. Such a service was bound to produce a large quantity of information on captured or missing persons which could not be obtained in any other way, and, since communications between the two zones held by the adversaries had been broken from the start of the conflict, the ICRC was the ideal body to act as a relay for maintaining communication between persons separated by the war. From 31 July, in fact, the ICRC received the first letters from the Republican zone, forwarded by the French Red Cross. Then the general secretary of the Spanish Red Cross approached the ICRC on 5 September for news of persons residing in the Nationalist zone, pointing out that it was impossible to communicate with the provinces occupied by the adverse party. The ICRC decided therefore to supplement its information service with a news service and to centralize and forward family correspondence.

For this purpose the Committee set up, under the supervision of the delegations, local information offices in various places in each of the two zones. The role of these offices was:
A. To receive inquiries from families residing within their catchment area, with respect to:
   (1) hostages,
   (2) prisoners of war in the hands of the enemy,
   (3) members of their families domiciled in enemy territory,
   (4) members of their families who were refugees in other countries.
B. To receive requests from Geneva and make inquiries relating to these categories of persons.
C. To reply to the families who made inquiries.
D. To inform the Central Agency at the ICRC.
E. To forward correspondence, if necessary on a special form.

The instructions given to the local information bureaux were to make index cards recording the information they could gather on the spot. The “Family News Service” attached to the Spanish Service in Geneva had the task of establishing a central index of all information it received, answering requests for particulars sent from Spain or other countries, and forwarding the correspondence for which it was the intermediary.

Three information bureaux were set up by the ICRC delegates at the end of September in Madrid, Barcelona and Burgos and soon afterwards in Santander, Bilbao, San Sebastian and Palma de Mallorca. Each of these, staffed by Spaniards, received and sorted the correspondence, established an index and forwarded the letters to the Spanish Service of the ICRC, which sent them to the families when the postal services allowed. During the following months, the Family News Service expanded considerably, both in the bureaux operated by the delegations and in the central bureau created in Geneva. By this means, a large proportion of the population was informed about the ICRC’s activities and acquired the habit of turning to the International Committee, not only to forward correspondence but also to request searches.

By 31 December 1936, the Madrid delegation had received 21,800 requests, and was soon obliged to open separate offices for its various services. The delegation’s headquarters in Abascal Street housed the office for requests for news, which noted inquiries and forwarded them to Geneva. Before the offices opened, a line of 500 people was to be seen waiting outside, some of them having been there since 3 or 4 a.m. The average number of inquiries was 2,500 cards per day, which represented 3,500 to 4,000 persons inquiring. In Pilar Street, where the office for requests from the Nationalist zone
was located, 2,000 persons per day were interviewed. The evacuation service operated from a hotel in Oquendo Street. The three offices together employed about one hundred Spanish employees.

However, the letters received often contained remarks or information of a kind to cause them to be held back by the censorship authorities or to make trouble for the addressees. The News Service of the Spanish Service, therefore, began to rewrite the essential part of the message on special forms, limiting the text to information of a strictly family nature. As the number of letters increased, the ICRC, taking the idea from the message forms used at the end of the First World War, in particular for correspondence between civilians in the United States and in the Central Powers, adopted a standard form, with one part set aside for the letter making the inquiry and the other for the reply, each of the two messages being limited to 25 words.¹ These forms, widely distributed among the public, were sent, via Geneva, to the delegation in the zone of the addressee. The authorities in the two opposing zones gave their approval to this system and allowed the family messages to be sent post-free.

The family message form was not only used for correspondence between civilians: the addressee, in fact, was often a prisoner or a detainee, and was able in this way to give some news of himself or herself.²

This system of correspondence was the more useful since the ICRC received only incomplete lists of prisoners and detainees, in spite of the agreements made on both sides for the establishment of information agencies. The index established by the Committee thus remained incomplete. The delegates in the field played an important role: they were authorized to distribute family message forms during their visits to camps and prisons, and in this way the prisoners could give information to the ICRC and write to their relatives. The delegates also collected data by making inquiries about persons they could not contact at their homes and by compiling information on the hostages named in the exchange lists. These particulars, added to those gleaned by the ICRC from the sifting of family messages, enabled the Committee to constitute indexes on the military and civilian population.

The News Service was therefore an essential element of the ICRC’s activities in Spain. It made communication between the separate zones possible. In addition, when a person under threat—whether a

¹ This was the origin of the “civilian message” which rendered great service during World War II.
² By 31 December 1938, more than 90,000 family message forms referring to prisoners of war and political prisoners had passed through Geneva.
prisoner of war, a detainee, a hostage or a civilian—had been identified, or even if inquiries were made of the authorities with regard to that person, in other words, once that person ceased to be anonymous, then there was a better chance of escaping arbitrary judgments. In this sense, the activities of the News Service were not solely a news-gathering operation but also a protective activity. As Dr. Martí noted: "Our News Service alone would have been sufficient to justify our presence in Spain."

As will be seen, the activities of the News Service and the tracing service were continued after the end of hostilities, and in fact expanded to the maximum when hundreds of thousands of refugees found asylum in the south of France.¹ Nor were these activities completed when the Second World War broke out—they then acted as the basis for the revival of the Central Prisoner-of-War Agency.

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In danger from the fighting, the purges, arrests and reprisals, the civilian population was exposed in addition to aerial and artillery bombardment. From the beginning of the war, the ICRC received protests from both sides against the bombing of medical convoys, hospitals and cities. General Cabanellas protested on 27 and 31 August 1936 against the bombing by Republican planes of a medical train and a hospital in Burgos, and his protests were forwarded by the ICRC on 4 September to Dr. Aurelio Romeo, President of the Spanish Red Cross in Madrid. More protests came from the Red Cross in Burgos, on 19 September, against the bombing of a hospital in Oviedo and on the 22nd against an attack on a hospice in Huesca. In turn, the Red Cross in Madrid protested against attacks by Nationalist aircraft reinforced by German and Italian squadrons. The bombing of Bilbao on 25 September 1936 has already been mentioned; in November, it was the turn of Madrid. The Nationalist troops, after having halted their advance in order to liberate Toledo, began their siege of the capital. The capture of Madrid had been expected to be swift, but the resistance had become organized. The International Brigades were brought in to the city, supported by tanks, and broke the Nationalist assault after the savage fighting in the University City. Bombing then began on 16 November. The members of the Diplomatic and Consular Corps met on the 18th and noted the

¹ See pp. 366-368.
gravity of the situation. One of them wrote that the capital was "the target for aerial and ground bombardment devastating the city and the population". They asked their governments to appeal to the League of Nations or international bodies to lessen the ordeal of the civilian population.

In its 335th Circular, dated 31 March 1937, the ICRC published details of the protests it was receiving from both parties to the conflict, referring to violations of humanitarian law, chiefly in connection with the bombing of hospitals, a hospital train and open cities, the imprisonment or retention of medical staff, and the putting to death of medical staff and prisoners of war. The Committee pointed out that having initially followed its traditional policy of forwarding the protest received to the National Society of the adverse party, it had had to give this up owing to the difficulties encountered, in order to safeguard both the authority of the National Societies and its own opportunities to carry out humanitarian work. It nevertheless reserved the right to return to the former system, and in fact did so when informed that bombing raids were hitting establishments marked with the red cross sign or previously notified to the adversary.

As the war intensified, the results of air raids became increasingly severe. The Nationalist offensive in Viscaya, begun on 31 March, was accompanied by great aerial activity. "The planes come over Bilbao all the time, and there are 10 to 15 alerts every day" wrote the delegate Georges Graz, noting that the raids were mainly directed against strategic targets such as factories, barracks and roads but that dwellings and hospitals were also hit. Attacks on other places brought total destruction. Graz reported: "I have visited Durango, utterly destroyed by air raids, I saw Guernica when it was still burning and the houses were falling down one by one." Later accounts indicated that Heinkel 111 and Junker 52 bombers had attacked the Basque town with incendiary bombs and machine-gun fire one Sunday afternoon, a market-day, killing many people.1 World opinion was particularly aroused by this act, one of the most deadly for the time in a single raid. The name Guernica became the symbol for the sufferings of civilians caught up in the ever-increasing violence of warfare; it was also a warning of what aerial warfare would become unless its effects were limited by international conventions.

The President of the Euzkadi Government, José Aguirre, sent a protest to the ICRC delegate on 29 April 1938 against the air raids on the Basque towns and villages and asked him to help in evacuating

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1 The figures given by Hugh Thomas are 1654 dead and 889 wounded.
and supporting 300,000 women and children who had found refuge in Bilbao. The British and French navies were taking out evacuees at that time and the delegate tried to get permits for those who wished to leave. At the end of April, Georges Graz reported that although the alerts never stopped, the targets were only the front and the roads. "Not a single bomb has fallen on Bilbao for a very long time." On the other hand, gun emplacements on Monte Jata and Monte Sollube were shelling the areas of El Desierto, Sestao and Baracaldo, isolating the port from the rest of the city. Then in June the air raids redoubled:

"On Sunday 13 June we were wakened at 5 in the morning by firing from the bombers. Not having been able to do much work the day before because of the constant alerts, I went into Bilbao to the office. Halfway between Las Arenas and Bilbao, three mortar bombs burst on the road about twenty metres ahead of the car. Not feeling very confident, I drove on and arrived at the delegation. In spite of the danger of staying in the street, owing to the perpetual air raids on the city, many people came again to ask for or send news, and it was a help to them to find that, although the shops were closed out of fear of the bombing, the Red Cross offices remained open.

"The day was nothing but a series of alarms with a break now and again of five or ten minutes. The firing was intense on the hill nearby and the bullets and shells came whistling through the streets."{1}

The delegate was forced to close the offices in the evening of 15 June, as the militia were evacuating the district and setting up defences. The city fell on 20 June after four days of street fighting. According to the Republican Ministry of Defence, the bombing of Bilbao killed 253 and wounded 146.

The International Committee was at this time trying to discover a way to limit or moderate the methods of combat. Here it had not the same opportunities as in relation to the Geneva Conventions. The problems of humanizing war were already the subject of legal studies, it was true, but the outcome would be too far in the future to apply to the Spanish conflict. Protests, the Committee felt, could be based only on the results of inquiries, and it had been found that even these were contested. In a reply to Dr. Aurelio Romeo, President of the Spanish Red Cross in Madrid, who had asked it to mediate, the ICRC explained its position: while doing its utmost to humanize war and protect civilians against bombardment, the Committee was obliged to see its primordial task as being to give direct

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{1} Report by Georges Graz.
help to the victims of war and to subordinate other activities to this purpose.

This was not a refusal to deal with the matter, it was concern not to take sides publicly. Nevertheless, the ICRC attempted to exploit those means of parrying the effects of air raids which seemed to be within its competence and could prove immediately useful.

Leaving aside military methods such as anti-aircraft defences, pursuit and dissuasion, protective measures at that time could be classified into five groups. One was limitation: treaties between States would prohibit or limit the air power used in bombardment. Another was regulation: bombing would be limited to military purposes and targets. Then there was material protection by extending passive defences; moral persuasion, appealing to the belligerents’ humanitarian feelings; and evacuation to specially designated safety zones.

A ban on bomber aircraft was regarded as utopian: it had indeed been proposed by the ICRC and several National Societies, but never accepted. Conventions on the subject were still in the study stage, and the ICRC drew up a report for the Sixteenth International Conference, due to be held in London in June 1938; but from results at previous Conferences it was to be feared that the question would remain at the project stage for a long time to come. Engaged as they had been for some years in piling up armaments, the States of Europe were unlikely to agree to limit the methods of combat at their disposal. On the contrary, they were preparing to try them out.

The Documentation Centre for countering airborne chemical warfare was set up, as we saw, by the ICRC following a decision of the 1928 International Conference. Each month, the Revue internationale published a special series of articles on civil defence against chemical warfare which, by natural extension, also covered protection against air attacks. Professor Louis Démolis, in charge of the series, devoted more than ten years’ work to the problem. In addition to the technical documentation he provided on means of protection and the information he gave on methods of passive defence, the practice of which was beginning to spread, he warned of the danger which future wars would hold for any population poorly protected and poorly instructed—in this field he was a pioneer. Commenting on the book “Total War” by General Ludendorff, former chief of the German General Staff, where he stated that “the bombing of industrial centres and the population of the enemy country will be one of the tasks of the air force”, Louis Démolis gave an imaginary description of the effect of the growing power of assault methods on the civilian population in a future war:
“What must be conjectured, above all, as a result of this power, is that if a sudden attack strikes panic into the opposing party, there will be an unprecedented exodus of the population, straggling in an endless column along the roads, the afflicted, hapless and innocent victims of political and economic events beyond their comprehension and which some quarters hold to be justified by some unavoidable necessity. There will be the inhabitants of cities fleeing from fire or massacre, forced to leave their homes because of the devastating invasion of motorised troops; civilians will be caught between two shifting tides of warring armies, swirling among and around the military units on the roads, in the woods and the fields, trying to find somewhere safer.

“There will be flight in terror of worse to come, a pitiful flood of people, calling to mind both the darkest memories of all the battles of all time and some of the harrowing scenes of the grimmest moments in the world war.

“And now these apparently hypothetical situations, gleaned from publications devoted to total war, are being proved by the facts, by the grievous situation of the unhappy Spanish people caught up in military operations. For it always seems to be the same problems which arise when people become alarmed. Some of the particulars of this fearful conflict, the mere description of which fills us with horror and terror, may be interpreted as a forecast of a tragic future, as the smaller image of events which may occur elsewhere with greater and more destructive force.”

To supplement its information concerning the effect of air attacks and the means of protection, the ICRC asked its delegates, in June 1937, to collect documentation on air raids. What the ICRC had in mind was not to give this search for facts the character of an inquiry, nor to give the impression that it was gathering the information for the purpose of protest or even publication—the controversy aroused over the matter of toxic gases in Ethiopia made it very cautious on the subject. The documentation was much more something needed by the Committee in order to study, on a factual basis, the problem of protecting civilian populations, in application of the resolutions of International Conferences. As the ICRC wrote to its delegates, “Needless to say, your first duty remains direct relief to the victims of the civil war, and nothing must distract you from it”.

Meanwhile public opinion, governments and the League of Nations were becoming more and more alarmed by the disasters

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resulting from the air raids. The Nationalists intensified their air attacks on Valencia and Barcelona. The Republican Minister of Defence, Mr. Prieto, announced on 28 January 1938 that the Republican forces would refrain from bombing open cities if there were a guarantee of a reciprocal arrangement. The President of the French Council, Camille Chautemps, made a statement to the press on 1 February in which he said:

"The Government in Barcelona, pointing out that it takes action only by way of reprisal, has stated its willingness to refrain from these bombing raids if Salamanca shows its readiness to do the same.

"The French Government considers it an imperative duty to do everything to reach agreement rapidly to put an end to these atrocities.

"With Mr. Yves Delbos, I have begun talks to secure the help of other powers in this attempt.

"We appeal urgently to the humanitarian feelings of the nations and their governments, and we do not doubt that they will join us and support us."

The International Committee then decided to take up once more the idea of an appeal to the belligerents. "The ICRC", wrote Edmond Boissier, "should precede the governments, not follow them." The appeal was sent on 15 February 1938, in identical terms, to General Franco in Salamanca and to the Minister of Foreign Affairs, José Giral, in Barcelona. After recalling that "the various delegations of the ICRC attached to the parties in conflict have repeatedly drawn the Committee's attention to the air bombardments and the terrible ravages they cause among innocent people, particularly women and children", and mentioning the efforts made by governments, the Committee stated its willingness to help them to succeed, insofar as it was able:

"In fact, the ICRC must always bear in mind that the protection of civilians represents one of its most vital duties. Therefore, taking its stand on the freedom it possesses under its statutes to take any humanitarian action forming part of its traditional role, it considers itself in duty bound to appeal urgently to the parties to the conflict. The ICRC begs them to do all in their power to eliminate—as it has always asked—all bombardment involving the civilian population behind the lines and all air raids on places not constituting strictly military objectives. The tragic consequences of the war in the air would consequently be greatly reduced.

"The ICRC urgently requests the parties to examine the possibility of making a reciprocal undertaking to this effect."
relieving as far as possible the sufferings caused inevitably by the hostilities, it has an additional duty to direct all its energies towards eliminating some of the causes of such suffering.’’

The Committee ended by appealing to the belligerents’ feelings of humanity and generosity. In the absence of conventions or prior agreements, it sought to stress considerations of a moral nature and its right to take humanitarian initiative.

This move was immediately notified by the ICRC to the British Foreign Secretary, Anthony Eden, the Swiss Federal Council and the French and Belgian Red Cross Societies, and the text of the appeal was published in Circular 348.

Minister José Giral’s reply reached the Committee on 26 March. He emphasized that, “by an involuntary irony”, the Committee’s letter had coincided with the constant attacks which Barcelona had been suffering for three days and which had caused the deaths of a large number of women and children. Though approving the ICRC’s humanitarian intentions, he objected to the expression it had employed, “the two parties to the conflict”, which, he said, put on the same level those responsible for the bombing and those subjected to it. He recalled the statements by the Ministry of Defence in the first three months of 1937, according to which the Republican Governments was refraining from bombing behind the lines except in retaliation for raids by German and Italian aircraft. In conclusion, he assured the ICRC that its action was accepted and followed by the Republican Government.

The three days of intensive bombing to which the Minister of State alluded took place on 16, 17 and 18 March 1938. The effects were described by Philippe Hahn, one of the ICRC delegates, who returned to Barcelona on 16 March:

“On the 17th we had several air raids, the most disastrous being the one on the France station. Just when a long line of passengers was waiting at the station entrance to buy tickets a bomb dropped on the steps and many people fell dead or wounded. Soon afterwards another explosion near the delegation—a bomb had fallen on a burned-out church, felling part of the tower and ripping away the chiming clock which had survived the Revolution. Wounded persons at once began to appear at the Red Cross dispensary—many head injuries caused by flying masonry. Every three hours the bombing starts again with mathematical regularity and everyone lives in apprehension of what may happen.”

The 18th, wrote Hahn, was the most deadly. A bomb fell on a block of houses which crashed into the street:
“Trams, trucks and cars were hurled far away and set on fire, huge blocks of masonry barred the whole width of the street, the houses, although tall, were nothing but a heap of ruins and a tangle of steel girders; the ground was littered with dead and wounded. It was just at the nicest time of day, at a time when the spring sun was shining. Immediately the Red Cross stretcher-bearers appeared wearing helmets, and any vehicle at all was made to help transport the wounded to various places. Hundreds of dead were collected and taken to the clinical hospital, many of them unrecognizable. The badly injured were brought to the Red Cross dispensary.”

The ICRC was not the only body to gather documentation on the effects of bombing. The air raids were the first on large cities, and several European countries were interested both in the destruction caused by the attacks and in the methods of protection. Count Ciano, Minister of Foreign Affairs in the Italian Government, had written in his diary on 8 February 1938:

“I received and gave to the Duce a report from an eye-witness on the recent bombing of Barcelona. I have never read a document of such terrifying realism. Yet there were only nine S-79 planes and the raid lasted only one and a half minutes. Buildings were reduced to rubble, traffic halted, panic bordering on madness: 500 dead, 1,500 injured. It is a fine lesson for the future. No use to think of anti-aircraft defences and the construction of shelters: the only way to be safe against air attack is to evacuate the cities.”

On this point, Philippe Hahn came to different conclusions. He noted that cellars were inadequate, even dangerous, shelters, since the houses might fall and bury them and they had no emergency exits. On the other hand, the specially built refuges and the underground railway stations provided effective shelter; but they were too far apart, so that the inhabitants had not time to get to them, especially when the raids came from the sea and no warning could be given by a system of forward listening posts. Having made these observations, he deduced a reasoned programme for civil defence:

“From our own experience we have drawn the conclusion that it is possible to protect oneself against bombing provided all safety measures have been taken in advance and the population has been instructed in how to behave. In particular it is desirable to carry out some air-raid exercises. It is when the raids are unexpected that the results are most grievous. So every effort should be made to detect

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1 Count Galeazzo Ciano, “Political Journal” (original Italian).
enemy aircraft and warn of their approach. No expense should be spared to purchase the most highly developed equipment for this purpose; it is necessary to be able to install on any threatened frontiers detection and warning posts trained to react swiftly. Many more such posts should be located within the country, to supply both the army and the centres of population with information on the movements of enemy aircraft. Factories working for the army would do well to provide their own system of protection; the public services should seek shelter in underground refuges in wartime (this has been done in Spain), likewise the medical services. The establishments of stocks of food underground also appears to us to be of great importance.

"Above all, people must know that protection against air raids is possible."

The Burgos Government too was surprised by this simultaneous appeal to both parties. In his reply dated 18 June, the Under-Secretary of State for Foreign Affairs wrote:

"Although the International Committee did not consider itself obliged to take action on the subject of bombing with no military targets, notified by the Spanish Red Cross as having occurred in Burgos and Cantalejo, your Committee now takes the step of referring to bombing carried out by the Nationalist forces on Barcelona and directed solely to military targets, of which there were up to 180 in the city."

After recalling that the National Government, filled with humanitarian feelings, had suggested that the civilian population in the northern cities should evacuate the danger areas and had respected a neutral zone in Madrid, he stated that a depot of war material had been hit in the heart of Barcelona, and concluded:

"The National Government will continue to share, as far as it can, your humanitarian feelings and absolute respect for the civilian population, with the requirements imposed by war and which cannot be set aside for any consideration whatever, the more so since the character of the cities described as being behind the lines would appear to have been perverted."

The National Government again protested, on 2 July, against the bombing of the hospital at Leganes. The text of the protest, which referred to a hospital the position of which had been indicated by the ICRC, was forwarded to Dr. Aurelio Romeo.

During this time the British Government was making efforts to create a commission of neutral States which, in association with the Committee for Non-Intervention, would carry out inquiries on the spot into the alleged bombing of open cities. In the summer of 1938
this Government set up a Commission composed of well-known British figures, who went to Alicante in the Republican zone on 20 August to inspect the sites of various air raids. The Commission found that military targets—ports, railway lines, military installations—had been hit in the raids and drew attention to five cases where they had not been able to discover the existence of such targets. Commenting on these latter cases, an officer of the Nationalist air command told the ICRC delegate in Burgos that these five raids had been directed at temporary military targets removed by the Republicans after the raids, one of them being an anti-aircraft battery located at a crossroads. In its final report, the ICRC stated: "This controversy illustrates the difficulties in the way of any similar inquiry procedure."

Protests and information on the bombing of cities continued to be received by the ICRC from both parties. But it seemed highly unlikely, during the last few months of 1938, that any bilateral agreement could be achieved. On 1 December 1938, the day before launching the offensive against Catalonia, the National Government had broadcast a warning intended for the population of the Republican zone and giving a list of about 150 places in Catalonia, on the southern coast of Levante and in central Spain which would shortly be bombed and advising civilians to move away sufficiently far from military objectives in the different places. The Republican Government stated that this communication had no humanitarian purpose, but was intended to mislead it concerning the direction of the forthcoming offensive.

The ICRC notified the Nationalist command, in January 1939, of the location of a sanatorium at Puig d'Ornena, which was respected. But neither the ICRC's efforts nor the attempts made by governments succeeded in achieving an official agreement to protect civilians against air attack.

The last available resort was the creation of neutral zones where bombing was prohibited and where some of the civilian population could take shelter during times of greatest danger. The Diplomatic Corps' request, on 18 November 1936, to their governments to ask the League of Nations or international bodies to intervene in order to mitigate the civilians' distress had been forwarded by the Swiss Federal Council to the ICRC, with an assurance of support should the Committee try to create neutral zones. The Committee notified its delegate in Madrid, on 19 November, of its project to send telegrams to the two parties requesting the creation of a neutral zone. On the same day it wrote to General Franco asking him to confirm
the press report that the Nationalist High Command would be willing to respect an area in the north-east of Madrid where the non-combatant civilian population could be assembled and, if the report was not accurate, to envisage such a measure, the ICRC being prepared to assume the supervision of the zone with the assistance of neutral countries. At the same time the ICRC presented to General Miaja and President Largo Caballero the proposal that they should agree to the establishment of this zone.

Caballero replied on 20 November:

"In reply yesterday’s telegram by which you informed me you had wired General Miaja on possibility of assembling non-combatant population specific sector Madrid, I inform you that whole of civilian population Republican capital is non-combatant and that combatant army is solely on battle front and that from humanitarian viewpoint the entire population should be considered as non-combatant. Proposal to assemble in specific location part of inhabitants not involved in fighting is consequently unacceptable for reason stated."

The Diplomatic Cabinet of Salamanca, in its answer dated 23 November, stated: "Following telegram of 19th inst., I inform you that neutral zone reserved for non-combatant population comprises, in accordance with instructions 17th inst., the area contained between Calle Zurbano and the new ministries to the west, Paseo de Ronda to the north, the part of Calle Velasquez between Goya and Ronda to the east, and Goya and Genova streets to the south."

After a further approach to the Valencia Government, the ICRC received confirmation of that Government’s initial declaration according to which those living in other parts of Madrid were also non-combatants:

"Most of them are women, children and men carrying out functions completely unconnected with the war. There is therefore no justification for considering as a war zone the parts of Madrid other than the Salamanca district. I point this out publicly in my capacity as Minister of War and head of the legitimate Government of the Republic. With friendly greetings, LARGO CABALLERO."

Informed of this message, the Nationalist Government nevertheless held to its decision to respect the Salamanca district. Here there was no mutual agreement but a unilateral decision.

In November 1937 the ICRC invoked the measure adopted a year earlier for Madrid to request the Salamanca Government to envisage a similar arrangement for Barcelona and for Valencia, possibly with designation of the districts to be made neutral. But this time the
Nationalist Government refused, giving as its reasons the poor result of the Madrid initiative and the fact that Republican forces had not respected some of the areas but had installed munitions depots there.

The final communication received by the Committee was from the municipal authorities of Madrid reporting the bombing raid of 2 February 1939.

The war was meantime drawing to a close. During the night of 4/5 March 1939, at the instigation of Colonel Casado, a military junta seized power in Madrid, deposed President Negrin and formed a Council of National Defence. For several days Madrid was the scene of fighting between the Communist forces, determined to resist to the last, and the military junta, “civil war within the civil war”. The capital, worn out by thirty months of siege, all its resources gone, its supplies cut off, no longer had any hope of help. After a last series of negotiations with the Nationalist command, the junta ordered the surrender of Madrid on 27 March 1939. On 31 March all the coastal cities were occupied by Franco’s forces. After 33 months of intense fighting, the war in Spain was over.

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It was not over for everybody. From the start of the campaign in Catalonia, tens of thousands of people had fled to France, and the exodus continued till the end of the war. Civilians, members of the militia and the International Brigades, freed prisoners, all trudged along side by side on their weary trek, avoiding the principal roads choked with military traffic, sleeping at night wherever they happened to be, taking with them, on handcarts or stretchers, 12,000 wounded, leaving comrades dead along the way, crossing the snow-filled passes to reach at last the frontier posts of France. In the first few months of 1939, more than half a million migrants sought refuge in France.

The flood of refugees exceeded all estimates and the material resources available at first proved inadequate. Neither those who supported the Republicans nor those on the adverse side had expected such rapid developments in the military situation; and even those who had had reasons to foresee the position were not eager to be accused of defeatism by preparing places of refuge before the outcome of the battle justified such a precaution.

Within French territory, the responsibility for helping the refugees fell on the authorities—governmental, prefectorial and military—and on the French Red Cross. At the latter’s request, the League and
the ICRC issued a joint appeal to National Societies to contribute relief:

“Massive influx Spanish refugees France creates heavy and constantly growing responsibility for French Red Cross. Co-operation sister Societies by gifts in cash would greatly facilitate its task. Additionally, Intercross relief action Spain increasingly necessary owing precarious situation civilian population certain areas. Please send directly to French Red Cross gifts intended assist refugees in France and to Intercross or Licross gifts for relief distributions in Spain by Intercross delegates.”

When huge numbers flooded in during February and March 1939, the refugees were first parked in the great camp at Argeles, set up in the sand dunes by the sea and surrounded by barbed wire. It held up to 500,000 persons, civilians and soldiers mingled together, sheltered by improvised tents made of branches and blankets. With their hopes gone, they were in a state of great moral and physical distress. And even in the middle of such misfortunes, disputes were not forgotten, and accusations, the settlement of old scores and internal quarrels all added their burden to the already intolerable weight of woes.

The ICRC delegates on the spot also had to improvise their assistance. They were too few and had too little resources to have any hope of providing an overall solution, but by involving themselves they could come to know the depths of distress of fugitive populations.

The Barcelona delegate, Philippe Hahn, went to Figueras, where the files of refugees congregated before heading for the Perthus pass. The local Red Cross workers there, harassed by bombing raids, toiled unceasingly. Using a truck belonging to Ayuda Suiza, the delegate brought medicines to Figueras between air raids, then evacuated the migrants to Le Boulou, where he found his colleagues:

“On 5 February, arrival of Junod and Marti. We drove up to Perthus and the frontier, where we witnessed the most pitiable migration imaginable. The flood of pitiful people, barrows, carts, riders on mules, people in cars and trucks pours unendingly in fearful disorder. Some Spanish commanders, responsible till the end for guarding the frontier, were on the verge of tears. More and more French are coming to give a warm welcome to the unfortunates. Frontier patrols and soldiers compete in their efforts to keep good order. We are still hoping to have precise news of our detainees, but it is impossible to get in touch with the authorities. The front has moved nearer and we are advised not to venture further into the country.”

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Little by little, camps were organized. The supporters of Franco and those who put their names down to return to Spain were placed in special camps from which, by a lengthy procedure and after due inquiries, they were concentrated in the temporary camp at Barcarès and sent on to Figueras. The other refugees were separated, the military numbering 300,000 in ten camps, and the civilians, totalling 230,000, in eight hundred different places. The French Red Cross had received and treated eight thousand wounded in Port-Vendres, where it had two hospital ships. For the children who had been orphaned, abandoned or lost during successive migrations, 92 reception centres or holiday homes were created in France or neighbouring countries.

After a visit to the camps in the eastern Pyrenees from 11 to 13 February 1939, Dr. Georges Patry wrote: "I have been able to realize the extent of the work done by the authorities and the French Red Cross to deal with a situation without precedent. Fifty thousand troops were expected, two hundred thousand arrived. Preparation had been made for a much smaller number of refugees than actually came. Once the first surprise was over, France proved its ability to cope with all it had to do. I saw virtually no women or children, who had been sent on into the interior of France and placed in areas away from the frontier. The problem of twelve thousand wounded has been largely resolved thanks to the hospital ships at Port-Vendres. The conditions of hygiene in the camps of militia are still a great difficulty. But we are in no doubt that France will find all the help required to overcome it."

The movements of population caused by the end of the war led to the ICRC delegations in Spain receiving many requests for news of missing persons. The ICRC therefore created a tracing service at Perpignan, directed by the delegate Pierre Jecquier, to establish a card-index of refugees, in collaboration with the French authorities. In Geneva, the News and Tracing Service set up during the civil war moved into the Maison des Congrès, lent by the State of Geneva. Concentrating mainly on persons who had taken refuge in France, it had, at the height of its activities, 67 employees whose work was to compile a card-index of military refugees based on information collected in the camps, to collate the information obtained on civilian refugees and to maintain the correspondence between internees and their families in France or Spain. The director of the newspaper L'Indépendant in Perpignan had spontaneously organized a news service by publishing lists of missing persons and sending a thousand copies each day to the prefectures and the camps. The ICRC, in its turn,
made a census of the military refugees by distributing in each camp identity index-cards intended for the card-index of the News and Tracing Service. The same service was also able to collect information concerning the civilians by noting data contained in the correspondence forms which passed through Geneva. In this way the News and Tracing Service made a card-index containing 120,000 names of military refugees (63% of the total of military), 35,000 names of civilians (16% of the total of civilians) and 2,750 names of children living in homes.

The Service continued, moreover, to forward correspondence forms between the families and the refugees. By 15 May 1939 it had sent on 5,025,843 messages, consisting of 3,117,914 requests for news and 1,907,929 replies.

In addition, it was responsible for replying to requests for relief, transfers from one camp or place of residence to another, evacuation from Spain to join relatives in France, and for documents such as birth certificates, etc. It carried on its work until 31 October 1939, after which its main activities were taken over by the Iberian Section of the Central Prisoner-of-War Agency.

Repatriation or reclassification of the refugees proceeded at a slow pace. Many of them were prevented by political, economic or financial obstacles from finding a solution to their problems and they waited endlessly while Europe made ready for other contests. By the end of May 1939 there were still four hundred thousand refugees in France, and when war broke out one hundred and forty-five thousand remained. Many joined the French army or were enrolled compulsorily in labour detachments. As we will see, the majority of those captured by the German forces during the campaign in France in May and June 1940, and the refugees still in the camps when the free zone was occupied in November 1943 were held for some time in Stalags and then sent to concentration camps, chiefly Mauthausen, or put to work with the "Todt" organization.

The delegation in Spain was maintained beyond the end of the conflict: it stayed open until 15 September 1939, by which time the Second World War had broken out.

3. The Sino-Japanese War

While the embers of war were being rekindled in Europe, the Sino-Japanese conflict was taking on a new dimension. In the night of 7/8 July 1937, a grave incident occurred between soldiers of the
29th Chinese army stationed near the Marco Polo bridge at Liukouchiao, 15 kilometres southwest of Peking, and Japanese troops on manoeuvres in the region. The Japanese command, alleging that its forces had been attacked, gave orders for Liukouchiao to be bombed on 8 July and demanded guarantees to keep a truce. The negotiations failed, and on 26 July a general state of war was resumed. On 29 July General Chiang Kai-Shek issued an order for mobilization of the Chinese people. One by one Peking and Tientsin, which were bombed, and the city of Kalgan near the Great Wall fell into Japanese hands.

A telegram from the Japanese Red Cross was received on 3 August by the ICRC: it protested against the execution by Chinese soldiers of Japanese residents in Tong-Chu, headquarters of the newly constituted Autonomous Government of Peking. On 6 August the League Secretary-General informed the Committee of the tenor of a telegram from the Chinese Red Cross:

"Conditions northern China terrible numerous wounded and refugees awaiting help no first aid stop equipment here please appeal National Societies America, Britain, France, Siam, Germany, Italy for medical supplies and also communicate Intercross."

The situation in China had greatly changed since the brief mission carried out by Sidney Brown in Shanghai in March 1932. The new State of Manchukuo, of which the heir to the Manchu dynasty, Pou Yi, had been crowned emperor on 1 March 1934, had become for Japan an area of economic development and a military base. In 1933 the Japanese occupied the Chinese province of Jehol, and in 1935 Chahar and Hopei, governed by an "Autonomous Council", were in their turn drawn into the orbit of the Rising Sun.

Within China, major events had marked the period. The Communist forces, which had been hunted during 1931 and 1932, had regrouped in the province of Kiangsi where, under the leadership of Mao-Tse-Tung, they had founded the Soviet Republic of Kiangsi. Attacked by the army and air force of the Kuomintang, threatened by the blockade and the campaigns of annihilation, they had set out on what became known as the Long March, a journey of 10,000 lis (about 3,350 miles) through 12 provinces, under constant harassment, fighting as they went, to reach the northwest province of Kansu, bordering Outer Mongolia. Of the 120,000 persons, soldiers and civilians, who began the march, only 20,000 were left by the end of this harsh expedition. The Government of the Chinese Soviet Republic, established meanwhile at Pao-An, then at Yenan, continued its battle against the armies of the Kuomintang, and subsequently against the Japanese forces, now on its borders.
The Communist Government then sought to unite resistance to the Japanese by agreeing to be associated with a government of national unity. The Nanking Government nevertheless pursued its campaigns against the Communist stronghold. Only after the Sian incident on 12 December 1936, when General Chiang Kai-Shek was captured by two dissident generals, did he accept the principle of a union against the invader. While committing themselves to co-operation, the two parties do not appear to have abandoned their political aims, but faced with the external danger they agreed to give priority to freeing the national territory. The Red Army, without giving up its autonomy, became the 8th Army of the Road (Paluchun), while the Chinese Soviet Republic formed the Government of the Special Region of the Republic of China. Once the internal political conflict had been temporarily suspended, the ICRC found itself dealing with an international war, though it had not been declared.

The telegrams from the two Red Cross Societies having been received, the ICRC made a concerted plan of action with the League of Red Cross Societies, which at once forwarded the Chinese request for assistance to the National Societies mentioned and contacted its delegate, Lewis E. Gielgud who was on mission in China and just about to leave Shanghai. He told the League that, on the initiative of the Chinese Red Cross, a Relief Committee for Northern China had been set up; he listed the main medical needs and added that, as war was imminent, the National Society was anxious for the ICRC to send a delegate to Shanghai.

The International Committee, informed of this request on 13 August, decided to approach China and Japan simultaneously, to maintain the principle of aid to both sides. To the Japanese Red Cross the ICRC sent a telegram on 14 August stating:

“In view of present situation and Chincross having requested appeal to National Societies we are at your service in conformity with decisions International Conferences if you also consider necessary appeal to National Societies.” To the Chinese Red Cross it wired as follows:

“Acknowledge your appeal communicated by Licross Mr. de Gielgud will travel to Shanghai while awaiting decision possible establishment of delegation.”

Replying on 17 August, the Japanese Red Cross declined the Committee’s offer of help:

“Japanese Red Cross sincerely thanks International Committee kind offer by telegram 9823 and informs its relief preparations sufficient for any eventuality current situation.”
On 20 August, the Committee decided to send a delegate to Shanghai and to create a Sino-Japanese Commission, on the lines of the Commission for Spanish Affairs, with the minister Frédéric Barbey as chairman. Colonel Charles de Watteville, former League of Nations representative in the Middle East, was appointed as the ICRC delegate and left Geneva on 3 September, arriving in Shanghai on the 22nd. At the same time, in order to ensure the "neutrality and equilibrium of its activities", the Committee once again appointed Dr. Paravicini, living in Tokyo, as its representative with the Japanese Red Cross.

The ICRC intended its delegate in Shanghai to carry out a mission chiefly of inquiry and information: to find out the medical needs, to assist the National Red Cross Society, to study methods of distribution and examine ways to ensure respect for the Geneva Conventions relating to the protection of hospitals, medical transport, wounded and prisoners of war.¹

The ICRC's mission was maintained for twenty months, from September 1937 to May 1939. When Colonel de Watteville left at the end of his mandate, in November 1937, the Committee called on Dr. Louis Calame, a Swiss doctor resident in Shanghai, who represented the ICRC until the delegation was closed.

The assistance needed might be compared in amplitude with that required in Europe and in Asian Russia immediately after the First World War. But while the needs might be comparable, the resources certainly were not. In 1919, a small number of governments, first among them that of the United States, had been able to throw into post-war activities the energies they had gathered in expectation of a long struggle—credits, personnel, supplies. The ICRC, at the peak of its wartime growth, and soon supported by the League of Red Cross Societies, had been able to give help where required. At that time, moreover, the League of Nations, spurred on by its peace ideal, had taken the lead in the major aid campaigns: repatriation of prisoners of war, assistance in the famine in Russia, aid to refugees. By 1937, the ideas of international co-operation had vanished: the States were too alarmed by the development of military alliances to plunge into large-scale assistance operations in the Far East, while the National Societies, which had already contributed heavily, during the wars in Ethiopia and Spain, were now chiefly engaged, during the current crisis, in social assistance in their own countries.

¹ The plan to appoint Mr. de Gielgud as temporary observer in Shanghai came to nothing, as it had not been possible to inform him in time.

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On his arrival in Shanghai, Colonel de Watteville found the city filled with refugees from the north or from the areas of Greater Shanghai, numbering about 250,000 at the time and quartered in the international concession and the French concession, which had offered them shelter. They were receiving aid from Chinese and foreign institutions. A special body had been set up under the patronage of the Chinese Red Cross, the “Shanghai International Red Cross Committee on Refugee Problems”, totally distinct, despite its title, from the International Committee of the Red Cross.¹

Shanghai was in great danger: the Japanese forces, advancing in a pincer movement on the city from the north-east and the south-west, occupied the north bank of the Whampao and were trying to press eastwards. The Pootung districts south of the river were within range of their artillery fire and the Chinese city to the south of the foreign concessions was threatened.

Encircled by the fighting, the foreign concessions were hit at various times by shells or bombs and showered with shrapnel from the anti-aircraft shells, but they provided a relatively safe refuge for the 250,000 fugitives.

“Here in Shanghai”, wrote Charles de Watteville in October 1937, “the situation is truly extraordinary. Less than a mile from my hotel bombs and shells are raining down and there is nothing but ruins, while under my window the torrent of traffic of a city of 3 million very noisy inhabitants pours through the streets, and I can watch people playing golf and football. At night the illuminated signs are supplemented by the anti-aircraft fire. A great contrast with Nanking where, although it is far from the front, the war makes its presence felt.”

The refugees in camps received assistance from official and private institutions: the Ministry of Health, the Chinese Red Cross, the foreign embassies and missions, the Salvation Army, the YMCA and the Quakers. Japan still had a representative, a consul-general, in Shanghai. There were many hospitals in the city, well equipped, but they were overwhelmed by refugees and injured victims of air raids or fighting and soon ran short of supplies and staff.

When the first reports had been received from its delegate, the ICRC issued a circular, No. 344, on 6 November 1937 informing the National Societies what were the most urgent requirements in

¹ The ICRC at first asked this body to change its title, which was likely to be confused with its own. Later, considering that a change of name might cause harm to the effectiveness of the Shanghai Committee, whose activities were at all times strictly humanitarian, the ICRC did not pursue the matter.
medical and surgical supplies and medical personnel. It described the measures taken by the Chinese Red Cross in the principal provinces to help the population and care for the wounded and the action by the League of Nations to combat the epidemics which war tended to spread.

The Japanese, meanwhile, were increasing their pressure on the city. The districts of Chapei and Tachang were again, as in the battle in 1932, the site of fierce fighting and fell to the Japanese at the end of October 1937. South of the foreign concessions the Japanese advance was threatening the district of Nantao, densely populated and also full of refugees.

It was than and there, in Nantao, that the neutral zone was created and called, after the man who proposed it, the Jacquinot zone. A member of the “Shanghai International Red Cross Committee on Refugee Problems”, Father Jacquinot de Besange took the initiative of establishing a demilitarized zone which would be evacuated by the Chinese forces and respected by the Japanese forces and would offer a refuge for civilians driven from their homes by the fighting. After lengthy negotiations he succeeded in obtaining agreement that a part of Nantao adjacent to the French concession should be evacuated by the Chinese defenders and considered as a neutral zone by the Japanese attackers. The agreements were concluded on 5 November 1938 by means of letters between Father Jacquinot, representing the “Shanghai International Red Cross Committee”, and the Chinese and Japanese authorities; they came into force on 9 November at 5 p.m. The Japanese military authorities had given notice that they intended to seize the zone after the neighbouring districts had been occupied. So the zone was what is now called a neutralized zone, created to act as a temporary refuge for civilians for the duration of the fighting.

Under the supervision of a specially formed committee, the neutralized zone of Nantao was respected. On 15 November, completely surrounded, it passed into the control of the Japanese military authorities, though for a time the administration and police remained the responsibility of the Chinese authorities and the zone continued to provide a home for those who had settled there.

Dr. Calame visited the Nantao zone on 20 November. Appalled by the distress suffered by the refugees, he was the more appreciative of the work being done by Father Jacquinot and his committee, who at that time were distributing 150,000 rations a day and planning to raise the figure shortly to 200,000. After several visits within the zone and the neighbouring areas devastated by fighting and fires, the ICRC delegate wrote to the Committee:
“In case you are currently working to prepare a diplomatic conference on the subject, I take the liberty of suggesting that you insert in the new convention a chapter devoted to the preparation, in peacetime, by the National Societies in collaboration with their respective governments, of maps on which the Jacquinot zones or cities would be indicated in advance to a possible enemy and by the same means communicated to other National Red Cross Societies through the International Committee in Geneva.”

The ICRC had been working for years, as we have seen, on the question of creating hospital zones and localities for the sick and wounded and safety zones for the protection of civilians. The work done on hospital zones and localities, coming as it did within the range of studies relating to the Geneva Convention, the foundation stone of the Red Cross, was well advanced and had already been made the subject of a draft convention. The problem of safety areas was part of the more general and complex problem of the protection of civilians and for this reason had been placed by the experts in the second rank of their deliberations. The ICRC emphasized the results obtained by Father Jacquinot in reminding the National Societies, in Circular 347 of 25 May 1938, of the need to continue study of the matter:

“The successful outcome in Shanghai, closely following the efforts recently made in Madrid and then in Bilbao, are likely to encourage current efforts to reach a general agreement to establish safety cities and safety zones.”

* * *

The ICRC had no representative in the zones under Japanese control. Dr. Calame none the less managed to extend his mission into the occupied zones, with the consent of the Japanese command. The first time, at the request of the Chinese Red Cross, he went to the island of Amoy, captured by the Japanese army on 11 May 1938, and the neighbouring island of Kulangsu. On Amoy he visited Chinese prisoners and negotiated the release of civilian internees.

Dr. Calame was also able to make a long tour to gather information in northern China, where disastrous floods were by then adding their toll to that of the war. The waters of the Yellow River covered a huge area in the northern part of the provinces of Honan and Anhwei, from the city of Kaiphong to Lake Hunftze; and further north the Imperial Canal was flooding the Tientsin region. The
people living in these areas had lost not only their homes and possessions owing to the floods but also several successive harvests, at a time when the rail and road networks had been destroyed by war, making it impossible to obtain supplies. The ICRC gave wide distribution to the account written by Dr. Caïame on his return from a journey of 15,000 kilometres in the disaster areas.

Relief sent by National Societies for China was forwarded straight to the Chinese Red Cross, whose Central Committee was established first in Hongkong, after the fall of Nanking on 12 December 1937, then at Haiphong, in North Vietnam, after Canton was captured. The aid sent comprised relief supplies in kind and in cash, medical staff, trucks and ambulances. Distribution was in the hands of the Chinese Red Cross, which could thus contribute to the assistance provided by the Chinese Government, religious institutions, relief committees and the diplomatic missions. After the fall of Nanking, the only supply line was the Kowloon-Canton-Hankow railway. Along this line also passed the teams of doctors and medical workers: a number of Chinese and foreign doctors, doctors and nurses from Hongkong, Canton, Europe and America—most of them Chinese—medical teams with ambulances and equipment from Penang and Java, a British surgeon, an American surgeon, young Chinese doctors returning to China after completing their studies. The Chinese Red Cross had formed mobile medical units operating behind the various front lines, plying between the front and the military hospitals.

"The Chinese Red Cross", wrote Dr. Calame, "deplores the fact that the units cannot be immediately doubled or tripled in number, but its resources up to the present have not enabled it to carry out its wish, since it considers that the most urgent need is to maintain the units already created. For this purpose, large sums of money are necessary and, as the war may last a long time, some financial reserves must be set aside. The number of units, in addition, must be kept in proportion to the stocks of medical and pharmaceutical supplies.

"The International Medical Relief Committee, of Hongkong, provides financial support for one of these units, and the Hongkong branch of the National Women’s Association for another. Other associations in Hongkong have promised to sponsor other units in the near future."

Another source of concern to Dr. Calame were the needs of the inhabitants of Shensi province, isolated and extremely difficult of access, one of the provinces where the Revolutionary Government had established itself. He wrote:
"This province is somewhat neglected by all the charitable organizations and also by the Government because it is (partly, at least) a territory occupied by the troops of the 8th Army, formerly the Communist army. Yet neither soldiers nor civilians are responsible for the past history of their leaders, and since this army is one of the most heroic, fighting in the snow in Siberian temperatures, I think there is an argument for relieving the distress of the civilian population of this region, to the extent that this is possible."

The relief activities of the Red Cross remained limited, as we have said, owing to the scale of the needs and the world economic situation which did not encourage assistance operations. The administrative expenses of the ICRC mission were covered for the most part by the Chinese Red Cross, which replied to a request by the ICRC in December 1938 that it would not be able to continue its support after the end of the year. However, the ICRC considered itself morally obliged to extend its delegation’s activities beyond that date:

"Assuming your agreement we will maintain delegation till mid-March bearing costs ourselves in view of latest appeal assistance to National Red Cross Societies." \(^1\)

By a further extension, the ICRC kept its delegation in China until the end of May 1939, after which date it advised donors of relief to send their supplies intended for the Chinese Government zone through the Chinese Consulate-General in Haiphong and those for the zone occupied by the Japanese to the Provisional Government of Northern China in Peking, via Tientsin.

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The problem of protecting prisoners proved particularly difficult. The ICRC delegate Charles de Watteville had been able to make approaches from time to time to the Chinese authorities and to visit two Japanese camps with a total of 32 Chinese prisoners, and one Chinese camp housing 21 Japanese pilots. He noted that the Japanese prisoners thought that news of their capture would be a source of shame to their families and declined the opportunity to write to them. He also pointed out that on both sides there was no idea why anyone should be interested in the plight of the prisoners:

"Prisoners of war constitute a chapter which is only just beginning. Some claim that it is only since I have been asking questions

\(^1\) Telegram of 30 December 1938 to Chinese Red Cross.
that a few prisoners have appeared. The fact is that on each side there are only about fifty, almost all those held by the Chinese being airmen. Those I have visited seemed to be treated perfectly correctly, well fed and properly housed.

"I am busy arranging the exchange of lists of prisoners. A check of the dead seems impossible. The Chinese have no identity disks and the Japanese appear not to wear theirs in the front line in order not to give away any information.

"There is no way to obtain exact details concerning the number of wounded. The Chinese do not know and the Japanese keep the figures secret. For the Chinese my estimate is an average of 1,000 a day."

Referring to his negotiations in favour of prisoners, Dr. Caíame too expressed pessimism:

"On both sides, the officials I succeeded in getting to see immediately evinced obvious unwillingness to speak about this subject. The Chinese were mostly silent and the Japanese reticent."

To overcome these obstacles the ICRC tried to obtain formal commitments from the belligerents and, on 25 November 1937, it wired to Charles de Watteville, then visiting the Japanese Red Cross in Tokyo on his way home:

"Please request from Japanese Government signatory prisoners-of-war Convention assurance respect for this Convention though not ratified by it."

The Deputy Minister of Foreign Affairs assured the ICRC delegate that the Convention relating to prisoners of war would be taken into consideration; however, shortly afterwards he amended the scope of this statement by pointing out, in a letter to the Swiss Consul in Shanghai, that the Convention contained a certain number of clauses which could not be adapted to the Far East.

Dr. Calame's reports also show the extreme difficulty encountered in this connection. On the Chinese side, the initial visits made by Colonel de Watteville seem not to have opened the way for others. According to Dr. Calame:

"At Hankow, after the fall of Nanking, I was constantly engaged in this matter; the authorities I was able to see told me many times that there were Japanese prisoners, they were shown on the cinema screens... But when I asked to visit the camps to see for myself, those I was talking to went off at a tangent... Or the camps were so far in the interior of China that several weeks of travel were required, owing to the lack of communications, in order to see them. When I said that this was no obstacle for me, that I was ready to go anywhere
and by any method, they then told me that it would be arranged, that I would have to wait a while. Later, when I returned to the attack, I was informed that just at that moment, owing to the retreat, the camps were being moved and could not be found. Dr. F. C. Yen told me that he had himself seen one of the trucks moving prisoners on a road.”

Although the International Committee was not represented in the provinces controlled by the Japanese forces, the ICRC delegate was still at liberty to go to the International Settlement in Shanghai even after the city had been captured. He conducted his negotiations there with the Japanese Consul-General, but without any significant result:

“On the Japanese side it was impossible for me to contact the High Command, and the Japanese Consul who was in charge of all non-military business and relations with foreigners gave me very vague replies in a very dilatory fashion: that for the moment military reasons completely prevented any consideration of this matter and that the same reasons made it impossible to visit the camps.”

Dr. Calame, we saw, had twice obtained permission to enter the zones in Japanese hands, once to Amoy in June 1938, then to provinces in Northern China to ascertain the damage done by the Yellow River floods. His observations made clear that a large number of Chinese were employed by the Japanese as labourers and that it was difficult to distinguish which were military prisoners and which were directed peasants, the more so since the Chinese soldiers, once encircled, often went back to their civilian occupations:

“The number of Chinese soldiers taken prisoner by the Japanese cannot be very large, since the latter hold and occupy only the means of communication—roads, railways and rivers. In between are enormous tracts of land unoccupied by them and still governed by the old regime, with local magistrates and local police or the guerrilla fighters, etc. This means that soldiers cut off or disbanded can almost always make off, often with weapons and equipment. Frequently the Japanese have announced that a Chinese battalion or regiment has been encircled, then the next day no more is heard—during the night the troops had passed through the very wide-mesh net and if they were unable to rejoin the main body of the army they succeeded in taking refuge in the unoccupied neighbouring territory.”

On the island of Amoy, occupied by the Japanese forces on 11 May 1938, the delegate received permission to visit the prisoners, an exceptional case:
“On 3 June we visited Amoy City in the company of our secretary. We saw the camps of Chinese prisoners of war, the men very clean in khaki and the buildings in excellent order made a good impression on us. The number of wounded and prisoners was not then known. There were no more than a hundred of them. Then we were allowed to visit a hospital for wounded soldiers, minor injuries only, the severe cases having being evacuated to a hospital ship. We were allowed to take several photographs.”

But there again, this first visit had no practical consequence. It is not possible to count as such the presentation to the delegate of eight Chinese prisoners in Peking during his tour of the north. The men were impeccably dressed, wearing new shoes; they were offered refreshments, cigarettes, cigars. “For a second”, wrote the delegate, “I wondered...” But after lengthy questioning of one of the prisoners he found that “the replies were clear and precise, it was indeed a soldier of the 10th road army”. Nevertheless, when the Japanese officers present pressed him to ask the prisoners “whether they were well treated and pleased to be in Japanese hands”, he answered that the reason he had not asked the question was that he thought it “completely unnecessary and superfluous”. Concerning the labour detachments Dr. Calame had been able to make only very rapid observations:

“From my inquiries in the city [Peking], it appears that 80 prisoners are working in the city’s electric power station. I went there and saw two squads of coolies working. In the city centre and on the outskirts near the walls I saw other squads working under the supervision of Japanese soldiers. In Tientsin I saw more than 20 squads, hundreds of coolies working in the same conditions—whether there were civilians among them it was impossible to find out.”

Anxious about the situation in Nanking after the city had been taken by the Japanese on 12 September 1937, the ICRC delegate tried to go there, but the military authorities would not give him permission. Eye-witness accounts reported by Dr. Calame described the southern capital, after heavy bombardment, as being for many weeks a place of “devastation and death”.

So, in spite of the unceasing efforts of the delegates, the protection of prisoners of war or civilians in this part of the world still met with objections of principle or with practical obstacles which hampered, as they were to do during the Second World War, the application of the Convention.

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Many air attacks were also made against cities and civilians. Even medical teams were not spared. As soon as the conflict broke out afresh, each party notified the ICRC that the other was violating international law. The Chinese Red Cross protested on 29 August 1937 against the bombing by Japanese planes of the Red Cross hospital at Chen-Yu and several field ambulances. The Japanese Red Cross in its turn protested on 13 September against the shelling by Chinese artillery of two Japanese hospital ships and on 14 September against the bombing by Chinese aircraft of the hospital ship Asahi Maru off Wu-sung. In accordance with its custom, the ICRC forwarded these complaints and the protests it received throughout the war to the National Society of the country accused.

The Japanese air force meanwhile, superior in numbers and in the power of its machines, repeatedly attacked Chinese cities, claiming that the assaults were directed exclusively against military targets. Nanking was bombed for the first time on 15 August 1937. On 19 September, Admiral Hasegawa, commanding the Japanese fleet off Shanghai, warned the consular representatives that after 21 September the Japanese air force would attack the Chinese armed forces and installations in and around Nanking, as this city was considered the principal base for Chinese military operations. The admiral advised foreign officials and residents to leave the city. From the 22nd, in fact, the air raids resumed. Following the raid of 23 September, which caused thousands of deaths and injuries, Great Britain, the United States and France sent protests to Japan. Reports from witnesses confirmed the figures. Dr. Borsic wrote on 25 September:

“At this time Nanking is being bombed by squadrons of 30, 40 and 50 planes a day, hitherto without causing much damage but killing and injuring a relatively large number of civilians. Eight bombs fell yesterday on Wei Sheng Shu (the national health administration). Since the Japanese warning was issued last week, the population of Nanking has dropped by 300,000.”

In May and June 1938 it was Canton’s turn to be bombed, with, in consequence, thousands of civilian victims and the destruction of many districts, water mains and power stations. The British Prime Minister, Neville Chamberlain, and the American Secretary of State, Sumner Welles, protested afresh against these raids.

It was during this period that the ICRC, deeply concerned at the effects of air raids in Spain, was preparing the appeal it was to send to both belligerents on 15 February 1938. Having seen that the cities

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1 Representative in Nanking of the League of Nations Health Organization.
in China were being bombed as those in Spain had been and that in both countries medical teams were also among the victims, the Committee initially intended to send the appeal to the Far East belligerents also, but finally preferred to separate the two appeals. On 5 March 1938 it addressed the Governments of China and Japan as follows:

"Among the evils which may strike the civilian population in time of war, the most terrible are surely those caused by aerial bombardment, the fatal ravages of which make so many innocent victims, especially among women and children.

"For this reason, taking its stand on the liberty granted by its statutes to take any humanitarian action entering within its traditional role, the International Committee regards it as a duty to make an extremely urgent appeal today to the Governments of China and Japan. Without wishing or indeed being able to appreciate the nature of the air operations which may have been carried out hitherto in the course of the present conflict in the Far East, the International Committee, prompted solely by its wish to prevent some of the tragic consequences of the air war, urges the Chinese and Japanese authorities to do all in their power to abstain from any air raids on places not strictly military targets.

"The International Committee hopes that this appeal will be received the more favourably since it expresses the substance of a clause included in the Regulations annexed to the Fourth Hague Convention of 1907, to which China and Japan are parties. In effect, under the terms of Article 25 of the said Regulations, it is prohibited to attack or bombard, by whatever means, towns, villages, dwellings or buildings which are undefended."

The appeal aroused no response and no comment from either Government. In its Circular 347 of 25 May 1938, the International Committee informed the National Societies of its action, once again stating its purpose:

"Without presuming to make any judgement whatever on the nature of air operations which may have been carried out in the course of the conflict, the International Committee desired to appeal earnestly to the parties involved, urging them to do their utmost to avoid any raids affecting the civilian population behind the lines or places not strictly military targets."

In closing, the Committee once more referred to Article 25 of the 1907 Hague Regulations. No doubt, at that time, a month before the International Red Cross Conference, convened for 20 June 1938, would open in London, bringing together representatives of the Na-
tional Societies and the States parties to the Geneva Conventions, the ICRC wished to emphasize how far the law of war lagged behind the advances in aeronautics. The bombing of Canton on 28, 29 and 30 May, which drew a protest from the Cantonese Red Cross, showed yet again that civilians, like the medical teams which brought them help, were unprotected.

For the time, the conflict was on a scale which made it one of the major wars in contemporary history. Three million men were fighting over an area half the size of Europe. No compromise peace seemed possible: the Japanese War Minister stated on 28 June 1938 that the war could be continued for another ten years if that was necessary, and General Chiang Kai-Shek replied on 7 July that China would fight on until the invaders had been expelled. For the inhabitants of China and Japan, the war in 1941 was not merely their entry into the Second World War, it was the continuation and extension of a conflict which had already been going on for ten years.

4. The London Conference and the protection of civilians

The first half of 1938 saw a definite heightening of tension in the world. No mediation succeeded in moderating or stopping the wars in Spain and China. These localized conflicts had not led to the involvement of the major European powers, but they had caused them to take sides irrevocably and thus, by the choice of allies, encourage the formation of opposing blocs and remove all chance of compromise. The frontiers resulting from the Treaties of Versailles, the Trianon and St-Germain were disputed. Hitler, addressing the Reichstag on 20 February, guaranteed his protection to the populations of German origin beyond the frontiers of the Reich. The entry of German forces into Austria on 12 March and the Anschluss declared on the 13th confirmed the fears of those who saw the territorial claims of the Nazis as probable sources of conflict. The race was on between law and the force of arms; but the contest was an uneven one. War depended on a decision made by a handful of men, while any progress in humanitarian law required the consent of all. An ultimatum takes less time to write than a convention.

This thought was probably in the minds of the three hundred delegates representing 50 governments and 54 National Societies as they met in London on 20 June 1938 for the opening session of the Sixteenth International Red Cross Conference. One after the other, the Duke of Gloucester, President of the British Red Cross, Max
Huber, President of the ICRC, and Norman H. Davis, Chairman of the League's Board of Governors, reminded the assembly that the Red Cross movement, after 75 years of humanitarian work, was faced with the urgent duty of increasing its effectiveness and extending its activities into new areas.

"Whereas", declared Norman Davis, "warfare was formerly waged between armed forces, it is now finding its victims, to an increasing extent, among civilians. Almost daily, bodies of innocent women and children are being shattered and destroyed through the bombing of open cities. There is not a person among us whose conscience is not shocked by the revolting and needless slaughter and maiming of helpless women and children.

"Something must be done to restore civilization to a sanity which will at least stop the killing of the helpless and innocent by warring forces. To this end the Red Cross of the world, representing as it does man's finest and most humane instincts, must throw the full weight of its great moral influence.

"I am glad to note that on the agenda of this Conference there is to be discussion of a plan for the creation of neutralized hospital areas. Other suggestions which merit our earnest consideration here are: that we should consider ways and means for prohibiting or restricting, by international Conventions, the bombing of open towns and cities; and to establish zones of immunity in which innocent women and children may find sanctuary.

"This great organization has a duty today to unite all humanity together on a plane above the prejudices of race, creed or political differences. There lies before us an unequalled opportunity to serve mankind, and an inspiring challenge."

The agenda was in fact particularly extensive, covering not only wartime but also peacetime activities.

In addition to the traditional reports on the activities of the ICRC, the League, the International Relief Union and the various commissions and foundations, it included as usual the subjects denoting the constant growth of the movement in the sphere of public service: collaboration of the National Societies with the public authorities to prepare peacetime and wartime activities; Red Cross action in natural disasters; organization of first aid on the roads; use of medical aircraft; first aid at sea, in the mountains and in mines.

The educational role of the Red Cross was specially stressed: Red Cross Youth, the history of the movement for young people, publicity, collaboration with official and private organizations, Red Cross instruction in moral and practical issues, "the Red Cross Truce", the
training and work of Red Cross volunteers—all matters indicating that the movement tended to assert itself increasingly as a moral force with a vocation to exert its influence on the majority of human activities and at the same time careful to offer services of steadily improving professional quality.

The range of work of the legal commission, required to examine proposals for the revision or extension of humanitarian law, was no less broad, covering:

— the revision, interpretation and extension of the 1929 Geneva Convention;
— the revision of the Xth Hague Convention of 1907 relating to war at sea;
— the grouping in a single Convention of all humanitarian provisions contained in the Geneva and Hague Conventions and other similar conventions;
— the problem of neutralized hospital localities;
— some aspects of the subject of areas of immunity;
— protection of women and children against the sufferings resulting from armed conflict;
— the functions and activity of the Red Cross in civil war.

All these questions had been the subject of consultations and studies, and the ICRC, under the mandate it had received, presented the relevant conclusions in the reports it submitted to the Conference.

Concerning the revision of the 1929 Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field, the Committee, basing its proposal on the conclusions of the expert committee which had met in Geneva from 19 to 23 October 1937, submitted a very detailed draft but left the discussion open on two important points in the revised text: the method of marking medical units, and inquiries into alleged violations of the Convention.

The draft convention on war at sea, resulting from the deliberations of the expert committee which met on 15 June 1937, adapted the 1907 Hague Convention to the existing situation, in particular in relation to marking hospital ships and the use of medical seaplanes, and dropped the *si omnes* clause still included in the previous Convention.

On the proposal to create hospital towns and hospital localities, the opinions expressed were more divided. The subject was a new one, and application depended largely on the way the war was conducted. In Circular 336, dated 3 April 1937, the ICRC had presented
a number of draft articles to constitute the framework of a convention concerning the establishment of hospital towns, and had planned to call a meeting of Red Cross and military experts, but it received only a few affirmative replies and thought it unlikely that a sufficiently representative committee could be assembled, as it would have wished. So the International Committee presented to the Conference the text and commentary of its 1937 draft, together with the drafts it had received from the Rumanian and the Yugoslav Red Cross Societies and the opinions given by the Swiss Political and Military Departments, also a preliminary draft from the Congress of Military Medicine and Pharmacy of Monaco.

Without spending time in deciding the final wording of the draft, the Conference approved the ICRC's action and asked it to continue its contacts, consultations and studies with a view to submitting the draft to a diplomatic conference, the convening of which the Committee was requested to expedite.

The item concerning the protection of women and children from the suffering caused by armed conflicts had been presented by the French Red Cross. Having proposed it shortly before the Conference took place, the Society had not asked for definite resolutions to be adopted but obtained agreement for the attention of governments to be drawn to this grave problem.

On the question of Red Cross action in civil war, the ICRC had referred back to the resolutions of the 1921 Conference, expanding them and making them more detailed in the light of experience gained during the war in Upper Silesia, the Irish troubles and the Spanish war. The subject was of extreme topicality, but full of pitfalls, since the Burgos Red Cross and the States giving military aid in the war in Spain were represented in the Conference. But the political antagonisms did not hamper the debate. Paul Des Gouttes wrote: "The highly charged atmosphere ended up calm and serene." However, the legal commission did not adopt in its entirety the detailed draft prepared by the ICRC, retaining only the substance, since it considered that, "at this time, when one country is in the throes of a fratricidal war, the moment would hardly be propitious for laying down stable principles based on the experience of the Red Cross in relation to civil war". It mandated the ICRC to continue the studies on the subject and to report the results of its investigations to the next Red Cross Conference, expected to be held in Stockholm in 1942.

In this way, dealing with a large measure of humanitarian law, the Conference resolutions cleared the way for the International
Committee to proceed towards the last stage of its work. There remained three topical subjects which, while not neglected, were not included, at least explicitly, in the agenda.

The first was the matter of safety zones. On the basis of the recent experience of a neutralized zone in Shanghai and the conclusions of Circular 347, the International Committee asked for the subject to be examined by the legal commission, and this request was accepted. The commission, said its rapporteur, Camille Gorgé, deviated slightly from its agenda, noted the satisfactory results, during a recent conflict, of the creation of "an area of immunity for the civilian population" (the Jacquinot area in Shanghai) and requested the Committee to "bring these satisfactory results to the attention of the Governments concerned at all times when it may deem such action expedient".

The second item was the restriction of air raids. It was known at the time that the military high commands, drawing on experience in Spain and China, were building up a war strategy in which the use of air power was predominant. The idea of a total ban on bombardment from the air, as presented by the committee of experts assembled by the ICRC in Geneva in 1931, could not be maintained. It took time to prepare international agreements; and in that crucial year of 1938 the time required was too long. Consequently, the Conference adopted the proposal put forward by the Chairman of the League Board of Governors, Norman H. Davis, and made an appeal to governments for the civilian population to be protected against air raids:

"The fifty-four National Red Cross Societies assembled at the XVIth International Red Cross Conference, meeting in London on the 20th of June, 1938, looking forward to the results of their efforts to bring about measures of a general nature for the protection of civilians, appeal in the name of humanity to the competent authorities in all countries to prevent or so restrict bombing from the air as to safeguard the lives of helpless women and children and aged civilians, and urges these authorities, in all areas where civilian lives are liable to be endangered by any military operations, to arrange for the evacuation of women and children into zones of immunity under Red Cross protection. The Red Cross Societies desire to place on record their earnest hope that effective steps will be taken without delay to secure agreements to this end between all Governments in accordance with the spirit of chivalry and humane conduct for which the Red Cross stands."

It will be noted that the resolution was not adopted, as was customary, in the name of the International Conference, but in the
name of the National Societies represented there; so, though it was voted on in plenary session by the Governments' representatives, it had the form of an appeal from the Red Cross movement to the Governments and, more precisely, to the "competent authorities", a term which could describe governments whose authority was contested.

The draft convention on the conditions and protection of civilians of enemy nationality had not been modified since the Fifteenth International Conference in Tokyo in 1934. As we saw, the Swiss Federal Council had planned to call a diplomatic conference in 1937 which would have had this draft convention on its agenda as well as the draft convention on medical aircraft but, in view of the reluctance of several major States, the Swiss Political Department, in agreement with the ICRC, had postponed carrying out its plan. The mandate to the ICRC by the Tokyo Conference nevertheless remained valid and the Committee felt that the time had come to resume study of the subject.

This meant that five draft conventions were in preparation or even at a sufficient stage of completion to be submitted to the scrutiny of a diplomatic conference. They were:

1. the draft revised text of the 1929 Geneva Convention (wounded and sick);
2. the draft revised text of the Xth Hague Convention of 1907 to adapt the principles of the Geneva Convention of 6 July 1906 to war at sea;
3. the draft convention relating to medical air transport;
4. the draft convention relating to the condition and the protection of civilians of enemy nationality within the territory of a belligerent or a territory occupied by a belligerent;
5. the draft convention on the establishment of hospital towns and localities.

In addition, there was the proposal to incorporate into a single diplomatic instrument all the humanitarian provisions relating to the Red Cross contained in the Geneva and Hague Conventions "and all draft conventions dealing with similar questions".

In requesting the ICRC to undertake the necessary action for convening a diplomatic conference, the London Conference had refrained from naming the government which would be asked to organize it. In the group of conventions under consideration, it could be thought that three of them—those on the wounded and sick, on medical air transport and on hospital towns and areas—belonged to the law of Geneva in its most traditional form. The Xth Hague Convention of 1907 belonged, by its origin, to the collection of Hague Conventions,
but was linked to the law of Geneva by the subject it dealt with. The draft convention on civilians, as we saw, was considered by several governments to form part of the law of war proper rather than the law of Geneva. Instead of itself deciding the question of competence, the ICRC therefore wrote on 10 and 15 August 1938 to the two Governments concerned, the Swiss Federal Council and the Royal Government of the Netherlands, the first being administrator of the Geneva Convention, the second, of the Hague Conventions, leaving them to decide the matter between them.

On 9 September, the Netherlands Government informed the Swiss Political Department of its view, stating that, as soon as an opportunity presented itself, it wished to resume the work of The Hague and the revision of the conventions on the law of war in general. In particular, it had in mind the possibility of setting a procedure in motion to arrive at regulations for aerial warfare. Drawing a clear distinction between the conventions dealing with the specific activities of the Red Cross and those primarily concerned with the law of war and neutrality and affecting the work of the Red Cross only indirectly, the Netherlands Government stated its agreement to allow a diplomatic convention convened by the Swiss Federal Council to revise the Xth Hague Convention for the adaptation of the principles of the Geneva Convention to maritime warfare, while giving its opinion that the convention on the protection of civilians of enemy nationality was outside the province of the Red Cross Conferences and should logically be left for discussion by a Conference of The Hague for revision of the laws of war, such a conference to be convened by the Netherlands Government at such time as it considered most appropriate.

* * *

The crisis sparked off by the Sudeten question was becoming worse. Agitation and arrests on both sides were taking Europe to the edge of war. Extreme measures were taken to avoid a war which seemed imminent. The British Prime Minister, Neville Chamberlain, had a meeting on 15 September 1938 with Chancellor Hitler in his Bavarian retreat at Berchtesgaden. On the same day the ICRC held an extraordinary meeting to make the initial arrangements required by the situation, and set up the Commission des Œuvres de Guerre (Commission for work in time of war), which would have the responsibility of preparing the ICRC's activities in the event of war. On 22 September Chamberlain went to Godesberg; on 24 September
Czechoslovakia mobilized its army. War had never seemed so close. On 29 September, the representatives of France and Britain, President Edouard Daladier and Prime Minister Chamberlain, met Hitler and Mussolini in Munich, and on the 30th the four statesmen signed the Munich Agreements transferring the Sudeten territories to the German Reich. For most people, peace had been preserved; some, however, saw the move as merely a respite to allow the Powers to assemble their forces.

In Berne, the Political Department had examined with approval the proposal of the Netherlands Government. The head of the Department, Giuseppe Motta, wrote to Max Huber on 3 October:

"The Dutch proposal appears logical to us, and we shall make no difficulty about accepting it.

"Indeed, we regard it as a great advantage to place under the supervision of the Federal Council all the international agreements specifically referring to the Red Cross. The international Red Cross organization would gain in unity and, consequently, in authority thereby.

"With reference to the question of civilians, we are sure that the International Committee will easily come to an understanding with the Government of the Netherlands. It could, moreover, take the opportunity to examine the problem of competence raised by the action taken in Geneva or The Hague in the field of the law of war. An agreement on the subject would be highly desirable.

"Before we reply to the Netherlands Government we would very much like to know what you think of the suggestions The Hague has sent us."

The Committee carefully pondered what to reply. On the principle it was in agreement, as Paul Des Gouttes made clear:

"This represents a favourable division which I have always advocated, in order to avoid the all-too-frequent confusion between the humanitarian conventions and those dealing with the conduct of war. But it has to be admitted that the division is not always easy."

This was exactly the case, he thought, for the convention on the protection of civilians. In the Tokyo draft, Des Gouttes drew a distinction between the part dealing with enemy nationals in belligerent territory, who were subjected to the consequences of war without being included within a zone of operations, and the part relating to civilians in occupied territory, whose fate depended on the conduct of hostilities. He even considered that the first category could be the subject of a humanitarian convention, while the second would come within the province of the Hague Conventions.
The Committee, however, hesitating to propose the division of a draft adopted by the Fifteenth Conference, pointed out that all the ad hoc agreements signed during the First World War concerning civilians included both categories, and was apprehensive about the delay which the Dutch solution would entail. In the end it refrained from taking a stand on the question of competence. It stated that “it is natural that the Netherlands Government considers that the convention relating to civilians—at least concerning civilians in territory occupied by the enemy—should be regarded as coming within the framework of the conventions governing the law of war and hence included in the responsibilities of the Government which convened the Hague Conferences of 1899 and 1907”, yet emphasized that it was not essential for any particular government to deal with a certain category of conventions, in view of the fact that the Committee’s own right of taking action was not limited to the Geneva Conventions or to the conventions linked to them. However, it was of the greatest importance for Red Cross bodies to know, in every case, which government it should approach:

“The ICRC is therefore pleased to think that the Federal Council and the Netherlands Government will come to an agreement on a clear and practicable division between the various conventions dealing, on the one hand, with the conduct of war and the rights and obligations of neutrals and, on the other, with the humanitarian protection of specific categories of victims.

“At the same time, the International Committee expresses the hope that such division will not be of a kind to slow down the conclusion of the draft conventions mentioned above.”

But the Committee did not seem to have resolved to await a decision in which it would have no part. Despite the impression of relaxed tension following the Munich Agreements, it was realized that the threat of war could reappear at any moment. The letter Max Huber sent to Giuseppe Motta on 31 October expressed the anxiety felt by the ICRC with regard to the scant protection available to civilians if war should come:

“The International Committee of the Red Cross believes that the time has come to present this draft convention to a diplomatic conference, for it fears that further postponement might have grave consequences should a conflict break out.

“For this reason it considers that entrusting the Netherlands Government with responsibility for the convention relating to civilians should in no case have the effect of delaying the date on which the Tokyo draft, or a similar draft prepared by a government
on its own initiative, would be submitted to a diplomatic conference... We hope that the Netherlands Government will have no objection to the submission of the draft convention on each of the two categories of civilians described to a conference convened by the Federal Council for the revision of the Geneva Convention, if such a conference could take place sooner than that to be held in The Hague. When the Government in The Hague has sent us a communication on the subject of the division of the conventions of which Switzerland and the Netherlands should be the custodians, we will take the liberty of writing to the Government to insist on the urgent necessity of bringing the draft convention on civilians to a successful conclusion."

Going on to examine the principles on which a distinction might perhaps be drawn between the two major categories of conventions, the ICRC President continued:

"The division with which you already intend to proceed, in agreement with the Dutch Government, appears to us to be logical and natural, but there will probably always be subjects which belong, according to one's viewpoint, either to the realm of the Geneva Convention or to that of the Hague Convention. One way of making the distinction, for instance, could be to note whether a given convention served humanitarian interests by creating a special legal status for specific categories of persons in order to shield them from some of the rigours of war or, in contrast, to do so by imposing restrictions on the conduct of warfare. It was on such criteria that the Convention relating to the Treatment of Prisoners of War, contained in substance in the 1907 Hague Regulations, was established by the Geneva Conference of 1929. Scrutinized from the same angle, the convention on civilians as envisaged in the Final Act of the 1929 Diplomatic Conference might also have been included among the conventions of which Switzerland is the custodian.

"In presenting these arguments which Mr. Des Gouttes and myself have already discussed with Mr. Gorgé in recent talks, we have absolutely no intention of bringing up for rediscussion the practical solution which should be applied without delay concerning the draft convention on civilians. All we are doing is to explain certain views which might in future guide other discussions regarding the attribution of new conventions."

Replying, the Federal Political Department informed the Committee on 25 November that the Federal Council had decided to tell the Netherlands Government it was in complete agreement to limiting its
administration to those conventions relating directly to the Red Cross and to leave to the Netherlands the responsibility for the conventions forming part of the law of war and of neutrality:

"Under the agreement which will therefore be finalized between the two Governments, the Xth Hague Convention on adapting the principles of the Geneva Convention to war at sea would come within our diplomatic mandate, while on the other hand all agreements concerning civilians of enemy nationality would logically be the responsibility of the Netherlands.

“Our Legation in The Hague has been directed to convey the Federal Council’s decision to the knowledge of the Netherlands Government. At the same time we have instructed the Legation to present to the Ministry of Foreign Affairs the request, which we regard as legitimate, formulated by you in relation to the practical procedure to be applied to the draft convention on civilians in enemy territory. It would, of course, constitute a complete departure from the rule about to be jointly agreed by Switzerland and the Netherlands.”

The Netherlands Government indicated its agreement on 1 February 1939, in its reply to the Federal Council:

“I have the honour to inform Your Excellency that the Netherlands Government would be prepared, in this special case, to defer to the point of view so convincingly presented by the International Committee. In order for the matter to be made the subject of an international conference as soon as possible, Her Majesty's Government would therefore be willing to leave to the Swiss Government the initiative of placing this subject on the agenda of the International Diplomatic Conference envisaged.”

The Dutch Government added that it nevertheless felt doubts as to whether the question to be dealt with by the Tokyo Draft, especially by Chapter III,¹ was adequately prepared; but it left the final decision to the Federal Council.

The Political Department then informed the ICRC, on 6 February, of the substance of the Dutch Government’s reply, adding:

“The Federal Council will very likely accept the opinion of the International Committee on this point, especially since, having already had the opportunity to examine the draft convention in question, it had considered the draft a suitable basis for discussion. We would therefore be grateful if you would let us know what you think of the objections of the Netherlands Government.”

¹ “Enemy civilians in territory occupied by a belligerent.”
The ICRC, in its answer dated 15 February, expressed its genuine appreciation of "the breadth of view demonstrated by the Netherlands Government" and stressed its opinion that the Tokyo Draft seemed sufficiently prepared, stating that if, as the Committee hoped, the Federal Council was of the same opinion, it was willing to hand over the necessary documentation to Berne.

So the goal was being approached. It was at that time that the three reports prepared by the ICRC on the Geneva Convention, the Xth Hague Convention and the draft relating to medical air transport were sent to the Federal Political Department with the order to print. The report on hospital towns and localities was still in the hands of the experts who had taken part in the commission on the subject in Geneva on 21 and 22 October 1938, and was due to be returned to Geneva before the end of the month. The report on the convention for the benefit of civilians of enemy nationality was in the process of being drafted.

* * *

There followed three weeks in which world peace was at stake. On 15 March 1939 Czechoslovakia was invaded, and Bohemia and Moravia became a protectorate of the Reich, while Slovakia, proclaimed an independent republic, placed itself under Germany's protection. On 16 March Hungary annexed the Sub-Carpathian Ukraine. On 22 March Germany annexed the Memel territory. On 7 April Italy invaded Albania.

On 20 April the ICRC sent Circular 356 to the National Societies, including the draft of a convention for the protection of women and children, in conjunction with the Save the Children Fund International Union, in accordance with the recommendations of Resolution 13 of the London Conference. As Max Huber commented: "This text marks the start of the International Committee's activities in this field." However, the Committee, remembering events in Spain and the Far East, realized the need to deal simultaneously with the question of the general protection of the civil population:

"The International Committee is of the opinion that the question of protecting civil populations must be treated as a whole, on the basis of the existing rules, whether founded on agreement or on custom, of international law, and taking these rules as our point of departure. Before creating new obligations, it is proper to endeavour to secure the application of existing regulations, due account being taken of present necessities and the conditions of modern warfare."
After considering the various means of improving the general protection of civilians, the ICRC requested the National Societies to notify their views and those of their governments on the following points:

“(1) The principle of the general protection of civilians as defined in the present circular.

(2) The creation of places and zones of security, as a means of applying the rules of international law, for the protection of civil populations.

(3) The use of the Red Cross on a white ground for the benefit of civilians, and the control of such use.

(4) The extension of the protection of the Geneva Convention to the Red Cross personnel acting for the benefit of civilians.”

The Committee concluded:

“Anxious to pursue the thorough study of the problem of protection of civil populations and to arrive as promptly as possible at practical solutions, the International Committee hopes that National Societies will kindly furnish their replies and those of their Governments in the shortest possible time and, if at all feasible, before June 1st.”

By entering into diplomatic consultations on the creation of safety zones, i.e., a method of protection from bombing raids, the ICRC was dealing with a question which many experts regarded as coming within the province of the law on the conduct of war and not the law of Geneva. This was also the opinion of the Netherlands Government, which had in fact made inquiries as to the possibility of an international agreement to regulate air law and which said it would take action on the matter as soon as the situation became sufficiently clear:

“In fact, as you yourself have commented with perfect fairness in the past, the area of the Law of War partly regulated by the 1907 Conventions falls within the competence of the Hague Conferences. “In view of the unfavourable result of the above-mentioned inquiries relating to the problem of aerial bombardment, the Netherlands Government finds it impossible to feel very much hope for the probable success of a diplomatic conference to establish guarantees for the civilian population in wartime in its general aspect or to create safety zones. However, if the International Committee considered that it was possible for it to accomplish preparatory work on the subject, the Netherlands Government would be far from opposing such work, though reserving the right to take up the question itself once the time appeared suitable.”
For the ICRC it was more a case of preparing temporary measures until a diplomatic conference, the date of which seemed far off, would embody the principles in actual law. That was the tenor of its reply on 29 June to the Dutch Ministry of Foreign Affairs:

"Though the likelihood of obtaining a general convention is at present very slight, the International Committee considers it desirable to clear up as far as possible the problem of the protection of the civilian population and especially that of safety zones. In the event of war it might be possible to achieve ad hoc agreements between belligerents; the proposals to be put to them for the purpose would be the more likely to succeed the better they have been studied and take into account previous consultation with those concerned."

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The previous few weeks had in fact shown that the continent was on the brink of war. The Danzig question—which included the problem of the Free City and that of the corridor giving Poland access to the Baltic—had deteriorated markedly during the first half of the year. The High Commissioner of the League of Nations, Carl J. Burckhardt, a member of the ICRC, who went back to Danzig on 28 May, worked unremittingly to avoid a worsening of the crisis. In the Free City, where the majority of the population was of German origin, the National Socialist party was organizing and demanding to join the Reich. On 18 June, Minister Goebbels, visiting Danzig, declared: "The people of Danzig may be sure that everyone in Germany knows their intention to rejoin the Reich and shares it."

The grouping of the alliances now foreshadowed the map of the conflict to come. The German-Polish Pact had been repudiated by Germany. France and Great Britain announced their determination to come to the aid of Poland in the event of aggression. The great unknown remained the USSR, which at that point was considering a treaty with the western democracies but which finally, on 23 August 1939, signed a non-aggression pact with Germany.

Once it had received the five draft texts of the proposed conventions and the reports on those being studied, the Swiss Political Department sent copies on 10 June to all governments party to the Geneva Convention, with a request for their observations. As for the date of the diplomatic conference, the Department could not specify this in the circumstances, but hoped to be able to send out the invitations shortly. It was generally expected that the conference would be convened in 1940.
Meanwhile, the ICRC was receiving the first replies to its 356th circular, dealing with the protection of civilians and children and the question of safety zones. By 29 August 1939 it had received 25 replies, 14 from National Societies and 11 from governments.

But the tension between Germany and Poland had by then reached breaking point. On 29 August, Chancellor Hitler said he was willing to receive an envoy from the Polish Government. Remembering unfortunate precedents, the Government in Warsaw ordered general mobilization next day. War was inevitable. For the ICRC, there was no longer any question of consulting governments—it was a matter of offering its services. The telegram of notification was ready to send, lacking only the names of the addressees:

"Sincerely desiring to accomplish its humanitarian work in accordance with its means, the International Committee of the Red Cross offers its services to the ..................... Government for any case in which a neutral intermediary acting according to Red Cross tradition would be helpful. Explanatory letter follows concerning procedure of our activities including creation of Central Agency Geneva as provided Article 79 Convention 27 July 1929. Recommend this letter to your detailed attention. We are sending same message to all governments which may be involved in the present conflict."

At the start of the Second World War, therefore, the protection of war victims had been improved by only two new conventions: the revised Geneva Convention for the protection of the wounded and sick, and the Prisoner-of-War Convention. There was also, in the realm of the law of war, the Geneva Protocol of 1925 prohibiting the use of toxic and similar products. No agreement had been concluded since 1929 on the protection of civilians in enemy or occupied territory, on the establishment of hospital towns and localities or safety zones, or on medical air transport. Weapons had advanced faster than law.

The most propitious moment for achieving the conclusion of such agreements seems to have been between 1925 and 1929, the period in which the two great post-war humanitarian Conventions and the Geneva Protocol were signed. After 1930 came the world economic crisis and with it mistrust and self-assertion. From 1934, the wars in Ethiopia and Spain were followed by the Czech crisis, the Anschluss, and the cold war in Danzig. Circumstances made it impossible to supplement the existing Conventions by new ones: the most that could be done was to try to increase the number of States party to the Conventions in force.
The Second World War put an end, for the time being, to the hope of holding a diplomatic conference. Only after the war was over, in August 1949, was the Geneva Convention relating to the Protection of Civilians in Wartime concluded and the three previous humanitarian Conventions, relating to the wounded and sick in armed forces in the field, the wounded, sick and shipwrecked in armed forces at sea, and the treatment of prisoners of war, revised.
The Second World War

1. The Beginning of the War in Europe

At dawn on 1 September 1939, fifty divisions of the Wehrmacht crossed the frontier into Poland. Thrusting aside the defending troops, and supported by air attacks on the airfields and centres of communication, the German army took the Polish forces moving towards the frontier in a pincer movement and drove deep into the country.

The next day, in Berlin, the ambassadors of Great Britain and France in turn informed Foreign Minister Ribbentrop that unless the Reich Government withdrew its troops from Polish territory within 24 hours their countries would be obliged to honour their commitments to Poland as from 3 September. From that moment, there was no hope of turning back. The storm which had been threatening for years, through the wars in China, Ethiopia and Spain, through the Anschluss and the invasion of Czechoslovakia, without ever bursting, now broke. And since the British Commonwealth and the French colonial empire were involved, it spread immediately across the world. The Second World War had begun.

The day Poland was invaded, President Franklin Roosevelt made an urgent appeal to the Governments of France, Germany, Great Britain, Italy and Poland, begging them to refrain from bombing civilians in unfortified centres: “If resort is had to this form of inhuman barbarism during the period of the tragic conflagration with which the world is now confronted, hundreds of thousands of innocent human beings who have responsibility for, and who are not even remotely participating in, the hostilities which have now broken out, will lose their lives. I am therefore addressing this urgent appeal to every government which may be engaged in hostilities publicly to
The ICRC sent a letter to the belligerents on 2 September 1939, presenting the action programme it had prepared “in order to help, according to its traditional role and with all its strength, to remedy the evils engendered by war”. The programme comprised six sections containing proposals and suggestions which the ICRC wished to see applied during the conflict.

Under the first heading, “Role of the International Committee of the Red Cross”, the ICRC described its experience in previous conflicts: the Franco-Prussian war of 1870, the Balkan war of 1912 and the First World War, particularly the latter, when it created the Prisoners-of-War Agency and maintained direct contact with the belligerent Governments. It recalled that the action it was about to undertake was based on the Geneva Convention of 27 July 1929 for the amelioration of the condition of wounded and sick in armies in the field, on the Geneva Convention of the same date relating to the treatment of prisoners of war, and in general “on the competence acknowledged as belonging to it under Article VIII of the Statutes of the International Red Cross, adopted in 1928 by all the National Red Cross Societies”.

In the second section, the Committee proposed “to assume the functions conferred on it by the above-mentioned article of the Statutes concerning the application of the Geneva Convention in relation to the treatment and exchange of personnel belonging to medical units and establishments”.

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The third section was headed "Prisoners": the ICRC proposed to "organize a general campaign in favour of prisoners of war, whether civilian or military, in good health or wounded or sick". Included in the proposal was the creation in Geneva of a central Agency for information on prisoners of war, the exchange of severely wounded and seriously sick prisoners, the transmission of correspondence and possibly parcels between prisoners and their families, and coordination of private relief operations.

The subject of the fourth section was "safety zones" intended to increase protection for the civilian population. The ICRC proposed to study the problems relating to the protection and supervision of these zones and, within the limits of its competence, placed its services at the disposal of the belligerent Governments for all cases where they considered that intervention by a neutral intermediary was necessary.

Fifthly, the ICRC informed the belligerents that it was immediately taking the measures required to begin operating a prisoner-of-war information agency, as envisaged in Article 79 of the Prisoner-of-War Convention. It also asked each of them to establish an official Prisoner-of-War Information Bureau, in accordance with the terms of Article 77 of the relevant Convention, and to transmit to the Central Agency all the information collected.

Finally, pointing out that civilians of enemy nationality present in the territory of each of the Belligerent States "or in a territory subject, by whatever title, to the sovereignty of these States", were not protected by any international convention, the Committee proposed that the parties to the conflict should establish a status to be applied to such civilians, on the lines of the bilateral agreements concluded during the First World War or by applying in advance the rules of the Tokyo Draft of 1934.

The International Committee wrote also to the governments of neutral States, on 4 September, to inform them of the creation of the Central Information Agency and to ask them to set up information bureaux on prisoners of war who might be within their territory. It gave the National Societies details of the approaches made to the belligerent and neutral States.

The general lines of the ICRC's activities and collaboration in the areas where it intended to act had thus been laid down: protection of medical personnel, protection and assistance for prisoners of war and civilian internees, exchange of the seriously sick and wounded, safety zones, protection of civilians of enemy nationality. At that stage it was still a matter of general principles. A few days later,
therefore, on 7 September, the ICRC wired to the belligerent Governments offering to send a delegate, to study with the appropriate authorities the application of the measures it had presented in its offer of services.

The Governments' replies were favourable. In varying terms, and without going into detail of the proposals put forward by some, asking for multilateral agreements or guarantees of reciprocity, they stated they were willing to apply the rules laid down by the Conventions and agreed to the sending of delegates.

The Committee's mediation machinery had operated as wished. Immediately, delegates were appointed to carry out the missions in Germany, Poland and France and to act as permanent delegates in Britain and Egypt.

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During this time, the Polish forces were unable to contain the invading armies. On 5 September, on the northern front, German armoured divisions crossed the Vistula; on the 6th Cracow was taken. By the end of the second week of the war the German army occupied one third of Polish territory and was held back only by a pocket of resistance extending from Lodz to Warsaw.

The fears which had been expressed for decades that civilians would be caught up in the war were proving real. On 13 September the German High Command, stating that the Polish authorities had called on the civilian population in open cities, villages and hamlets to resist the German troops and had incited the inhabitants of Warsaw to conduct a "snipers' war", added that the "excessive consideration" shown by the German artillery and air force towards open cities and villages was dependent on the proviso that they did not constitute a war zone, and declared that the German air force, in co-operation with the heavy artillery, would take the measures necessary to demonstrate that any resistance was useless. But the Polish High Command retorted two days later that the bombing of open cities by German planes had taken on the character of systematic destruction of cities having no connection with military operations, and stated: "There is no doubt whatever that such a method of waging war is completely incompatible with international law and in flagrant contradiction of the statements made by Germany to the civilized States."
At the same moment, the ICRC, voicing its anxiety at the absence of protection for civilians against these new forms of warfare, asked the governments of the four belligerent countries to envisage the creation of hospital and safety zones and localities. It reminded the governments of their declarations of intent to respect the rules embodied in the law of nations and the Conventions in force, especially the prohibition of certain methods of warfare and the protection of civilians, it expressed the hope that such respect for the law would not diminish if any Power were to allege violation of these rules.\(^1\) In a second memorandum, attached to the first, the International Committee defined its principles with regard to violations of international law, and pointed out that it could not itself constitute a commission of inquiry nor nominate its members as investigators or arbitrators. Finally, it set down the conditions in which it would go as far as to choose persons qualified to carry out the inquiry and, if necessary, to give an opinion on the points raised by the parties in the dispute. Such action would follow only from a mandate under one of the Conventions or an *ad hoc* agreement relating above all to infractions concerning the sick and wounded and the treatment of prisoners of war, dealing only exceptionally with violations of the law of war in general, especially the rules concerning the methods of warfare used.\(^2\)

The Soviet forces then entered Poland, on 17 September. Warsaw, partly in ruins after twenty days of siege, heavy shelling and bombing by the German artillery and air force, capitulated on 28 September, and on the same day Poland was divided up between Germany and the USSR. A new Polish Government was set up in France on 30 September and was immediately recognized by France, Great Britain, the United States, Sweden and Mexico. But as a territorial State, Poland had temporarily disappeared.

Chancellor Hitler had replied to the accusations of indiscriminate bombing with a protest on 17 September against the blockade of the German population exercised by the Allied navies and accused the Polish forces of violating the law of war.

The first month of the war thus illustrated what it was to become as time went on: air raids, cities destroyed, civilians driven from their homes, reciprocal accusations and complaints, partisan resistance, establishment of governments in exile.

While it was preparing for the outbreak of war, the ICRC had decided to send delegates to represent it to the belligerent States and

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1 Memorandum of 9 September 1939.
2 Memorandum of 12 September 1939.
National Societies, the mission of such delegates still being considered temporary. The Polish Government had indeed asked, on 6 September, for a delegate to be sent. Those appointed by the Committee were: for Germany, Dr. Marcel Junod, former delegate in Ethiopia and Spain; for France, Edouard Frick, previously ICRC delegate-general for the repatriation of prisoners of war; for Great Britain, Rodolphe Haccius, who had been a delegate in Hungary, the Near East and Ireland; and for Poland, Robert Brunel, who had served in Rumania, Poland and France.

Yet notwithstanding its careful preparations, the ICRC did not succeed in establishing a delegate in Warsaw before it was occupied by the German army. Brunel left Geneva on 14 September and reached Bucarest on the 18th. In view of the military situation, the ICRC had requested the USSR to allow him to pass through Russian territory; but permission was not granted, and as the frontier was closed the delegate was unable to enter Poland. By then the progress of the war had greatly increased tension, further heightened by the assassination on 21 September of the Rumanian Prime Minister Armand Calinesco. Brunel therefore set to work to help Polish refugees in Rumania and Hungary, alongside representatives of the churches, the National Societies, the YMCA, the Save the Children Fund International Union and Polish Relief; and he took part in establishing news bureaux in Bucarest and Budapest. By the beginning of October 1939 there were 24,000 military and 15,000 civilian refugees in Rumania and 36,000 and 7,000 in Hungary. The Assistant Secretary of the League, Malcolm Davis, was sent by the League and the ICRC jointly to make inquiries concerning Polish refugees in Lithuania and Estonia, his work in the Baltic States being taken over later by Secretary-General Rørholt of the Norwegian Red Cross, when Davis went as representative of both organizations to Rumania and Yugoslavia.

Leaving Geneva at the same time as Brunel, Dr. Marcel Junod arrived in Berlin on 16 September and a short time later began visits to camps: on 23 September, Oflag XA at Itzehoe, where there were 1,200 Polish prisoners, 2 British airmen and 2 Frenchmen; on 25 September, Bromberg, a camp for Polish prisoners of war and civilians; and on 26 September, Stalag IIB at Hammerstein.

The ICRC was making efforts to obtain from the governments of the belligerent States simultaneous assurances on the principal rules for the treatment of prisoners and internees: organization of information bureaux, forwarding of lists, the right to correspondence, the treatment of civilians of enemy nationality, whether interned or not,
lists of civilian internees, repatriation of civilians not capable of military service, role of relief societies, dispatch of relief parcels, possibilities of work. It was extremely important, the Committee felt, to regulate the treatment of detained persons as quickly as possible, so as to avoid unfounded reports—or perhaps even true ones, since the internment measures had been hastily improvised—from leading to an endless cycle of reprisals. As yet there were very few British, French or German prisoners; but the example of Poland, its population subjected to unilateral measures with no hope of reciprocity, showed the urgent necessity of making sure from the outset that satisfactory provisions had been made on all sides for prisoners and internees. These matters were also dealt with by the Protecting Powers, which were authorized to visit the camps; the International Committee was able to centralize rapidly the information received from its delegates in the countries at war and therefore to compare the position of prisoners and internees and demand, first of all, equality of treatment. For example, Edouard Frick, having been told of the measures taken by the French authorities for the treatment of prisoners and internees and of the creation by the French Red Cross of a service of liaison with the Central Agency in Geneva, succeeded in having the internees' camp in the Colombes stadium, criticized by the German Government, closed down and replaced by small camps which he was allowed to visit. On 25 November, the minister Frédéric Barbey, a member of the ICRC, visited the first prisoner-of-war camp in France, while in Britain Rodolphe Haccius had made a visit on 6 November to the first camp of German prisoners, including submarine crews and airmen. In Egypt, which had broken off diplomatic relations with Germany and interned German nationals, the ICRC delegate Georges Vaucher was given permission on 2 November to visit the camp at Gabbari where all the Germans were held.

The ICRC's arrangements for intervention were in place in the countries at war—Germany, Great Britain and France—and in the non-belligerent States where there were refugees and internees. The Committee also attached great importance to the resumption of direct contacts with the Soviet Government and the Alliance of Red Cross and Red Crescent Societies of the USSR and to extending its activities to that country. A letter was sent to the People's Commissar for Foreign Affairs on 27 September, proposing that a delegate be sent to Moscow, and the request was confirmed to the USSR's ambassador in Paris, who replied on 12 October stating his Government's position: "The Union of Soviet Socialist Republics
has not signed the 1929 Convention relating to prisoners of war; consequently the stipulations therein are not binding on the USSR. For this reason it is considered that the sending of a special delegate of the International Committee of the Red Cross to the Soviet Union to settle questions arising from the above-mentioned Convention is unnecessary. With reference to family messages from abroad for the Ukraine and Byelorussia, it is felt that these may be sent by using the international postal links."

The ICRC repeated its request on 26 October, but without result.

After visiting the camps at Bromberg and Hammerstein, Dr. Junod then went in November to Cracow and to Lodz, where he was informed of discriminatory measures against the Jews, who were forced to wear a yellow armband, and to Warsaw, which he described as "a city bombed as no city has ever been bombed before in history". While there he visited the head of the Jewish community, Senator Czerniakow, but did not go into the Jewish quarter.

The Polish territory occupied by the Germans had been divided into two zones: one was annexed to the Reich, the other formed a protectorate. The population everywhere, overwhelmed by the collapse of their country, expressed their apprehension and distress. The distress came from the fact that most families had no breadwinner, 600,000 men were prisoners, many houses had been destroyed, while food had been requisitioned, money in the banks was blocked and soon became worthless. Apprehension was felt concerning the fate of the non-German population, and of the Jews whether German or Polish.

The ICRC delegates continued their visits to camps in belligerent countries. For the prisoners of war they had to remind the authorities, above all, of rules with which they were unfamiliar; they had to accelerate the installation of camps more suitable than the first temporary centres and insist on the uniform application of the 1929 Convention. For civilian internees different action was required. The belligerents had indeed stated a general willingness, provided there was reciprocity, to give civilian internees the benefit of the articles of the Conventions applicable to them; but the rules of internment, such as conditions in the camps and the categories subject to internment, had not yet been decided and it was necessary here too to maintain a balance in the measures taken by the various States. The period, however, was that of static war, known in Britain as "the phoney war", with only a relatively few military prisoners, so it was possible to pay most attention to the problems raised by civilians in captivity.

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On 30 November 1939, the Soviet Forces entered Finland. Although party to the 1929 Geneva Convention for the protection of wounded and sick and to the Hague Conventions, the USSR, as we saw, had not ratified the 1929 Convention on prisoners of war. Despite the ICRC's efforts, the Soviet Union did not modify the position it had taken and would not agree to allow ICRC delegates into the country or to send lists to the Central Prisoner-of-War Agency. As Finland had responded favourably to its request, the Committee sent its delegate Robert Brunel, who arrived on 2 January at Vaasa, headquarters of the Finnish Red Cross. He was able to visit a transit camp for Russian prisoners in northern Finland. The Finnish Red Cross had set up an information bureau on prisoners of war, but was not authorized by the Government to forward to the ICRC the individual index cards of the prisoners as long as the USSR Government would not guarantee reciprocal action. Meanwhile the service for sending civilian messages was extremely busy, since thousands of people had been displaced and many messages were being sent from Finland and from Finns living in other countries.

Shortly after the conflict began, President Franklin Roosevelt had reiterated his message of 1 September 1939, this time to the Governments of Finland and the Soviet Union, in the hope of preventing air raids on non-military targets. The ICRC, for its part, had forwarded to the Soviet Red Cross in February 1940 the protests made by the Finnish Red Cross concerning air raids which had damaged hospitals and sanatoria and killed civilians; and on 12 March the Committee made a fresh appeal to the belligerents, reminding them of the provisions of the Fourth Hague Convention of 1907 under which the attack or bombardment, by whatever means, of undefended towns, villages dwellings or buildings, was prohibited. The ICRC proposed to the belligerents that they should conclude bilateral agreements on the following points:

- confirmation of the general immunity conferred on the civilian population by the law of nations;
- proclamation that only military objectives are the legitimate objects of attack and prohibition in particular of any attack directed against the civilian population as such;
- definition of what is understood by the term “military objective”;
- acknowledgement that in no case should an act of destruction cause damage to civilians out of proportion to the military importance of the target of the attack.

In addition, the Committee recalled the need to provide an inquiry procedure in the event of any violation of humanitarian law,
demanded that no reprisal measures should be taken before the party accused had been given the opportunity to state its case, and pointed out that in no circumstances should persons and objects protected by the Geneva Convention and legitimately bearing the sign of the red cross be subject to attack.

The invasion of Finland gave rise to an international assistance operation. In the United States, the Hoover Committee and various relief bodies collected and forwarded many hundreds of thousands of dollars. In Europe, Sweden, Norway and Denmark were in the front rank of this humanitarian operation, providing large sums of money and quantities of relief supplies and sending ambulances and medical personnel. In Finland itself, the National Society played a vital part in the relief operations, especially in favour of sick and wounded soldiers, while the Government set up a special relief committee for the civilian population, the Suomen Huolta, responsible for centralizing gifts and distributing them to qualified relief organizations and supervising distribution. The ICRC and the League, acting jointly, informed a number of National Societies of the relief needs, forwarded the donations sent through them and took part in the assistance operations alongside the many different bodies—governmental, Red Cross and private, whether of long standing or specially created for the purpose—bringing help to the people of Finland.

At the beginning of March, a delegation from the Government in Helsinki went to Moscow and signed a peace treaty with the USSR on 12 March 1940. There were at that moment in Finland several hundreds of thousands of displaced persons and refugees. There were shortages of food, milk and clothing. The Committee and the League continued their assistance after the end of hostilities, helped by various bodies such as the Save the Children Fund International Union, le Don Suisse and the Stockholm committee for aid to children, while Sweden went on supplying large quantities of aid directly. When the Joint Relief Commission was reactivated, on 23 July 1941, it took over responsibility for forwarding goods, the ICRC remaining available for forwarding funds from donors. The assistance activities of the Joint Commission extended through the second Russo-Finnish conflict, decreased sharply in 1943 and 1944 due to transport difficulties caused by the fighting in that part of the front, and reached its maximum development in the first post-war years.

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1 See page 471.
While the Franco-British forces and the German forces remained opposed but virtually immobile along the short frontier defended on one side by the Maginot Line and on the other by the Siegfried Line, the war at sea was taking on major importance. To the blockade imposed by the Allied navies the Germans replied with submarine warfare and raids by warships. The vessels supplying the Allied nations, though sailing in protected convoys, were nevertheless vulnerable to the U-boats under the command of Admiral Doenitz. Neutral shipping did not escape torpedoing and air attacks. The merchant marine crews of the belligerents, when picked up, were considered either as prisoners of war or as civilian internees. The Hague Convention of 1907 laid down that members of the merchant marine “are not made prisoners of war, on condition that they undertake, under a formal written promise, not to take, for the duration of the war, any service relating to war operations”. But these provisions had fallen into disuse during the First World War, and those surviving shipwrecks and capture of a vessel were always made prisoner. The transport of prisoners by ship raised serious problems since it exposed them to the dangers of naval warfare. As we shall see, it proved impossible to solve these problems during the war.

It was, in fact, exactly this problem which caused a serious incident in February 1940 between the British and the Norwegian Governments and drew attention to the significant role which might be played in the war at sea by the coast and harbours of Norway. On 17 February, the armed naval auxiliary vessel *Altmark* was returning to a German port along the coast of Norway and inside Norwegian territorial waters. On board she had 299 British seamen rescued from the ships sunk by the German battleship *Admiral Graf von Spee*, before she was scuttled after a battle with Royal Navy units off the estuary of the River Plate. The *Altmark* was intercepted by the British destroyer *Cossack* in Norwegian waters and run ashore, the prisoners being liberated. The incident gave rise to grave representations by the governments concerned and to vigorous controversy on the application of the Ninth Hague Convention of 1907—the Prisoner-of-War Convention not being relevant in this case. From then on there was a race to gain control of the coasts of Norway. On 8 April, Paris and London informed the Government in Oslo that mines had been laid during the night at three points on the Norwegian coast. At dawn on the 9th, Germany attacked Denmark and Norway, and by the evening Oslo, Kristiansand, Bergen, Stavanger and the main airfields of the country were in the hands of the forces commanded by General von Falkenhorst. On 15 April, Allied
forces landed in Narvik, but were forced to evacuate the coast on 31 May. Norway was occupied by the German forces, though it continued to fight a war of resistance, while the Royal Government was set up in London and the Norwegian merchant fleet went over to the Allies.

The ICRC wrote to the Norwegian Council of Ministers on 15 April, offering its assistance "in any case where a neutral intermediary acting according to Red Cross traditions would be useful", and proposing the services of the Central Agency. At the same time the Committee had planned to send a mission to the unoccupied territories in Norway. The Norwegian Government gratefully acknowledged the offer of assistance, but the military situation developed too rapidly for it to be followed up. Hitler appointed a Reichscommissar for Norway on 27 April, Gauleiter Terboven, and a plenipotentiary representative. The fighting went on, however, throughout the month of May; but on 11 June the Norwegian Government announced the withdrawal of Allied forces from Norway and the cessation of the struggle on national soil. In a radio message from London on 17 June, King Haakon VII declared that the Royal Government was continuing the fight for the freedom of his country with the support of the merchant navy, which remained free.

Thus it was the ICRC delegate in Germany who was asked to go to occupied Denmark and Norway. After about two weeks of negotiations in Berlin, Dr. Junod obtained authorization to travel in these two countries and began in Denmark, where he found that the Information Service was operating, then went to Stockholm to meet Prince Charles and from there to Oslo, where he arrived on 27 May. He had talks with the President of the Administrative Council of Norway concerning the economic situation, with the Committee of the Norwegian Red Cross in Oslo and with the American chargé d'affaires. He realized that all operations would have to be negotiated in Berlin. He also visited a transit camp for British prisoners and 32 wounded men on a hospital ship—the majority of British prisoners taken in Norway had already been transferred to Germany, where they were visited by an ICRC delegate.

Subsequently the economic situation in Norway worsened drastically. The destruction resulting from the fighting, the absence of commercial activities and fishing, the requisitions and the payment of maintenance costs for the army of occupation brought about severe shortages and much distress. The largest amount of aid came from Sweden. The ICRC attempted, but without success, to have
sent to the Norwegian forces part of the medical equipment and ambulances of the army medical services which had fallen into the hands of the occupying forces. Later it sent a certain amount of goods to Norway; and the Joint Relief Commission, between 1943 and 1946, sent relief to a total value of 3,290,281 Swiss francs. The ICRC delegate in Stockholm, Georges Hoffmann, supervised the distribution of relief when the German authorities allowed him to go to Norway, and he was then able to make contact with the Committee of the Norwegian Red Cross in Oslo and gather information concerning the needs of the Norwegians.

2. Methods and resources of the ICRC

In setting up its wartime arrangements, the ICRC had drawn its ideas chiefly from its experience in the First World War. Thanks to the work of the Commission for Work in Wartime, it had not been taken unawares by the outbreak of hostilities. Within the Palais du Conseil Général, a huge building made available by the authorities of the Canton of Geneva, it at once installed the services of the Central Agency, its secretariat and various divisions, comprising in all some hundreds of workers.2

The Committee itself was soon to leave its offices in the Villa Moynier, where it had been since 1933 and where it had hoped to make its permanent home.3 Since that date, new members had been appointed: the engineer Jacques Barthélemy Micheli, who had already carried out numerous missions to bring relief to Russian prisoners after the First World War, and whose family had been represented within the International Committee by his grandfather, Louis Micheli de la Rive, and his father, Horace Micheli; Georges Wagnière, former Swiss Minister to Italy; Paul-Edmond Martin, history professor in the University of Geneva; Lucien Naville, son of the former ICRC Vice-President Edouard Naville; Walter Yung, chairman of the court of first instance in Geneva; Edouard Chapuisat, former director of the Journal de Genève, a retired examining magistrate, author of biographies of General Dufour and

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1 The Palais du Conseil Général, which had been built on the site of the former electoral building, was destroyed by fire in 1964, long after it had been vacated by the Agency, the premises being unoccupied.
2 By the spring of 1945 the total of ICRC workers was 3,291, of whom 2,585 were employed in the Agency. (See below, page 419.)
3 See page 275.
Gustave Ador; Renée Bordier, chief nurse at the Bon Secours nursing college; Dr. Alec Cramer, former ICRC delegate and member of the management committee of the Swiss Red Cross.

Several active members of the Committee had held posts in the Agency in the 1914-1918 period: Frédéric Barbey, Paul Des Gouttes, Mrs. Frick-Cramer. Jacques Chenevière, who joined the first International Prisoner-of-War Agency in 1914, took the chairmanship of the Central Commission which, in the first days of the later conflict, succeeded the Commission for Work in Wartime; he then became chairman of the Prisoners-of-War Commission and the Central Agency. Several other commissions were to be created as circumstances required: the Co-ordination Commission which replaced the Central Commission in November 1940 before being in turn replaced by the "Bureau" in March 1943; other commissions dealt with relief, prisoners, internees and the Agency, press and publicity, administration, delegations, law and the Revue, not to mention to permanent peacetime commissions: the Augusta Fund, the Florence Nightingale Medal, the Empress Shôken Fund. Itself the product of a sub-committee of the Genevese Society for Public Welfare, the ICRC had kept a preference for this method of work, allowing it to give some of its members executive responsibility in a specific field while retaining the final authority for decisions.

The Committee’s President, Max Huber, had moved to Geneva in order to take up full time the arduous duties which were to be his throughout the war years. He did not wish to remain in office beyond the end of 1944, by which date he would be 70 years of age. He was replaced on 4 December 1944 by Professor Carl Burckhardt, who had resumed an active role in the ICRC when his functions as League of Nations High Commissioner for Danzig were terminated by the war.

In 1943 the ICRC called on the services of Paul Ruegger, a former professor of international law and a legal expert for several international bodies. He had represented the Swiss Confederation in Rome from November 1935 to March 1942. He interrupted his work with the Committee for a time, when he was appointed Swiss Minister to Great Britain in May 1944; then, in 1948, he was made ICRC President.

An advisor to the International Committee was appointed in 1943, in the person of Frédéric Siordet, a former special advisor to the Swiss Legation in France.¹

¹ He was chairman of the Delegations Commission from 1944 to 1946, member of the ICRC from 1951, and author of the book *Inter Arma Caritas* dealing with the ICRC’s work in the Second World War.
The complexity of the tasks devolving on the ICRC and the scale of the operations it planned to carry out during the conflict encouraged the Committee to expand its administrative services considerably more than it had done during the earlier world war. The secretariat, consisting of three persons in 1939, grew larger over the years as specialized divisions were created. By 1944 the ICRC Bureau comprised within a general secretariat the four major departments which became characteristic of its post-war structure. They were headed by Jean Duchosal (administration and information), Hans Bachmann (relief), Roger Gallopin (general affairs, prisoners of war, internees and civilians) and Jean Pictet (law).

Nevertheless, as the invasion of Norway was completed, the three first campaigns of the war had shown up situations which the ICRC’s traditional methods had not entirely mastered. The annexation or occupation of conquered territories in Poland and Norway had seriously impeded visits to camps and the provision of relief. The fact that a great State like the USSR was not a party to the Prisoner-of-War Convention of 1929 made the Committee fear that if the conflict became generalized the Convention’s application would remain limited. In point of fact, it was only in the relations between the Western belligerent Powers that the work of the ICRC would, despite considerable difficulties, be implemented. But the biggest battles were still to come, and the standards adopted during the First World War were soon to prove inadequate to the circumstances, forcing the Committee to try to adapt to the new situations and to resolve, during the following five years, the problems of total war. As a consequence, some of its methods were analogous to those employed in 1914, while others were greatly changed. Before tracing the work of the ICRC in the most typical episodes of the war, we will examine what the new situations were and how the Committee adapted to them in three characteristic areas of its activities: the Central Prisoner-of-War Agency, the visits to camps of prisoners of war and internees, and relief.

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A. The Central Prisoner-of-War Agency

As in 1914, the Central Prisoner-of-War Agency formed an essential element in the ICRC’s activities, now based on its experience during the First World War and the Spanish War. In fact, the Com-
mittee’s work in this sphere had never ceased completely, since it had continued to answer requests for information on prisoners and missing persons from the First World War and the civil war in Spain. There was, however, a difference from what had happened in 1914: the ICRC could draw support from the provisions of a Convention, in particular Article 79 of the Geneva Convention of 27 July 1929 relating to the treatment of prisoners of war, worded as follows:

“A Central Agency of information regarding prisoners of war shall be established in a neutral country. The International Red Cross Committee shall, if they consider it necessary, propose to the Powers concerned the organization of such an agency.

“This agency shall be charged with the duty of collecting all information regarding prisoners which they may be able to obtain through official or private channels, and the agency shall transmit the information as rapidly as possible to the prisoners’ own country or the Power in whose service they have been.

“These provisions shall not be interpreted as restricting the humanitarian work of the International Red Cross Committee.”

In addition, the creation, one year before the conflict began, of the Commission for Work in Wartime had enabled the ICRC to prepare for the establishment of a Central Agency, set aside space for it and draft in advance the texts for notifying the belligerents of its existence.

Although it drew on its past experience, the Committee did not ignore the possibility of adapting to circumstances which, at the onset of war, it could neither foresee nor take as a general standard. But the methods which had proved their worth in 1914 remained the foundation of the Agency’s work in 1939. Without repeating the description already given, we will show the major directions taken by the Agency’s various services during the war.

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In confirming, by an article in the prisoners-of-war Convention, the initiative which resulted in 1914 in the creation of the International Prisoners of War Agency, the authors of the Convention gave it a new name: the Central Agency of Information regarding prisoners of war, specifying its function as being to collect “all the information regarding prisoners”. This meant that—except for any action the ICRC was entitled to take in the case of imperative circumstances—there should be only one Agency in existence.
During the Second World War the Committee essentially adhered to the aim that the Central Prisoners of War Agency should be a single body with no branches. As a result, all information obtained through official or private channels respecting prisoners of war was collected in a single place, as envisaged in the Convention, and the same was true of requests concerning prisoners. As described in the section on the International Agency of 1914, the basic search method brought together in the index the card bearing the request and that containing the information, producing the "concordance". This could happen only if the two streams which produced it—stream of requests, stream of information—flowed from all over the world to one place.

The Central Agency as thus defined had no monopoly of information. We have seen that the national information bureaux were explicitly mandated for the purpose, while the Powers concerned (generally the country of origin) which received information about their nationals through the Protecting Powers were likewise capable of answering requests. But the Central Agency’s role was a privileged one in that it centralized all information relating to prisoners of war, and by extension to civilian internees, something not done by either the national information bureaux or the countries of origin.

The ICRC, moreover, set great value on direct communication with families. The origins and motivations of both the Committee and the Agency were directed towards helping people; and information concerning prisoners, as has been pointed out, was a form of moral support. The ICRC tried to reply to applicants as quickly as possible and without going through third parties and this, it felt, sustained the interest of those working in the Agency by allowing them to know the people behind the documents and understand their relief when the news was good. Also the Committee realized that this system was an essential means of making its work known and of keeping its good name with the public.

The same arguments, however, were advanced by a number of the national information bureaux set up by governments or National Red Cross Societies: they too wished to appear in the eyes of their fellow-countrymen as the source or at least the necessary intermediary of news sent to them. Consequently, these bureaux asked for information to be sent to them in grouped batches for them to send on to the addressees.

In France, for example, the French Red Cross created at the start of the war a "service for relations with the Central Agency in Geneva", through which all correspondence between the ICRC and the official prisoner-of-war bureaux had to pass.
Objections to any monopoly seemed reasonable in the case of death notices. In France, for instance, notice of death of a member of the armed forces was sent by the Ministry of Pensions to the dead man's regimental depot which, after verification, forwarded the information to the municipal authorities in the place of residence of the man's family. In this way, the family was told the news directly before receiving an official notification. In such a case, the Agency did not make direct contact but arranged for the original message it had sent to the French authorities to accompany the official death notice.

On the same lines, it was agreed that the Italian Red Cross should act as a forwarding agent for the first reply from the ICRC to the family, in its original form and with no delay, but that subsequent information concerning the same person would be sent directly from the Agency. The German Red Cross protested that the ICRC spontaneously sent news to families based on the official lists.

In various other cases (Brazil, Canada, United States, Belgium, North Africa) an arrangement was made whereby the Committee agreed not to send news directly, with the proviso that every request it received should bear the name and address of the requestor and that the latter would receive the Central Agency's reply in the original form and without delay.

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The aim to centralize the information and the desire to communicate with requestors without a third party had their corollary in two requirements: speed and accuracy.

Speed is a natural requirement, laid down by the Convention, and often hard to fulfil in time of war. The official lists—sent by the national information bureaux simultaneously to the Central Agency (by post) and to the Power whose nationals were listed (through the Protecting Power)—were immediately photocopied by the Agency's List Service and before any processing took place the copy was sent to the national bureau concerned, with a duplicate slip, half of which was used as a receipt. This procedure ensured the rapidity and authenticity of the list dispatch.

For countries outside Europe, when postal communications were suspended or unreliable, the Agency used telegrams, which the coun-
tries in question also used for sending the lists—this was true in particular for Japan. In such cases, the List Service sent photocopies of the telegrams to the Power concerned.

In June 1944, the official American information bureau sent the Agency the first lists to be recorded on microfilm: each strip of film had about fifteen “photos”, each of which usually contained the data relating to fifteen men; and by the final months of the war the Central Agency itself was sending microfilmed information to the official bureaux in Britain and the United States.

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“Not later than one week after his arrival in camp, and similarly in case of sickness, each prisoner shall be enabled to send a post-card to his family informing them of his capture and the state of his health. The said post-cards shall be forwarded as quickly as possible and shall not be delayed in any manner.”

This provision in the 1929 Convention made obligatory a custom established during the First World War and based on the right to correspondence. But limiting the first card to notification of capture and details of identity meant that it could avoid the delays of censorship and be forwarded faster than the official lists, which were not sent to prisoners’ relatives.

But the system was effective only if the person writing the card knew the current address of his family, which in wartime was often changed because the population had moved out of an area or because individuals had gone to live elsewhere or been evacuated from a military zone. To ensure that the beginning of captivity was notified to relatives, the ICRC proposed that the belligerents authorize prisoners to complete a second capture card, addressed to the Central Prisoner-of-War Agency, of a format allowing it to be inserted directly into the records. The majority of States signatory to the Prisoner-of-War Convention adopted this method, which guaranteed that the Agency would be quickly informed and reduced the risks of error.

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2 In November 1939, during Dr. Junod’s mission to Berlin, the German authorities agreed to send the ICRC a duplicate of the capture card as defined in Article 36 of the POW Convention. The first capture cards were sent to the ICRC on 26 March 1940 by two British airmen taken prisoner in Germany.
The International Agency of 1914 had applied one strict rule: systematic recourse to the original document. The information card at that time bore only the name and identification particulars of the man to be traced and gave the page reference of the list containing information on his condition and place of detention. "The information cards", wrote the ICRC, "therefore constituted an alphabetical list of all the lists of prisoners and not a repertory of information as such. This vital principle of not entering any information on the card, but merely giving the page, so that the person making the search was forced each time to return to the original, was the main characteristic of the Geneva bureaux."

During the first months of the second war, the Agency again used this method, the number of requests and the amount of information then being fairly low. After the events of May 1940, however, when requests were pouring in by their hundreds of thousands, reference to the files would have greatly slowed down the speed of reply. The Agency services therefore adopted a new procedure, which was to enter on the card all the information obtained on a prisoner, and no longer applied the principle of systematic perusal of the original documents.

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These innovations, it is clear, did not fundamentally change the working methods used by the International Agency of 1914: forwarding of all documents containing information on the prisoners, establishment of a record of all information obtained from official or unofficial sources or by correspondence, searches for missing persons, replies to requests for news. Other aspects were the forwarding of death notices, deceased prisoners' effects, official papers such as birth certificates, and correspondence. The number of documents passing through the Agency or entered in the files were numbered in tens of millions. To keep to the two basic rules of speed and accuracy, the Agency employed extreme fragmentation of work and maximum standardization of operations, giving each member of staff a precise responsibility—distribution of work, filing in a limited section of the alphabet, verification, checking—thus improving control and output.

The specialization made it possible to interpret better the information and the requests received. The documents arriving at the Agency came in fact from many very different sources and from people with
all kinds of writing and different alphabets. In addition, the basic
documents often contained errors or variations in the spelling of pro-
per names. Yet this material had to be allotted a place in a strictly
alphabetical filing system.

In this respect the Central Agency’s services again applied two
rules: one was to transcribe in Roman characters the various
alphabets; \(^1\) the other was to file together all proper names with
phonetic similarities or variations in spelling. \(^2\)

* * *

To perform this work the ICRC recruited a large number of staff.
As we saw, the International Agency employed 1,200 people in the
First World War. This number was greatly exceeded by the Agency in
the Second World War: by the spring of 1945 it had a staff of
2,585 persons, including 1,400 working outside Geneva.

One of the innovations of the Central Agency, in fact, was the use
of outside teams which worked for it in various cities in Switzerland.
In July 1940, when the German military victories on the western
front gave rise to the tremendous flood of information, requests and
correspondence, the ICRC began to use teams of volunteers for this
work. Over half the file cards during the war were thus made out by
voluntary workers in 27 towns and cities of Switzerland. \(^3\)

After the armistice in 1945, when the work relating to German
prisoners was beyond the possibilities of local staff, the Agency had
recourse to teams of German military and civilian internees and
prisoners of war located in Switzerland and France for much of the
mail sorting, card filling, filing, forwarding information and
messages, and translation. \(^4\)

Could this extensive operation, performed by thousands of
workers, be done by machines? The essential elements of the
Agency’s work consisted in the analysis and interpretation of
documents, and here there is no substitute for experience and
thought. On the other hand, processes such as filing, sorting, “con-
cordance”, which require only the comparison of precisely defined

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\(^1\) Apart from the USSR service, where the proper names were written in cyrillic
characters.

\(^2\) Example of phonetic similarity: Johnson, Johnston, Johnstone, Jonson, Jonson, Jonsson.

\(^3\) A total of 19,997,000 cards from August 1940 to 30 June 1947.

\(^4\) The work was directed by the “External work service” in Geneva.
material elements, are of the kind which lend themselves to automation. Another innovation of the Central Agency between 1939 and 1945 was the introduction of electro-magnetic Hollerith machines, also called Watson machines.1

This group of machines could do alphabetical filing, punch the file cards and sort them according to the information they contained (army numbers, numbers of prisoners, regiments, age, rank, nationality, etc.), print lists and copy cards.

Automatic processing with punched cards proved particularly useful in the tracing of missing persons by the method known as regimental searches, the principle of which was described in the account of the International Agency of 1914: a list was made of prisoners belonging to the same company or regiment as the missing person and a request for information sent to each one. After the fall of France, in May and June 1940, when the file for French prisoners was constituted and all the concordances made, it was found that 40,000 requests remained unanswered. Using the machines, a list was drawn up comprising 570,000 names of men who had served with the missing persons. To each of these the Agency sent a circular letter accompanied by the list of all the missing persons from the recipient’s unit, and a reply form. The Agency’s French service received 100,000 replies containing information which enabled the French authorities to find out what had happened to 30,000 men, reducing to 10,000 the number whose fate was not explained. The experience of the Watson service showed that the automatic processing of documents opened up areas of activity not accessible to the Agency’s manual procedures.

The machines were also used to make index cards for American prisoners, for various national services when the system of individual inquiries proved insufficient, for relief and for tracing German troops who had disappeared after the end of hostilities.

As a rule, the ICRC succeeded in persuading the States which applied the POW Convention to extend its benefits to civilian internees. The Agency likewise included them in its services. As time went by, it became the practice to file cards for civilians and servicemen together. In fact, it was not always clear whether someone was a civilian or not; and the person’s status could be modified by events such as conscription into the armed forces or demobilization. The

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1 In October 1939, Mr. Thomas J. Watson, President of the International Business Machines Corporation, placed at the disposal of the ICRC for the duration of the war a number of different Hollerith machines, and technicians specially trained in their use.
determining criterion for the index was that of nationality, except for persons whose nationality was not clearly defined or who had lost their nationality.

The last group was composed mainly of stateless persons (apart from those with Nansen passports), Jewish refugees from Germany or countries under German occupation who had been deported to the east, and all persons unprotected by the Conventions or any Protecting Power. They were dealt with by the CID service (Civilian Internees, Diverse). Its activities will be described later—they were gravely hampered by the fact that neither Germany itself nor any of the countries under its control provided information relating to these persons.

The Agency also became a forwarding centre for correspondence. It provided extra guarantees, indeed, by speeding up the censorship of messages bearing its name, by enabling addresses to be traced or corrected and, when all postal channels had been blocked, by providing the only route still open.

Prisoners of war and civilian internees were in principle entitled to send letters and cards by the shortest postal route. Very often, the senders and even the postal authorities considered that the quickest way, as well as the safest, was through the Agency, to which they sent cards or letters or sacks of mail. By the end of 1946 the Agency had received and forwarded almost 20 million cards from prisoners and internees. In addition to these messages written by the prisoners or their families there were often the brief messages taken and written down by the ICRC delegates during their visits to the camps. Moreover, under the 1929 Convention, prisoners could in some circumstances send or receive telegrams through National Societies, ICRC delegates or prisoners' representatives. The procedure never became widespread; nevertheless, the Agency passed on to the official Japanese information bureau 61,000 telegrams for the POWs in Japanese hands.

In 1942 the ICRC put back into service a type of message first employed in the 1914-1918 war: this was the express message, intended for prisoners of war and for internees and their families without news of their close relatives for at least three months. The message was a form with two sections, one for the message, limited to five lines, and the other for the reply. The censorship offices of the countries which had agreed to allow use of these messages gave them priority over normal mail. By the end of June 1947 the total number of express messages forwarded in both directions by the Agency was 1,355,000.
Another method taken over from the First World War, and used also in the Spanish War, was the civilian or family message, for the use of members of one family who had been separated by war: it allowed correspondents to write, on both sides of a single sheet, family messages of up to 25 words. These were in use from the autumn of 1939. At first, the civilian message service of the Agency copied the messages on to the special forms, then, after a few weeks, it divided the stock of forms (Form 61) among the National Societies for the correspondents to enter the messages themselves. The system was used by National Societies and some other humanitarian bodies; but usually the messages passed through Geneva. Soon the ICRC added the civilian telegraphic messages, employed particularly in correspondence with countries outside Europe and whose text, under the existing regulations, had to be translated into the language of the country of destination. By 30 June 1947 the Agency had forwarded 23,858,000 civilian messages (an average of 20,000 a day in the last years of the war) and 134,000 telegrams.

The concern to replace means of communication impeded or broken off by war applied to other matters also. One example is the transmission of official records and documents when there was no Protecting Power, another the forwarding of deceased persons' effects, articles recovered from battlefield or hospital—wallets, watches, knives, combs, identity disks, rings, religious articles, photographs, countless papers of all kinds, identity cards, letters, often torn or stained, but each one a precious memento to bereaved relatives.

Sound radio was likewise used by the ICRC to transmit messages and lists, although it could never replace the postal method, which was more exact. In any case, political and technical obstacles and the difficulty of obtaining replies to the broadcast messages made the systematic use of radio during the war an impossibility. The ICRC broadcasting service, created in 1945 to give general information on the Committee's activities, was not able to transmit the first list until 2 May 1945—the names of French prisoners of war being sent home via Switzerland—so it was not until the immediate post-war period that this service came to full growth.

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Information and requests received by the Agency were filed, as explained, first of all under nationality, which meant that the work was
spread among approximately as many national services as there were countries with nationals who were prisoners or civilian internees. By the end of the war the Agency had 26 national services and another five specialized services.

All these services applied the general rules already described, adapting them however to the geographic or ethnic conditions particular to the different countries and especially to the varying situations resulting from the course of the war. A few of the major services of the Central Agency will be examined here as examples.

Four national services were created on 14 September 1939, one for each of the four nations at war on that date: Poland, France, Great Britain and Germany.

The consequences of the invasion of Poland have been related in the preceding section. The division of the country and its disappearance as a territorial State resulted in the dispersion all over the world of civilians and members of the armed forces who had not remained in the power of the occupying authorities. The fighting men reached the Allied countries and continued the fight against the Third Reich, either in the French Army, where they joined the Polish units formed in France, or, after the Franco-German armistice, in Great Britain and North Africa. When the USSR became involved in the conflict, the Polish troops interned in the Soviet Union were released and formed an army, while some left the USSR and joined the British forces in the Middle East, families being sent to India, still under British rule, Kenya, Tanganyika, Rhodesia and Mexico.

The task of finding the Poles who were missing or scattered, and of re-establishing the links between separated families was therefore peculiarly difficult, since the families were spread among most of the belligerent countries and very little information came out of what had formerly been Poland. From the beginning of the occupation, the ICRC had lost contact with the Polish Red Cross in Warsaw and all its provincial sections. After the Polish campaign and until February 1940 the Polish service of the Agency received lists of captured Polish soldiers from the official German Bureau. Then in 1943 the Agency again began to get lists, but this time they dealt only with...

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1 Some services, such as that for Latin America, covered a geographical area containing a number of countries.

2 The 2nd Division of Polish infantry had taken refuge in Switzerland, where it was interned. The list of Polish nationals interned in Switzerland was compiled by the Federal Commissariat on Internment and Hospitalization, which sent it to the Central Agency.

3 Oberkommando der Wehrmacht (OKW), Wehrmachtauskunftsstelle für Kriegsverluste und Kriegsgefangene.
officer prisoners: most soldiers of other ranks had been made civilian workers. However, the service was able to make inquiries concerning these prisoners and workers from the \textit{OKW} and the German Red Cross.

The terms of the surrender of the Bor-Komorowski army after the Warsaw rising gave the captured combatants the status of prisoners of war. But the \textit{OKW} did not send lists to the Central Agency. Nevertheless, the Polish service managed to collect some data based on the lists sent by the prisoners' representatives in the camps where they had been transferred or on messages and requests for relief from the prisoners themselves.

A large number of Poles—several hundred thousand—had reconstituted fighting units with either the Western Allies or with the Soviet army. The first were considered as belonging to the army in which they engaged and so their names appeared in the lists of French or British POWs supplied by the \textit{OKW}. No information, however, could be obtained concerning the Poles missing or captured on the German-Russian front.

In the territories occupied by German troops, the ICRC was able to keep some contact through the German Red Cross, which passed on the requests and replies from Warsaw and forwarded messages. But possibilities of obtaining information on persons presumed missing or arrested were extremely limited and, as we shall see, nonexistent in the case of deportees. It was mainly from messages sent by the internees (civilian workers) themselves or from the particulars supplied by the prisoners' representatives that the Polish service was able to fill out its information index, in particular after the civilians involved in the Warsaw Rising were deported. In fact, from that time on, the indirect contact the ICRC had maintained with Poland through the German Red Cross was broken.

Contact with the Polish Jews, victims of the harshest repression applied by the German Security Services, was virtually impossible, and the Polish service even ceased to send messages to them, thinking it might be dangerous for the persons concerned.

After the Polish campaign, the Polish Government and the Central Committee of the Polish Red Cross had re-formed, first in Paris, then, after the Franco-German armistice of 22 June 1940, in London. As from 4 December 1939, the official Polish bureau for aid to war victims and prisoners of war was incorporated in the Polish Red Cross, which proceeded, during the war, to establish delegations in Cairo, Italy and Geneva. Consequently, the ICRC was able in this way to remain in contact with the Polish Red Cross in London and,
especially, to make use of the large index it had built up on Poles abroad.

When Germany attacked the Soviet Union, Poles in Russia formed the "Union of Polish Patriots", to which the Agency's Polish service sent civilian messages and inquiries through the ICRC delegation in Teheran. After the defeat of the German forces in Poland, the Polish Government (first as the Polish National Liberation Committee, set up on 21 July 1944, then as the Provisional Government on 31 December) was re-established in Warsaw, where the Central Committee of the Polish Red Cross and the Prisoners-of-War Information Bureau were also reinstalled. In September 1945 the head of the Polish service, Mr. Pfenniger, travelled to Poland with a relief convoy sent by the ICRC and the Joint Relief Commission, and made direct contact again with the National Society.

* * *

The French service of the Central Agency, created at the outbreak of war along with the other three services relating to the belligerents, had to deal with one of the heaviest flows of information when the Agency staff was still small. First there was the situation after the 1940 armistice, with over 1,700,000 men sent into captivity and the country split into two zones separated by a demarcation line. Later, French and colonial troops outside France enrolled under different flags; then France was liberated and Free French fighting men went into action. Each new event meant another change in working methods for the French service.

The official German information bureau, administered by the OKW, sent lists of French prisoners and dead from the start of the war. Up to May 1940 the number of dead was only just over one thousand. When the campaign of France ended, the information and requests flooded in. From June to December 1940, the French service received 1,047,525 letters and 221,284 capture cards, sometimes at a rate of 60,000 letters a day. The lists of POWs and dead from the German bureau took many months to complete, owing to the large numbers of men concerned. By the end of March 1941 the Central Agency had received 1,700,000 names representing almost all the French prisoners.

To simplify the tracing procedure, the Agency at this time created a standard request card, the '275', which it distributed to families. Once the system was shown to be effective, its use became generalized
and was especially employed after the war was over for German families asking for news of prisoners.

It was also the French service which first used the system of regimental searches, already described.

When the Committee of Free France was constituted in London in June 1940, the French service made a separate index for information and requests relating to all operations in which French troops participated after the armistice. Information was of course sent to London, first to the official British bureau, later, at the request of General de Gaulle, to the Committee of Free France. After the liberation of Paris, information was forwarded to the official services installed in the capital by the Provisional Government.

In June 1940 the ICRC created a new special service within the Central Agency, the French colonial service, separate from the French service. It had in fact proved necessary to deal specifically with cases relating to the numerous members of the forces who were nationals of French North Africa and of French colonies, protectorates or mandated territories, owing to their distinctive character, the diversity of languages and customs and also because the territories in question were virtually cut off from Metropolitan France once the armistice had been signed. In the camps in Europe where they were held, prisoners from the overseas territories suffered particularly from the climate, from their isolation and from the lack of news and parcels from their families. The head of the French colonial service, Miss Marguerite van Berchem, also felt that to deal separately with the prisoners from colonial countries was a way of acknowledging and respecting their identity and that of the ethnic groups to which they belonged.

To adapt its procedure to this situation, the French colonial service made a number of parallel indexes according to various filing methods: divisions according to national origin, by regiments, by POW numbers, by army numbers. The service contacted various sections of the French Red Cross and aid organizations overseas and centralized all correspondence from and for members of the armed forces, civilians and families. From the 1940 armistice to the liberation of Paris, the French colonial service was the only link between the prisoners in Europe and the overseas territories.

1 Head of the German Service in the International Agency from 1914 to 1918, director of the French colonial service and auxiliary services in the Central Agency of 1939, Miss van Berchem (now Mrs. Gautier-van Berchem) was elected a member of the ICRC in November 1951.
Once the Provisional Government had been installed in Paris, the files of this service proved invaluable for the ministries, whose documentation was incomplete or had been destroyed. A representative of the Ministry of Prisoners of War, Deportees and Refugees described his experience: "The colonial section of the ICRC... possesses an index of all the colonial prisoners of war and is able to supply on demand for any likely inquiry all the information on the locations of camps holding colonial troops and on the military and psychological conditions prevailing in them. This is moreover the only source with efficient retrieval of information indispensable to all repatriation operations. Once we have this information we will not only be able to make plans for the future based on it and organize services to solve the problem of repatriation but also to set up immediately an effective service to bring assistance to the colonial prisoners in Germany." 1

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In the same way, the British service adapted the Agency's general methods to the characteristics of the Commonwealth forces. Until the battle for France in 1940, the situation was similar to that for the French, Dutch and Belgian services: very few prisoners until the invasion of the Low Countries, then a steep rise during the fighting in northern France and at Dunkirk.

When the conflict spread to East Africa and the Far East, the Commonwealth countries became directly involved in the war. The Central Agency consequently came in contact not only with the official British bureau in London but also with the bureaux set up in Canada, Australia, New Zealand, South Africa and India. All the cases concerning the various States in the Commonwealth remained filed with the British service, which however included a special section for dealing with cases associated with the war in the Far East. Because of the distance of some of the bureaux and the difficulties in sending mail—postal services being sometimes totally suspended—the British service frequently used telegrams. It was moreover standard practice in the case of airmen whose aircraft had been shot down: their names were always sent to the Agency and forwarded to the official bureaux by telegram, reciprocity being taken for granted.

1 Report by Dr. Pelage to the Minister of Prisoners of War, Deportees and Refugees, February 1945.
The Far East section of the British service dealt with men taken prisoner in that theatre of war. Information was much less abundant and the fate of many POWs was never known to the Agency. Japan, which was not a party to the Geneva Convention of 27 July 1929 relating to the treatment of prisoners of war, made a number of provisions, as we shall see, concerning application of the Convention to prisoners and civilian internees. The ICRC delegates were able to exercise their functions in part in Japan and the annexed territories, but were not allowed to go into occupied territory or the military zones of South-East Asia.

On 17 February 1942, shortly after the fall of Hongkong and Singapore, the Agency received a telegram from the official Japanese bureau (Huryojohokyoku) with the first information concerning British prisoners of war. Subsequently the bureau continued to send, always by telegram, information on the capture, transfer or death of prisoners. The lists were often late, and as a result, at the end of hostilities, a large proportion of captures and deaths of Commonwealth troops—the majority of prisoners in Japanese hands—had not been announced. In the case of prisoners from British India, mainly Sikhs and Gurkhas, the detaining authorities considered them as belonging to the “common sphere of interest of Greater East Asia” and did not feel obliged to provide lists of their names.

Great difficulties also arose either from the restrictions applied by the Detaining Power—especially in the occupied territories of South-East Asia—or because the ordinary postal services no longer functioned. POWs could use the “prisoner-of-war post” and internees could write civilian messages for transmission through Geneva. At the end of 1944, the Japanese authorities proposed that telegrams should be exchanged, through the Central Agency, between POWs or civilian internees and their families, at the rate of one message a year. The system was put into effect in January 1945; it worked satisfactorily for the messages from families to prisoners, but not in the opposite direction.

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We have seen that the American service used automatic machines to process information and requests, while the other services used the machines only for tracing or checking purposes. Another feature of

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1 See below, “The war in the Pacific”, pp. 521 ff.
2 The Agency had previously received information sent by the Japanese Red Cross, the Swiss Legation and the ICRC delegation in Tokyo.
the American service was direct communication by telegram with the official bureau in Washington, which also centralized requests from families and forwarded them to the Agency. However, the families of US prisoners in Europe were authorized to write to the prisoners through the Central Agency once they had received a capture notice. This resulted in more than one and a half million letters passing through the Agency.

The names of US aircrews shot down were wired by the OKW to Geneva, which at once forwarded them by telegram to the official bureau in Washington.

Less satisfactory results were obtained in relation to American prisoners of war in the Pacific. A special section will be devoted to the difficulties encountered by the ICRC in protecting prisoners of war and civilian internees in this theatre of operations and, naturally, having their effect on the work of the Agency.

The ICRC delegation in Tokyo obtained the first information in April 1942 on US troops and civilians captured when Wake Island and Guam were taken. The following month, the official Japanese bureau sent the Agency the first telegram announcing the capture of prisoners; after this it continued to send information by telegram concerning the capture, transfer or death of American troops.

Correspondence ran into the same difficulties as did that for Commonwealth prisoners. Civilian internees, however, were able to make use of a special system: their messages were wired by the official Japanese bureau to the Central Agency, which forwarded them to the official American bureau.

Families were allowed to send messages to American prisoners from January 1945, on the same conditions as for Commonwealth prisoners. But the wired messages from the POWs never materialized.

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The growth of the Agency's German service, like that of the national services of Allied countries, was closely linked with the course of the war. During the first year, searches were chiefly for aircrews and seamen. In this respect, where there were many persons reported missing, the German service carried out numerous grouped searches, asking for information from aircrews and submariners who had been rescued.

At the height of the fighting in North Africa, the service received a great number of requests, chiefly from government authorities and the German Red Cross.
The nature of the battles in the desert regions of Cyrenaica and Tripolitania meant that the fate of many of the troops remained unknown. Requests came mainly from the German authorities and the Red Cross, to which the families had to apply. Even so, a large number of families wrote direct to the Central Agency.

Particulars concerning German—and Italian—prisoners were sent to the Agency by the official British bureaux in London and Cairo.1 After the Allied landings in French North Africa and the subsequent operations in Tunisia, the German forces were opposed by American and Free French forces. Information about POWs in US hands was sent by wire from the Washington bureau, those in French hands being reported by the administration of the Prisoner-of-War Service in North Africa.

From the Italian campaign in 1943 and the landings in Normandy and the south of France in 1944, the number of German troops taken prisoner became greater than that of Allied prisoners and the Agency's German service was overwhelmed with information and requests. The work of the Agency was made more complicated by the fact that the Allies transferred many German prisoners to other countries or other continents—to Egypt, South Africa, Canada. The journeys were long and perilous; and the updating of lists took time and forwarding of correspondence was often delayed. The situation improved when the Detaining Powers began to supply information to the Agency in the form of microfilm sent by air, 2,000 names on each microfilm. For correspondence between POWs and their families, the Agency made general use of express messages, which passed through Geneva at the rate of several thousand per month.

Finally, in the last stage of military operations in Europe, particulars of German prisoners in American hands was sent to the Agency by the Supreme Headquarters Allied Expeditionary Force in England, then in France; information from British sources came from the official British bureau in London, that of French origin from the French bureau, set up once more in Paris after the establishment of the Provisional Government.

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1 Prisoners of War Information Bureau, 2nd Echelon (Middle East Headquarters) at Heliopolis (Cairo), responsible for all notices concerning prisoners and dead in the Middle East.
Concerning the prisoners and missing persons in the German-Soviet conflict the Agency received scant information, since the 1929 Convention on the treatment of prisoners of war was not applied.\(^1\) Some particulars relating to the German prisoners in the USSR were given by Soviet radio or by correspondence cards from POWs to their families, which were not sent through Geneva as a rule. Germany, after sending just one list containing 300 names and which we will refer to later, only sent a monthly total of Soviet prisoners.\(^2\) Rumania, on the other hand, sent the Agency about 75,000 names of prisoners, further thousands being received from other countries at war with the USSR (Finland, Italy, Hungary).\(^3\) In addition, the Agency was given information on 8,000 Soviet prisoners who had escaped from Germany and Italy and taken refuge in Switzerland.

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Germany’s surrender did not put an end to the work of the German service. On the contrary: because of the division of the country into occupied zones, the disappearance of the established authorities and the breakdown in postal services, the Central Agency became for a time the sole source of information and the only link between the prisoners and their families. Members of the armed forces who had laid down their arms were considered by the Allies as “surrendered enemy personnel” and were sent to swell the ranks of those captured during the fighting. In the disorder prevailing in Germany in the final months of the war, over ten million people left their homes, not counting the former German minorities from the regions of the Danube and the Balkans. The prisoners did not know where their families were living and the families had no address for the prisoners.

The German service then started to use the ‘275’ card created in 1941 by the French service, a printed card distributed to families trying to trace a missing member of the forces.\(^4\) Until the postal services with Germany were re-established—not until 1 April 1946—these cards were forwarded by the ICRC delegations in Germany.

The system made it possible for families to obtain news quickly but did not immediately re-establish communication with the prisoners.

\(^1\) See the section devoted to the German-Soviet conflict, pp. 503 ff.
\(^2\) The monthly totals appear very incomplete in comparison with the number of Soviet troops captured.
\(^3\) The information on the Soviet prisoners was dealt with by the USSR service of the Agency; by the end of the war there were 215,000 index cards.
\(^4\) See above, page 425.
The German service therefore designed a new correspondence form, the Red Cross message or ‘P. 10.079’. This card, also printed and distributed to German families, allowed the requestor to write a message of 25 words, in addition to his/her own address and the identity of the prisoner for whom the message was intended. It was sent to the Agency, which forwarded it to the POW camps after having, when necessary, corrected or completed the address. This method, which was accepted by the military authorities in the French, US and British zones of occupation, proved highly successful: by 30 June 1947, the Agency had received 1,644,036 of the ‘P. 10.079’ cards, of which it had been able to forward 806,793.

The breakdown of postal communications at the end of the war had also meant that more than a thousand sacks of mail from German prisoners had accumulated in Swiss post offices. At the request of the Swiss postal authorities, the ICRC organized teams of German internees in Switzerland to sort, transport and hand over this mail to the German postal service or the censorship authorities. Between October 1945 and April 1946, when the postal services resumed, more than 6 million letters and cards were sent to Germany by this means.

Another difficulty arose from the fact that, the official German bureau having disappeared, the Central Agency had had to keep all the lists of prisoners and notification of deaths received from the Allied information bureaux ever since the war ended.¹ When postal communications were restored between Switzerland and Germany, the Agency made inquiries in Germany and decided to send the death notices to the burgermeisters of the communes where the families lived, if the addresses were known. If not, the Agency sent the notices to the tracing bureau of the Bavarian Red Cross in Munich, which had compiled a huge card-index and was in a position to make the necessary searches. Finally, from December 1946, the German service sent death notices and approximately 75,000 effects of deceased German soldiers to the “office for the dissolution of the former German WAST agency”,² mandated by the Inter-Allied Control Commission and operating under French supervision; this body forwarded the information of the deaths of German

¹ Finding that they did not arrive at their destination, the ICRC had ceased to send these particulars from 30 April 1945.
² I.e., the official German information bureau, the Wehrmachtauskunftsstelle. See Note, page 423.
military personnel to local registry offices, which then notified the families.

The German service of the Central Agency, therefore, maintained considerable activity after the war, while the ICRC delegations worked to protect German prisoners who had remained in the hands of the Western Allies.¹

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During the first few months after Italy entered the war, the Agency’s Italian service dealt chiefly with civilians interned in various territories of the British Commonwealth. But military operations soon became extensive, with the air and naval battles in the Mediterranean, the campaigns in Greece and Crete, in Cyrenaica, Somalia and Ethiopia resulting in the capture of many fighting units and the disappearance of many airmen and seamen. There were also many Italian colonists in East Africa, most of whom belonged to a militia force incorporated into the army at the start of operations. The British authorities considered as prisoners of war those captured in uniform and as civilians those wearing civilian clothes. All this added to the confusion. In order to keep the files up to date, therefore, the Italian service of the Agency systematically noted the names and addresses shown on civilian messages sent to the colonists in East Africa and on the replies from prisoners and internees.

Later the greater part of the Italian population of East Africa was evacuated to camps for civilian internees in Eritrea, Kenya, Tanganyika and Rhodesia. The British authorities then sent the Central Agency a list of all civilian internees, and repatriated 10,000 women, children and old people to Italy in 1942 and 1943.

The same pattern was followed during the military operations in 1942 and 1943: the British advance through Tripolitania and the British and American landings in French North Africa, then the landings in Sicily and the Allied advance in southern Italy. Large numbers of men were taken prisoner and many more lost at sea, since several troopships were sunk in the Mediterranean and vessels transporting prisoners were also exposed to the dangers of war at sea. The most tragic incident involving prisoners of war was the torpedoing of the British ship Laconia, filled with Italian POWs, by a German U-boat. She had left Port Said carrying 1,800 prisoners and had

¹ See below, section 12, pp. 643 ff.
sailed right round Africa; she was torpedoed off Dakar on 12 September 1942. A few hundred prisoners and some of the crew were picked up by two French warships and two U-boats, which put them ashore at Casablanca.¹ The Italian service received from London a list of the prisoners who had been aboard the *Laconia* and forwarded it to the Prisoner-of-War Bureau in Rome.

The conclusion of the armistice between the Royal Italian Government and the Allied forces resulted in Italy's being divided in two parts: the part north of the front line, under the neo-Fascist Government, but effectively controlled by the German armed forces, and the southern part, under the Royal Government and controlled by the Allies. The work of the Agency's Italian service took a new turn at this point, since Italian prisoners and internees were held by the Axis forces as well as by the Allies, with prisoners' families also distributed on either side of the line of demarcation. In these exceptional circumstances, the Central Agency was the only possible intermediary between the various territories separated by the war, between detainees and their families.

As soon as the armistice of 8 September 1943 had been signed, the German Command disarmed the Italian forces who had until then fought beside the German forces and interned them in camps in Germany, Poland and the Balkans. It also arrested men of military service age who had returned home—those, at least, who had not joined the resistance groups—and deported them to Germany as civilian labourers.

The ICRC considered that members of the Royal Italian Army who had been interned were prisoners of war and entitled to the protection of the relevant Convention. In fact, the Italian service received almost 200,000 capture cards by January 1944. But the German authorities thought that this question should be dealt with only by

¹ On 24 February 1942, the ICRC had drawn the attention of the belligerents to the dangers to which transport by sea exposed prisoners, and requested them to take all precautions in case rescue became necessary. The Committee proposed that the belligerents should conclude agreements on signs of recognition which, without conferring immunity, would indicate the presence of prisoners of war or internees on board an unarmed vessel not transporting troops or war material; and it recommended the belligerents not to resort to transport by sea except for unavoidable reasons. The use of a special sign of recognition was not agreed to by the belligerents. A counter-proposal by the German Government that prisoners and internees should be carried in hospital ships—as an exception to Articles 1, 2 and 3 of the Xth Hague Convention of 1907—was likewise rejected.

It is estimated that 15,000 prisoners of war and civilian internees disappeared at sea during the Second World War when the ships in which they were being carried were attacked.
the neo-Fascist Government and created a special category of internees, the Italian Military Internees (IMI), to whom they refused the benefits of the 1929 Convention. In spite of numerous approaches by the International Committee, these authorities refused to supply a list of the internees’ names or to allow them to be visited by ICRC delegates. Nevertheless, the ICRC managed to obtain agreement to their being allowed to send “civilian messages” to their families. Many hundreds of thousands of messages passed through the Italian service, which was thus able to gather a large quantity of information concerning the plight of these detainees.¹

The Agency’s Italian service tried to apply the same method when the IMIs, in the summer of 1944, were made civilian workers assigned to war factories or incorporated into the Todt Organization. No death notices were sent by the German authorities, so the Italian service collated the civilian messages returned to the families marked only with a cross or bearing the word “deceased”, and on this basis questioned the internees’ representatives in the Italian workers’ camps, acquiring a little information in this way. However, once the German authorities became aware of this correspondence they decided to end it and ordered the camp commandants and internees’ representatives not to give any more information except to the special bureau set up in the Italian Embassy building in Berlin,² which sent no data to the Central Agency.

The Italian service could obtain no official information whatever concerning Italians who had been imprisoned or deported to concentration camps, among them many Jews arrested by the German authorities at the end of 1943,³ nor the members of the resistance forces who fell into German hands.

The Allied forces, meanwhile, whether advancing northward through the Italian peninsula in 1943 or landing on the coasts of Normandy and Provence in 1944, captured Italian troops fighting in German units or forming part of the Todt Organization, many of them former IMIs, who were considered by the Allies as prisoners of war. The former Italian POWs were enabled to take work as civilians to help the Allied war effort, with the special status of “co-operators”, which meant that they were no longer protected by the 1929 Conven-

¹ Taking into account the 700,000 IMIs, the volunteer civilian workers and men sent to forced labour, the German authorities had in their power almost 1,300,000 Italians, three times the number of Italian prisoners of war in Allied hands (ICRC Report Vol. II, p. 253).
² Militär und Zivilinternierten Betreuungs Dienststelle.
tion. However, the Allied Powers sent the Agency lists of the prisoners who had been "transformed" in this way.

In addition, the service was asked to carry out numerous inquiries and searches relating to civilians at liberty, especially in North and South America.

For the transmission of information, notices and messages emanating from the territories controlled by the German army, the ICRC had devised a complicated system which, though it did not take the shortest route, was at least efficient: mail was sent to Geneva, from where it was sent by truck to Marseilles, then placed on board ICRC ships for Lisbon, whence it was flown by Allied military aircraft to Algiers and finally forwarded to the ICRC delegation in Naples which, after the liberation of that city, acted as a relay for the whole of southern Italy.

Repatriation of Italian prisoners and internees in the hands of the Western Powers went on for several years after the end of the war. The Agency's Italian service then collaborated with the Prisoners-of-War Bureau in Rome to bring up to date the death notices, on the basis of information in the Agency's files, and to give information to the families. It received, at the end of 1945, a list of about 10,000 Italian prisoners captured during the war by the Yugoslav forces. However, by the summer of 1945, considering that the Allied authorities were in direct contact with the Italian authorities and the Italian POW Bureau, the Italian service of the Central Agency ceased to make index cards from the lists of persons repatriated.

* * *

This examination of the seven principal services of the Central Agency, which between them made a total of 24 million index cards—two thirds of the overall number made throughout the war—gives a general view of the main problems facing those who worked in them and of the methods adopted to solve such problems. The same was true of the other national services, with fewer staff and less bulky archives, but also obliged to adapt to the changing course of the war and the characteristics of the different nationalities they had undertaken to protect.

But some categories of prisoners and internees could not be fitted into the pattern of nationalities, or had common characteristics which justified their being grouped together in a single service. For them the Agency created five independent "specialized services".

* * *
The 1929 Geneva Convention for the amelioration of the condition of the wounded and sick in armed forces in the field, for example, conferred special status on medical and similar personnel.

One of the permanent principles of the Geneva Conventions is that members of medical personnel who are captured are not prisoners of war. In practice, however, it may be desirable, even necessary, that captured doctors and nurses provide care for their fellow countrymen or allies who are prisoners, especially when their numbers are very large and the captivity of long duration. During the First World War, as we saw, the question had long been debated, the ICRC at first arguing in favour of repatriation without conditions, then agreeing that circumstances justified exceptions to this principle, based on agreements between belligerents. The Geneva Convention of 27 July 1929 had incorporated this custom by prescribing, on the one hand, that protected personnel may not be retained after falling into the hands of the enemy and that, "in the absence of an agreement to the contrary", they shall be returned to the belligerent to which they belong. The right to conclude "an agreement to the contrary" was thus introduced into the Convention, but without specifying the circumstances which might justify the exceptions or the status of the protected personnel who were retained in this way. The exception, in fact, became the rule: the belligerents made agreements settling the proportion of doctors and nurses to be retained in relation to the number of prisoners requiring their care. But the repatriation of protected persons not required to care for fellow countrymen or allies also met with many difficulties, in theory and in practice. It was the experience acquired during World War II which resulted in the Geneva Convention of 12 August 1949 laying down precisely in what circumstances protected personnel could be retained, defining the functions to be attributed to them and giving them the protection of the Geneva Convention relative to the treatment of prisoners of war, though without making their status analogous to that of captives.¹ Moreover, many of the medical personnel retained were left idle or were employed on work other than caring for the sick and wounded. Another difficulty arose from the fact that some States and aid societies had not taken in time the measures necessary for the status of these persons to be recognized without doubt.

¹ See Jean S. Pictet, La rétention du personnel sanitaire des armées tombé au pouvoir de la partie adverse, in Revue internationale de la Croix-Rouge, November and December 1949.
In such conditions, it can be understood that it was necessary to create a special service to deal with protected personnel. The Medical Personnel Section of the Agency was obliged, in particular, to make inquiries relating to missing medical personnel. It did its best to obtain, for medical personnel who had none, an attestation or a duplicate of their identity papers and it helped to compile the lists of sick prisoners, for presentation to the mixed medical commissions responsible for selecting those who were to be repatriated.

The Artificial Limbs Service was attached to the Medical Personnel Section: it supplied many prisoners with artificial limbs and with teeth and glasses.

* * *

Other categories of captives, deprived of their nationality, with no Protecting Power or unable to appeal to the authorities of their native country, had no protection under the Conventions. First among these were the refugees, stateless persons and German and Austrian Jews, most of whom were arrested or deported to concentration camps. The service created for this category was called CID (Civilians Interned, Diverse). We shall see that the searches, inquiries and forwarding of messages for them produced only disappointing results.\(^1\)

* * *

Another service for the protection of Jews was the IMPA (IMigration to PAlestine) service. The ICRC had found that Jewish families in countries under German control who were or might be entered on a list for immigration to Palestine could take steps to avoid arrest or deportation. The IMPA service therefore assembled all relevant information and notified Jewish families.

* * *

The 1929 Geneva Convention on the treatment of prisoners of war did not directly concern internees in neutral countries. However, the influx of military and civilian refugees into Switzerland and the fact

\(^1\) See Section 8, Ethnic and political persecution, and Section 9, The concentration camps.
that many of them had no diplomatic or consular protection, allied to their need for moral and material assistance, caused the ICRC to create a specialized service for them, the Switzerland internment service.

The categories dealt with by this service were very varied: military internees and escaped prisoners of war within the meaning of Articles 11 and 13 of the Vth Hague Convention; military refugees, such as those from the Italian units disarmed by the German troops after the armistice of 8 September 1943; partisans, arriving singly or in groups, sometimes with their families; deserters; objectors to military service; combatants sent to Swiss hospitals. Among the civilians were emigrants staying temporarily in Switzerland; civilians granted political asylum; political refugees whose lives were in danger and who were also given asylum; and people in transit, being lodged for a short time in the country.

All these refugees came under the responsibility of the Swiss Federal Commissariat for Internment and Hospitalization, the competent military body for internment questions. On the basis of information supplied by the Commissariat and by the refugees themselves when they arrived in a place of internment, the Agency's Switzerland internment service established a complete index of these military and civilian refugees and fulfilled, in relation to them and as circumstances demanded, a function similar to that performed by the Agency's national services in relation to prisoners and internees in belligerent countries: inquiries, replies to requests, forwarding of civilian messages. In addition, from 1943 onwards, the ICRC sent its delegates to visit the camps of internees in Switzerland.1

* * *

In July 1943, the ICRC set about creating a service to centralize all requests from civilians, free or not, seeking a missing relative. This was the service for dispersed families. Many millions of people had by then left their homes, whether forced to do so or in order to escape the effects of war. Members of a family often became separated, with some remaining in Europe—evacuated, rehoused, deported—others having taken refuge in countries overseas. Looking ahead to the situation which would exist after the end of hostilities,

1 The total number of refugees who entered Switzerland from the beginning of the war to 31 December 1946 was 295,381, of whom 103,869 were military, 124,963 civilian and 66,549 persons in transit (ICRC Report 1939-1947, Vol. II, p. 305).
when displaced persons would be trying to make contact again with relatives of whom they had lost trace, the ICRC intended to make a single index of all persons scattered all over the world who were looking for relatives. For this purpose, it designed a new search form, the "P. 10.027" card and had it distributed in most countries where there were displaced persons and refugees. The card enabled the requestors to give their own name and address and to state the identity of the person(s) they were seeking. By this means, the dispersed families service had received 247,244 requests by the end of March 1946, and entered the data thus obtained on perforated index cards.

Once the war was over, the search for displaced persons, deportees and missing persons was undertaken by UNRRA, in application of a decision made during the war by the Allied military authorities. The dispersed families service thus then gradually reduced its activities, sending the cases being dealt with to the Agency's national services and forwarding to the UNRRA Central Tracing Bureau the information it continued to receive. This Central Tracing Bureau gave birth to the International Tracing Service (ITS) at Arolsen, administered in turn by UNRRA, the International Refugee Organization and the Allied High Commission in Germany, and handed over to the ICRC on 5 May 1955.¹

* * *

Later in the chapter we shall have occasion to return to certain aspects of the work of the Central Agency for Prisoners of War, performed in exceptional conditions, in order to show the obstacles it encountered. In this section we have mainly stressed its structure and working methods. But we have also shown that the Central Agency should not be considered simply as an international registry office: it fulfilled the functions of a genuine assistance organization.

It was, in fact, the resolutions of the International Red Cross Conferences dealing with relief work in wartime which provided the basis for the ICRC's information activities and the creation of the agencies, until the POW Convention took effect. And this assistance given to someone deprived of liberty is more than mere material aid—it opens a breach in the wall of isolation which otherwise separates the prisoner or internee from the outside world.

The way in which it makes this breach, as we have seen, is by re-establishing the communications between belligerent States, by for-

¹ See below, page 608.
warding lists, cards and news, by diminishing the hardships arising from censorship and secrecy and also by giving a measure of protection: the captive whose identity is known is less exposed to arbitrary decisions on the part of the Detaining Power, whose responsibility is thenceforward implicated. Moreover, by enabling the captive to communicate with persons other than his captors, the assistance provided by the ICRC restores an essential element of his dignity, the right to express himself. Captivity is not only a loss of physical liberty, it is also an assault on moral and spiritual freedom, it breaks the links of the family group. By its action, the Central Agency attempted to attenuate the effects of the three constraints represented by lack of communication, arbitrary decisions and silence.

"A regimental number is not a piece of information, but a man, and a man in trouble." 1 This fundamental rule is engraved in every move made by the Central Prisoners-of-War Agency, whose work, strengthened by the provisions of the 1949 Geneva Conventions, is continued today by the body known as the Central Tracing Agency.

B. Camps of prisoners of war and civilian internees

During the First World War the ICRC had appointed chiefly itinerant delegates, at any rate in Europe. From 1939, as soon as it had obtained the consent of the belligerents, it gave priority to permanent delegations, resident in the countries at war and strengthened if need be by missions sent from Geneva. A few figures will indicate the scale of the increase in the numbers of delegates and visits. From 1914 to 1920, 41 delegates visited 524 camps; from 1939 to the end of June 1947, 340 delegates carried out 11,170 visits.

The difference is explained by the greater area covered by the later conflict and the numerous duties of the delegates, especially concerning relief, with the breakdown in communications which forced the Committee to establish several regional delegations in a single country; there was also the increased responsibility devolving on the ICRC from the application of the POW Convention, together with improved means of assisting prisoners.

The treatment of prisoners of war, in fact, which had been based during the earlier war on the Regulations annexed to the Fourth Hague Convention of 18 October 1907 and on bilateral agreements

1 Frédéric Siordet, Inter Arma Caritas (L'œuvre du Comité international de la Croix-Rouge pendant la Seconde Guerre mondiale), ICRC, Geneva, 1947.
between the belligerents, was regulated during the Second World War by the Geneva Convention of 27 July 1929 relating to the treatment of prisoners of war, also referred to as the POW Code. The articles dealing with the conditions of prisoners in the camps and labour detachments settled almost completely the problems which—according to First World War experience—might arise in this respect. The provisions applied to installations, climate, food and clothing, hygiene in the camps, the prisoners' moral and intellectual needs, and camp discipline. Special clauses covered officers and persons of equivalent status, prisoners' financial resources and the conditions governing transfer. Work was subject to detailed regulations with regard to duration and rest periods, prohibited work—anything directly connected with the war, or unhealthy, or dangerous—and the pay for those made to work. The Convention also covered the right to lodge complaints and legalized the custom of having prisoners' representatives to act as spokesmen for their comrades to the military authorities or the Protecting Powers. 1 Prisoners being subject to the laws, regulations and orders in force in the armed forces of the Detaining Power, they were liable for disciplinary penalties or prosecution. In the latter event, the Protecting Power, informed in advance, was entitled to be represented at the hearing and provision was made for the rights of defence and appeal. Special provisions ensured that the Power in whose forces prisoners had served would be notified of any death sentence, which would not be carried out before expiry of a period of at least three months from the date of notification.

Under the POW Code, representatives of the Protecting Power or its agreed delegates were authorized to visit all localities, without exception, where prisoners of war were held. The role of the ICRC derived from Article 88 which terminated the section of the Code dealing with the organization of supervision; this stated: "The foregoing provisions do not constitute an obstacle to the humanitarian work which the ICRC may perform for the protection of prisoners of war with the consent of the belligerents concerned". The choice of means appropriate to ensure such protection was therefore left to the initiative of the Committee. Obviously, visiting the camps was one of the first of these means. Only visits enable the ICRC to know at first hand the prisoners' conditions and needs, to bring them relief, and, on the basis of the reports written by its delegates, to undertake the measures or negotiations required to improve their lives.

1 In the officers' camps, the representative was the oldest officer of highest rank.
The situation most conducive to the ICRC's activities is the mutual recognition by the States at war of their status as belligerents and their participation in the same humanitarian Conventions. When these conditions were met—as they were for the majority of belligerents in the Second World War—the ICRC delegates' right to make visits was recognized in the same way as that of the Protecting Powers and was implemented on occasions in circumstances where the Protecting Power's mandate was inoperative. This right was not, of course, always easy to exercise in practice. Often, delegates had to make repeated attempts to visit camps of prisoners and internees to which they had no access, to obtain the removal of restrictions not always justified by the state of war. Yet the principle that the ICRC had the right to visit prisoner-of-war camps, in the circumstances defined above, was never contested.

However, when the belligerent States were not parties to the POW Code—as was the case for the USSR and Japan—the ICRC's range of action was greatly diminished or even made impossible. These circumstances and their consequences will be described in the sections dealing with the German-Soviet conflict and the war in the Far East.

Another factor was that the course of the war modified legal relations between the States, the result being to reduce the protection which the POWs might claim. In some countries, such as Poland, which had disappeared as a State exercising territorial authority, the inhabitants lost their nationality and no longer had any Protecting Power. In France after the 1940 armistice the status of French prisoners in German hands was determined by bilateral agreements; these did not remove the prisoners from the ICRC's protection, but greatly limited it.

When prisoners of war were nationals of a State worsted in the conflict, the Detaining Power tried to turn them into "civilian workers". The change in status was sometimes made with the consent of their home country's government or even of the prisoners themselves, who saw it as a way to end their captivity. But at the same time it took away the protection guaranteed under the POW Code, so that they could be arrested or even deported. On this subject the ICRC took a firm stand:

"The ICRC draws the special attention of the belligerents to the rights acquired, under the Conventions of Geneva and The Hague

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1 See below, section 5, p. 503.
2 See below, section 6, p. 521, and section 11, p. 626.
and in accordance with the general principles of law, by members of
the armed forces captured at any time whatever in the present war.

"Information has reached the ICRC that some categories of
prisoners, as a result of various circumstances, have been officially
stripped or deprived in practice of their status as prisoners of war and
of the rights under the Conventions consequent on that status. The
ICRC urgently requests the belligerents concerned to be good enough
to ensure the maintenance of the guarantees to which prisoners of
war are entitled in all circumstances and until the end of the
conflict." 1

Later we will examine various situations in which prisoners of war
found their protection under the Conventions greatly reduced or on
occasion non-existent. This was the case, in particular, for POWs
who were made civilian workers (Polish, French, Belgian, Dutch),
Italian "co-operators" in Allied hands, Italian troops interned by the
German forces after the Italian Royal Government had asked for an
armistice and, once the war was over, German and Japanese pri­
soners considered as "surrendered enemy personnel" or, in some
cases, made into civilian workers.

* * *

The studies undertaken since 1923 by the ICRC and the Interna­
tional Red Cross Conferences with a view to extending the protection
of the Geneva Conventions to civilians had failed, as we have seen, to
achieve any definite result before the war broke out.

Nevertheless, civilians were not totally unprotected.

In the first place, the ICRC could refer to the provisions of Section
III of the Hague Regulations, dealing with "military authority over
the territory of the hostile State", in other words, the protection of
civilians in occupied territory. Two of the articles in this section set
down the essential principles which have remained the basis of later
studies on the subject:

"Article 46. Family honour and rights, the lives of persons, and
private property, as well as religious convictions and practice, must
be respected."

"Private property cannot be confiscated."

"Article 50. No general penalty, pecuniary or otherwise, shall be
inflicted upon the population on account of the acts of individuals

1 Appeal by the ICRC to the Governments of the belligerent States, 23 August:
1943.
for which they cannot be regarded as jointly and severally responsible.”

In the second place, the ICRC could invoke the Resolutions of the International Red Cross Conferences, in particular Resolution VIII of the 1923 Conference, which requested the Powers, pending the conclusion of a diplomatic convention, to base their conduct on the special conventions concluded by the belligerents during the First World War; also on Resolution XII of the 1925 Conference, which stated: “The detaining State shall, with the least possible delay, give the International Committee of the Red Cross and the Protecting Power a full list of retained civilians. Civilians in the hands of the enemy State shall be treated humanely and protected against acts of violence, or insult. . . .

"Civilians whom the enemy State has decided to retain shall, as a minimum, be given the benefit of stipulations in force for prisoners of war. They shall, nevertheless, be held separately from prisoners of war.

"To the largest extent possible, the State shall authorize representatives of the International Committee of the Red Cross and the Protecting Power to visit places of civilian internment.”

Finally, the International Committee could draw attention to the Tokyo Draft, the last, pre-war text of a new draft convention relating to the treatment of civilians of enemy nationality.

These various possibilities were mentioned by the ICRC when it sent to the belligerents, on 2 September 1939, proposals concerning the protection of civilians of enemy nationality.1 What the ICRC suggested, in fact, was that the governments concerned should adopt a statute for civilians on the lines of the bilateral agreements reached during the First World War or, as an alternative, implement in advance and for the duration of the war the provisions contained in the Tokyo Draft.

The Committee brought up these proposals again in its memorandum dated 21 October 1939 and explained its intentions.2 What it requested was as follows:

— that certain categories of civilians of enemy nationality within the territory of a belligerent should be immediately repatriated, in application of Part II of the Tokyo Draft, provided they wished to

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1 See above, page 401.
2 The memorandum of 21 October 1939 also dealt with hospital localities and zones, safety localities and zones, the exchange of severely sick and wounded prisoners of war, and medical air transport.
return to their country; or, if not, to apply to civilian internees the provisions of the 1929 Convention relating to the treatment of prisoners of war—except for those referring solely to members of the armed forces—especially in respect of treatment of civilian internees, communication of lists of names and visits to internment camps;

— that civilians of enemy nationality in occupied territory should be treated in accordance with Part III of the Tokyo Draft which, the ICRC wrote, "would represent indisputable progress as compared with the provisions of the 1907 Hague Regulations".

Note that the ICRC, following the Tokyo Draft, envisaged different procedures for civilians of enemy nationality within the territory of a belligerent and those in territory occupied by a belligerent. The two situations are, in fact, different, both by their nature and because of the consequences. As a rule, civilians of enemy nationality in a country at war form a small minority, subject to the legislation and police supervision of the country where they live. If the government of their State of residence considers it necessary to restrict their liberty, in order to prevent men of military age from returning to their own country, to safeguard State security, or to ensure their safety, it is able to intern them or place them under house arrest. Civilians of enemy nationality in occupied territory, however, usually constitute the entire population, and so cannot be interned or placed under house arrest. Occupied territory is usually placed under military control and the population, depending on circumstances, subject to emergency regulations or martial law.

This difference in the two situations is clearly indicated in the Tokyo Draft. For enemy civilians within a belligerent State, Part II provides that if they are imprisoned or interned, the 1929 POW Code shall be applied to them by analogy, while for enemy civilians in occupied territory, Part III invokes Section III of the 1907 Hague Regulations, with additional clauses forbidding the killing of hostages and deportation outside the territory occupied, establishing the right to correspondence and authorizing the activities of duly recognized relief societies.

In the first case, therefore, it is possible to apply to civilian internees, mutatis mutandis, the rules for internment established for prisoners of war; in the second case, where the civilians in question are not interned, the rules to be laid down should aim at limiting the arbitrary authority of the Occupying Power and protecting the fundamental rights of the population in occupied territories.
Of the two proposals, only the first—treating interned civilians on the same basis as prisoners of war—was accepted by the parties to the conflict. Germany gave its agreement on 28 September 1939, France on 23 November and Great Britain soon afterwards; as the war went on, most of the belligerent States assented, though at times with reservations.

On the other hand, the ICRC’s proposal that Part III of the Tokyo Draft be applied to civilians of enemy nationality in occupied territory was not accepted; only the German Government was willing to discuss the conclusion of a convention on the basis of the Draft. This meant that the civilian population in occupied countries and territories had no legal protection in circumstances in which it was particularly necessary. We will describe later the steps taken by the ICRC to provide these people as far as possible with a certain amount of protection.

The ICRC delegates were consequently able to visit the camps of civilian internees just as they visited the POW camps, as long as the application of the 1929 Convention was not contested. Between September 1939 and June 1947 they made 1426 visits to internment camps housing about 160,000 persons. The internees also had access to the services of the Central Agency—forwarding lists, tracing missing persons, sending civilian messages, making inquiries and reuniting families. They were moreover included in relief operations, specially adapted to their needs.

Adaptation, in fact, was necessary to some extent, as civilian internees and military prisoners could not be treated in exactly the same way, some problems being specific to the former: providing clothes for women and children, money to replace the pay received by POWs, health and hygiene checks, supplies of medical and pharmaceutical products, catering for intellectual needs. The ICRC likewise tried to arrange for the members of the same family to be placed in one camp and for relatives to be allowed to make visits. And repeatedly the Committee took action to speed up repatriation of the seriously ill or wounded, the old, and those who had been interned for a long time.

* * *

The arrangement of the camps was almost the same as during the First World War. The 1929 Geneva Convention, based on the Hague Regulations, laid down that prisoners could be interned in a city,
fortress or other locality, with the obligation not to go beyond specific predetermined limits, or else within camps surrounded by fences. In practice, most prisoner-of-war camps were of the latter kind.

Their appearance is familiar: a perimeter fence of barbed wire, universal symbol of captivity, with guard posts or watch-towers at intervals; long huts made of wood, bricks or corrugated iron, or sometimes tents,1 grouped in rectangles divided by straight paths to facilitate constant surveillance.

Then there were the parade ground for roll-calls, the sports or exercise areas, occasionally a vegetable plot. Other buildings were the infirmary, the food and parcel stores, the assembly hall, canteen and laundry rooms. Notice boards carried orders and regulations, working hours and time of lights-out, duty lists, possibly the announcement of a show, and the text of the Geneva Convention.

A visit by the ICRC delegate was usually announced in advance. He had to travel long distances, find lodging and means of transport, and visit many camps and labour detachments in a single area. A previously arranged programme of visits made it possible for him to keep to a definite timetable and to meet the officers in charge of each camp and detachment. This system, used by all the Detaining Powers, made it possible for them, if they so wished, to "prepare" for the visit. But the fact that the improvements had been made for the occasion might become apparent in the case of repeated visits and, in any case, when the delegate talked without witnesses to the representatives and the prisoners or internees of his choice.

First of all, the visiting delegate met the camp commandant and officers in charge. This initial meeting gave him a general impression of the camp and provided him with statistical information as to numbers, nationalities and any changes since his previous visit.

After that he inspected the physical installations: the living quarters where the bunks were lined up, two or three tiers high, and where he estimated the capacity, the volume of air, and ascertained the ventilation and heating arrangements, depending on the climate. He went round the kitchens, took copies of the menus, noted the weekly rations and their calorific value. In the infirmary he checked the number of patients and hygiene conditions, the possibilities of

1 In the British Empire and the United States, prisoners were often housed in tents of the type used by the armies in these countries.
visits by a doctor, verified the supply of medicines and the numbers and causes of any deaths.

During his visit he neglected nothing. He inspected the showers, laundry rooms, latrines. He visited the assembly room, if any, counted how many books there were, found out what was needed for intellectual pursuits. Thanks to the books and correspondence courses sent to them, many prisoners in the camps were able to continue their studies or research and pass examinations under the supervision of teachers who were also captives. The delegate inquired also about facilities for religious observance, leisure activities, sports. He visited the detention cells and noted the type of punishments.

When the prisoners were made to work, he inquired into the nature of their work, the safety measures taken, the daily timetable. He met prisoners in the labour detachments when he was in their sector, ascertained that they were being paid and receiving their prisoners' allowances, and noted complaints and requests.

Lastly, he inquired about the operation of the postal services and the possibilities for prisoners to write letters and cards and receive correspondence and parcels. Often this was the main concern of the prisoners—postal difficulties and delays due to censorship meant that they sometimes went for months without news.

Generally the ICRC delegate was accompanied during his visit by the prisoners' representative, to whom he talked without witnesses. This rule was usually applied, though there were exceptions: in camps where there had been escapes and in punishment camps this facility was sometimes refused for security reasons. In the course of his talk he noted pleas for relief supplies, complaints and requests. He also saw prisoners who had asked to talk to him, generally to ask for news, to complain about their work or request repatriation for family or health reasons. He took their names and forwarded them to Geneva.

Visits lasted some hours or some days, depending on the size of the camp and the variety of problems within it. At the end of his visit the delegate talked to the camp commandant, giving his initial conclusions, trying to settle the simpler problems at once to avoid setting a mass of administrative machinery in motion. He took away with him all the documentation he could lay hands on concerning the numbers and nationalities of the prisoners, statistical tables, etc., as a useful adjunct to his report.

The camps visited by the delegates were sometimes good, often mediocre, at times bad. The delegate would state his view frankly in
his conclusions. Any improvements he might suggest would remain within feasible limits; it was essential for his visit to have favourable results and for the prisoners, some of whom had looked at him sceptically as he passed, not to be disappointed.

The prisoners' representative and the camp commandant were the decisive factors. The representative's role was no easy one: he had to be the delegate and advocate of the prisoners to the commandant and their spokesman to the delegate. He had to have access to the man in charge of the camp and enough moral courage and authority to obtain a hearing. In big camps containing tens of thousands of men, where he was in charge of receiving and distributing relief, he also needed organizational and administrative ability.

The camp commandant was largely responsible for the prisoners' conditions, for order and discipline. He was not able to change the instructions he received, or improve the rations when these were decided by the government services dealing with prisoners. However, he could ensure that conditions remained tolerable, even in difficult circumstances, and avoid harsh measures which would further aggravate the plight of the prisoners in his charge.

* * *

Once he had completed his tour of visits, the delegate generally gave an account of them to the official prisoner-of-war bureau in the State to which he was accredited and sent reports of the visits to the ICRC. In Geneva, everything relating to individual cases or requests for relief was immediately dealt with. The reports were sent simultaneously to the prisoners' home country and to the Detaining Power, so that they had identical texts. Reports to the Detaining Power were accompanied by a covering letter giving details of the main areas in which improvements were desirable, while the other Power was notified of these suggestions.

The camp visits were therefore followed by a number of measures: immediately afterwards, a talk with the camp commandant, the delegate's approaches to the competent authorities, the Committee's efforts to fulfil requests which could be met, forwarding of reports, special negotiations with the Detaining Government and, in cases where failure to comply with the Geneva Con-
ventions had become generalized, public appeals by the ICRC to all belligerents.¹

As we saw, the reports of camp visits during the First World War were regularly published by the ICRC. At the beginning of the Second War, the Committee continued to do so for some time but, from March 1941, it announced that in view of the increase in the number of camps visited it would in future publish only excerpts from the reports, to provide “brief but typical information” on each camp. Later still, the ICRC published only a few summarized reports in the *Revue internationale*, more to give an overall idea of its activities in favour of prisoners of war and civilian internees than to provide general documentation on conditions in the camps. Since completion of the repatriation operations following the Second World War, the ICRC has ceased to make public its delegates’ reports of visits to places of detention.

* * *

Thus, the treatment of prisoners of war—in circumstances where the applicability of the Geneva Convention was not contested—was determined by specific provisions, respect for which was guaranteed, in principle, by the commitment of the Detaining Powers, by the positive effect of reciprocity and by the active collaboration of the Protecting Powers and the ICRC.

But provisions accepted in peacetime were sometimes subject to question in wartime conditions. In unexpected situations, or those whose effects had been under-estimated, the terms of the Conventions were repeatedly interpreted in the most restrictive sense or, on

¹ The appeals and memoranda of the ICRC in favour of prisoners of war, and also concerning civilian internees, were as follows: offer of ICRC’s services (2 September 1939); repatriation of sick and wounded (18 September 1939); exchange and hospitalization in neutral countries of seriously sick and wounded (30 July 1943); maintenance of guarantees to POWs under Conventions until end of hostilities (23 August 1943); prohibition of reprisals involving POWs, respect for law of nations in methods of warfare (30 December 1943); repatriation of POWs for health reasons, hospitalization in neutral countries, mixed medical commissions (15 February 1944); transport of POWs and CIs by sea (5 May 1944); delays due to censorship in POWs’ and CIs’ correspondence (20 June 1944); repatriation of POWs and CIs after various armistice agreements, and assistance to them (18 August 1944); then, after the end of the conflict: maintenance of guarantees to POWs under the Conventions beyond the end of the war, methods for transferring POWs from one Power to another (21 August 1945).
the plea of necessity, simply ignored. Below are a few examples of such situations:
— the disappearance, annexation or occupation of a belligerent country, the effect being to deprive its nationals of protection under the Conventions, or to reduce such protection;
— the deterioration of economic or material conditions, which affected life in the camps of prisoners of war and civilian internees;
— air raids and the advance of the front line, which affected the areas where prison camps were located;
— measures alleged to be necessary for security reasons, especially because of escape attempts;
— reprisals.

* * *

Reciprocity played a prime role in those States bound by the 1929 Convention relating to the treatment of prisoners of war, each belligerent carefully examining the conditions of its own nationals captured by the enemy, analysing their situation and comparing it with the treatment of enemy prisoners in its own hands. The system of visits to the camps by representatives of the Protecting Power and of the ICRC and the reports sent to each belligerent, together with the resulting measures taken, certainly succeeded again and again in preventing permanent deterioration of the prisoners’ conditions, by giving the POWs’ home country exact information on the shortcomings of the enemy and at times their extent; the reports also gave an opening for official measures which often averted retaliation.

However, the effect of reciprocity was lost when the prisoner’s home country could no longer exert its authority, owing to an armistice, military occupation or annexation, or capitulation.

The Polish troops captured during the campaign in Poland in September 1939 remained in principle prisoners of war, and consequently ICRC delegates were allowed to visit them. But their situation deteriorated once their country had ceased to be a territorial Power and they no longer had a Protecting Power. They received few parcels of food or clothing and their correspondence was extremely limited. As the years went by, they were employed to build fortifications in danger zones, many of them being made civilian workers, thus losing all protection under international law and becoming totally subject to the decisions of the Detaining Power. In its appeal dated 23 August 1943, the ICRC requested the belligerents to
“ensure maintenance of the guarantees which the prisoners should enjoy in all circumstances, until the end of the conflict”;¹ but this protest caused no change in the situation of POWs made into workers.

For the French troops taken prisoner during the campaign in 1940 the situation was different: since their Government had signed an armistice with Germany, their position was governed by bilateral agreements in which the Vichy Government had very little freedom of action. French prisoners were the responsibility of a French government mission headed by the Minister Scapini and, although ICRC delegates were allowed to visit them, they could take no action on matters agreed to by the Vichy Government. Many of the prisoners—about 250,000—were given “captor leave” and turned into civilian workers. This meant that they were no longer under the supervision of the ICRC and entitled to receive relief parcels as a group. However, they were able to appeal to the French bodies responsible for protecting French interests in Germany.²

Similar irregular circumstances arising from the disappearance, weakening or division of the home country also determined the fate of Italian troops after the armistice concluded between the Royal Government and the Allied Powers in September 1943. Since the Royal Government was now fighting on the Allied side, the Italians already held prisoner or captured later were given varying treatment depending on the category to which they belonged:
— former POW in Allied hands;
— member of armed forces still fighting with the Axis forces, captured by the Allies;
— member of Italian forces disarmed by the German forces at the armistice and made Italian military internees (IMIs);
— Italian troops fighting alongside the Allies and captured by the German forces.

Prisoners in the first category could become “co-operators” and work for the British or Americans:

“Italian co-operators may be required to execute all types of work capable of favouring the Allied effort, regardless of the restrictions imposed by Articles 31 and 32 of the Geneva Convention of 1929.”³

¹ See above page 444.
² These “converted prisoners” should not be confused with the “civilian workers” recruited in France who went to work in Germany. The ex-prisoners merely had their POW status suspended during the time they were obliged to work. Those unfit for work were returned to their POW camp and again treated as prisoners, with the right to possible repatriation.
³ General Staff Regulation, American Forces (zone of advance in Europe), 5 March 1945.
In addition, the prisoner-of-war status of such men, enjoying the protection of the 1929 Convention, had been modified by agreements between the Allied governments and the provisional Italian Government.

Nevertheless, the ICRC continued to provide some assistance for prisoners turned "co-operators". The delegates' visits had to be specially requested each time and were limited to assistance.

Italian troops who had continued to fight with the German forces posed no new problem on the western front: they were considered prisoners of war.

Members of the Italian forces within the territory held by the Wehrmacht when the armistice was requested by the Royal Italian Government were disarmed and interned. The German Government considered that these internees, subject to the neo-Fascist Government allied to Germany, were not prisoners of war; it gave them the special status of "Italian military internees" (IMIs), which meant that they were completely outside the protection of the Convention and unable to be visited by the ICRC or the Protecting Powers.¹

The fourth category was constituted by the military units formed by Marshal Badoglio (the "Badoglists") and fighting alongside the Allies, generally in British or American uniform. These men were considered by the Germans as prisoners of war; however, the authorities did not allow them to be visited and gave very little information concerning them.

* * *

Another factor directly affecting the treatment of prisoners of war is the economic situation of the Detaining Power and, to some degree, of their own country, since the former is obliged to provide for the prisoners' maintenance, but must have the means to do so.

This was a major cause of difficulty for POWs in Axis hands. As the war went on, supplies to Europe became increasingly precarious, and shortages of food, clothing, fuel and pharmaceuticals struck at the whole population of Germany and the territories controlled by the Third Reich. POWs felt the repercussions, the rationing imposed on the civilian population also being applied to them. In the last two years of the war their situation became critical.

¹ See above, pp. 434, 435.
In such circumstances, supplies from their own country, relief parcels, whether individual or collective, took on vital importance. Here the economic situation in the prisoners’ own country came into play. Prisoners who had fought in the British and American ranks were able to receive substantial supplements to their food rations and clothing and at times were in possession of products unobtainable in the country where they were held captive, at least while communications remained unbroken.

On the other hand, POWs from the countries of Europe occupied or annexed by the Third Reich were poorly placed, since neither their families nor the relief societies in their countries could adequately compensate for the reduction in the official camp rations. This was true for occupied countries such as France, Denmark, the Netherlands or Belgium, and even more so for the countries annexed or made protectorates: Poland, Norway, Yugoslavia, whose nationals in captivity received virtually nothing from their own lands.

The ICRC was able to have supplies brought from overseas, but to do so, as we will see, it had to obtain special permission for the blockade of Europe to be lifted. The British and American belligerents would grant such permission only on condition that the goods thus imported were distributed under the supervision of ICRC representatives. This illustrates the great importance of the camp visits, since camps to which the delegates had no access could not benefit from these distributions.

After the liberation of France and during the year following the capitulation of Germany, German prisoners in French hands were in turn subjected to severe food rationing, all the harder to bear as they had no means of finding other sources of supply. More will be said on this subject in the section covering the ICRC’s activities for prisoners immediately after the war.

* * *

Changing economic conditions in the belligerent countries also had a marked influence on prisoners’ working conditions. The POW Code authorized and regulated work for prisoners, guaranteeing them social protection comparable to that enjoyed by civilian workers in the country of their captivity and a rate of pay to be settled between the belligerents. It was forbidden to employ them on work which was directly connected with the war or unhealthy or dangerous.
These provisions, basically, benefited the Detaining State, obliged to maintain the prisoners and receiving by this means some compensation for the expense; at the same time, they were of advantage to the prisoners themselves, a normal job helping them to avoid captivity neurosis and providing them with some pay and extra food. Where the provisions were applied normally, they proved beneficial.

But the rules were often broken, for various reasons, first in Germany, up to the end of the war, and after the surrender of the Third Reich, in the Allied countries.

In Germany, production needs and manpower shortages encouraged the authorities to make maximum use of prisoners of war.

The POW Code stipulated that working hours for prisoners of war must in no case exceed those for local civilian workers employed on the same work (Art. 30). In the economic situation then existing in Germany, the German workers themselves were often forced to work long hours; even so, those imposed on POWs were frequently much longer. In industry, the working day was usually fixed at 10 or 12 hours but was often as much as 14 hours, not including travelling time. During the war years the weekly working hours increased from 60 to 72 hours and then to 84, while the number of free Sundays per month was steadily reduced.

The ICRC was not successful in obtaining a reduction of working hours, merely an agreement that the teams with the longest and hardest jobs should be relieved from time to time.

For those directed to agriculture, working days lasting 17 hours were not rare at the height of the season, Sunday being frequently a working day. The long hours were partially compensated by food being less limited than in the camps.

Delegates were often forced to take steps to stop prisoners being employed on prohibited, dangerous or unhealthy work, even though this type of action was more the responsibility of the Protecting Power. Such work was principally in war industry, and only POWs from the British or American forces were exempted. In the case of French prisoners taken before the Franco-German armistice of 22 June 1940, the German authorities considered that they had the consent of the Vichy Government. In a note to the Auswärtiges Amt, dated 5 August 1942, the International Committee stated:

"The ICRC has been advised by the OKW, in reply to a note from its delegates, that the work of French POWs was settled in agreement with the Scapini mission. The Committee has also learned that, in addition to the French POWs, others of various nationalities have been working in the armaments industry. The International Committee
feels bound to notify the Auswärtiges Amt of this so that, if necessary, it may ascertain its truth. Prisoners of war, it will be recalled, should not be employed in the manufacture or transport of material intended for fighting units.”

Prisoners were likewise employed in building fortifications, digging trenches, constructing anti-tank shelters and, less frequently, transporting ammunition. On each occasion, the ICRC or its delegation in Berlin protested to the Auswärtiges Amt, but without obtaining any improvement.

The Committee made representations on the subject of unhealthy work: in the mines, in caissons. It successfully arranged for prisoners engaged in such work to be periodically relieved and their equipment improved.

Prisoners in the hands of the Allied Powers were not found by the ICRC to be employed in work directly connected with the war up to the time of the capitulation of Germany, apart from the Italian POWs who agreed to become “co-operators” after the 1943 armistice and who worked for the Allied war effort.

Once Germany had surrendered, however, German POWs were employed in removing mines or defusing unexploded bombs. The first examples of this had been found in the camps of German prisoners in French hands, in North Africa in March 1944.

The ICRC delegation’s request for information received the following reply:

“Mine removal is carried out on orders from higher military authority, the POWs made to take part being only those belonging to the pioneer branch and thus having had special training. They work in the same conditions as the French troops.

"It should be added that the marking and removal of mines were specified among the conditions of capitulation of the Axis forces in Tunisia in May 1943."

The ICRC nevertheless remained of the opinion that these decisions were contrary to the terms of Articles 31 and 32 of the Geneva Convention relating to the treatment of prisoners of war and that, even if a military leader waived for his own troops the benefit conferred by some of its provisions, such a waiver could not run contrary to

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1 Original German.

2 The first death caused by an exploding mine and notified to the ICRC occurred at the El-Falah site attached to POW Depot No. IV at Djelfa on 2 March 1944.

3 Général de division Boisseau, Director-General and Inspector of Axis POWs to the ICRC, Algiers, 30 March 1944.
the commitments undertaken by the signatory States. But the French authorities did not change their attitude.

The problem arose on a larger scale from the beginning of 1945, and particularly after Germany’s surrender, when the Allied Powers employed German prisoners in a general way in mine-removal operations in Europe. The worst consequences occurred in France, where poorly trained prisoners were employed in this work in inadequate safety conditions. Without subscribing to the argument that a clause in an armistice or surrender document could force prisoners of war to perform activities contrary to the terms of the Conventions, or agreeing with the view that the Franco-German armistice of 1940 had already provided for mines to be removed by French prisoners, the ICRC requested its delegates to make sure in any case that the indispensable safety measures were taken and that the prisoners engaged on the work had received proper training. The adoption of these measures led to a marked reduction in the accident rate.\(^1\)

Mine removal was also carried out by German prisoners in French and American hands in occupied Germany, Denmark and the Netherlands, where the operations included not only the land mines but those laid in the waters of the Baltic and the North Sea and along the Norwegian, Danish, German and Dutch coasts.\(^2\) In all cases the ICRC demanded that every precaution should be taken to ensure the safety of prisoners carrying out the work. In Czechoslovakia, where civilian internees were employed to remove mines, the ICRC delegation in Bratislava succeeded in getting the measure cancelled.

In this section we have described one of the most important aspects of the delegates’ role in protecting POWs obliged to perform work. This vigilance was directed to many other areas: work done by non-commissioned officers, problems concerning payment and insurance. No longer protected by social or trade-union organizations, the POWs formed an easily exploitable work force. The ICRC delegates helped to make sure that they received an acceptable amount of social protection, especially as regards pay and accident insurance.

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\(^1\) The ICRC’s efforts to stop prisoners being employed on defusing bombs and shells had their effect when in July 1947 the French Director of POWs issued a circular prohibiting the employment of POWs on such work.

\(^2\) The flotillas of minesweepers allotted to this work were placed under the orders of the German Minesweeping Administration, whose headquarters were in Hamburg.
Something else connected with military events and affecting prisoners of war had not been completely foreseen in all its gravity by the 1929 Convention: the protection of POW camps against the dangers of war. The Convention laid down that prisoners should be evacuated to areas far enough from the combat zone for them to be out of danger (Article 7, para. 1) and that they could not subsequently be sent to an area where they would be exposed to gunfire or placed where their presence would spare certain points or areas from bombardment (Article 9, para. 4). These provisions, however, had been drafted at a time when it was hoped to limit aerial warfare and nobody had any idea of the extent to which it would grow, and they proved inadequate when war covered the whole territory, especially in Europe under German occupation and Japan in the last years of the conflict. Once that had become fact, the civilian population, prisoners of war and civilian internees alike were all exposed to the dangers of war, particularly when they were employed in industry.

In addition to its general appeals aimed at limiting aerial warfare, the ICRC made a number of attempts to ensure greater protection for prison camps, their purpose being to persuade the belligerents:
— to notify the adverse party of the exact location of these camps,
— to protect the camps by special markings,
— to have trenches and air-raid shelters constructed in the camps.

Throughout the war the ICRC worked to have the location of prison camps notified, especially by Great Britain, Germany and Italy. The United States spontaneously notified camp sites on its national territory. Early in the war—in September 1940 and December 1941—Germany stated its willingness to accept the three measures proposed by the ICRC, while Britain rejected the proposal that the geographic location of the camps be revealed. By 1944, the military situation had greatly changed, as had the views of the States which had been approached on the subject by the Protecting Power as well as the ICRC. This time, Britain was willing to notify the location of POW camps within its territory and asked the ICRC to inform it of all transfers of camps in Germany and the exact geographical location of new camps; but the approaches made to the German authorities on this occasion met with no success. However, the ICRC succeeded in arranging for the location of camps of civilian internees to be notified among the belligerents. Nor did Italy object to notifying the location of camps, whether of POWs or internees.

This being the case, there could be agreement at least on markings for prison camps. The ICRC proposed that use be made of the distinctive sign described in Article 5 of the IXth Hague Convention.
of 1907, namely, stiff rectangular panels divided diagonally into two coloured triangular portions, the upper portion black, the lower portion white. But this proposal was not implemented, with some individual exceptions: the commandant of Dulag 339 at Mantua had the hut roofs painted in alternate strips of red and white, and in some camps the POWs themselves drew the attention of aircraft to their status. At the request of Belgian prisoners in Germany, the Belgian Government proposed, in February 1945, that places of detention be marked by the letters PW painted on the roofs, but the German authorities refused.

At the same time that the war in the air was reaching every part of the territory of the Third Reich, the advance of the Allied Armies from the end of 1944 until cessation of hostilities was shrinking that territory to the point where many POW camps came into the front line. Evacuation of the camps then became extremely difficult, especially in the eastern zone, where hundreds of thousands of POWs and civilian internees joined the German population fleeing from the approaching combat zones. In many cases the prisoners had been obliged to leave behind the parcels they had saved, either because there was no transport or because the stores were too far away from the camp itself. "The transfer of prisoners", wrote one delegate, "took place in the harshest conditions, with no preparation, the prisoners having been notified only 6 hours before. Travel was largely on foot, in extreme cold. All the prisoners agreed that without the food supplied by the Red Cross they would not have been able to withstand such an ordeal." The ICRC delegates were then engaged in supplying the most poorly stocked assembly camps and trying to distribute relief to the columns of prisoners of war, civilian internees and concentration-camp inmates on the move along the evacuation routes.

It was therefore impossible to reach any agreement before the end of the conflict, whether on reporting the location of camps or on their marking. Not until the Geneva Convention of 12 August 1949 relating to the treatment of prisoners of war did these proposals find

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1 The IXth Hague Convention concerning bombardment by naval forces in time of war. The sign was intended to indicate and protect sacred edifices, buildings used for artistic, scientific or charitable purposes, historic monuments, hospitals, and places where the sick or wounded were collected, on the understanding that they were not used at the same time for military purposes.

2 Report of visit to Stalag IIIA (Luckenwalde), used as an assembly camp for prisoners transferred from the central region of the eastern front, on 8 February 1945.

3 See below, Section 10, The end of the war in Europe.
their place in actual law: dealing with prisoners’ safety, Article 23 of this Convention stipulates in fact that the Detaining Powers shall notify each other, through the Protecting Powers, of all useful information regarding the geographical location of prisoner-of-war camps and that, whenever military considerations permit, such camps should be indicated in the daytime by the letters PW or PG, placed so as to be clearly visible from the air.

* * *

Under the terms of the 1929 Convention, escape attempts were punishable only by a disciplinary penalty not exceeding thirty days’ confinement.¹ The same applied to comrades of the escaper who may have connived at his attempt. Only if crimes or offences had been committed in connection with the escape could the Detaining Power institute judicial proceedings against the escaper.

These provisions, which show that prisoners of war—unlike members of the armed forces of the Detaining Power—had no obligations towards the latter except to observe its laws, regulations and orders, appeared to give sufficient protection to recaptured escapers.² However, here again the pressure of events at times brought grave consequences.

The greatest numbers of escapes were made by prisoners in the hands of the Axis forces in Europe, where the possibility of reaching a neutral country or the prisoner’s homeland seemed greater than, for example, for Axis prisoners in Great Britain or America or in overseas territories. The desire to rejoin their units, the neurosis of captivity and the depression caused by long detention made thousands of prisoners undertake extremely risky ventures. In some camps, escaping became a dangerous form of sport. In Stalagluft I, the ICRC delegate noted in October 1941 that “a kind of friendly duel goes on between the prisoners who spend their time trying to escape and the camp authorities who try to stop them escaping”. Escape attempts were then punished by 14 days’ confinement, and the camp commandant had set up a “museum of escape attempts” which carefully preserved the articles used in these attempts.

But as time passed the authorities’ attitude hardened. Restrictions in the guise of security measures limited the prisoners’ rights: the col-

¹ Articles 50 and 54. Prisoners of war who have made good their escape and are recaptured shall not be liable to any punishment in respect of their previous escape.
² On this subject, see Auguste-Raynald Werner, La Croix-Rouge et les Conventions de Genève, chez Georg & Cie, Geneva, 1943.
lective relief was distributed in small amounts, to prevent reserves being built up with a view to escape; officers were no longer allowed to walk about the compound; movements within the camp were reduced; etc. Since the Convention authorized a tightening of supervision—though without abolishing any of the guarantees granted to prisoners—recaptured escapers were sent to special camps such as Rawa-Ruska (Stalag 325), Colditz (Oflag IVC) and Lubeck (Oflag XC), which were really punishment camps. In addition, the number of prisoners "killed while trying to escape" increased noticeably, even when it appeared that in many cases those escaping had been prepared to give themselves up or had already been recaptured.

It is thought that these extreme measures were chiefly due to the influence of the Reich security services, which considered that tracing escaped prisoners was a matter of security concerning primarily the Gestapo. Visiting Stalagluft III at Sagan, where many escape attempts had already occurred, on 26 July 1943 the ICRC delegate wrote:

"As the senior officer in the camp, Group-Captain Kellett, told us, there were many Gestapo personnel among the camp guards who appear to exert heavy pressure on the German commandant. As the commandant himself informed us, it was necessary henceforth to have a complete staff of criminal lawyers to conduct inquiries into the escape attempts. The commandant's attitude is extremely correct, and as we were leaving he told us that despite the measures taken he would never behave like a prison warden."\(^1\)

It was in this camp that a later escape had tragic consequences. On the night of 24/25 March 1944, 80 POWs, members of the Royal Air Force, succeeded in escaping through a tunnel they had dug under the barbed-wire fence, disguising the entrance to it by means of the "wooden horse" used for their gymnastics. Some were recaptured not far from the camp, while others got as far as East Prussia, Holstein and Bavaria; but almost all were retaken. Subsequently, 50 of them were shot.

This episode caused a great stir. During the International Tribunal hearings in Nuremberg, Marshal Keitel, General Kaltenbrunner and General Westhoff were interrogated at length about the circumstances. According to them, it was Hitler himself, at a meeting held in Berchtesgaden on 26 March 1944, who gave orders for the prisoners recaptured by the Gestapo to be executed and for all escapees recaptured in future to be handed over to the Gestapo.

\(^1\) D. Lehner to the ICRC, 26 July 1943.
After the war, General Adolf Westhoff, who at the time of the mass escape was head of the general section of the OKW Prisoners-of-War Bureau and later its Inspector-General, gave an account of the occurrences which threw light on the divergent and even opposing views held among the various services concerned with prisoners of war. His conclusion was as follows:

“The representative of the Protecting Power learned at Sagan that a number of the recaptured fugitives had been bound and placed under strict surveillance during their transfer by truck from Görlitz prison, a fact unknown until then by the head of the POW Department. For the transport had been effected by police agencies which, despite incessant requests, gave no information to the OKW. A report from the Protecting Power to Great Britain gave rise to an initial statement in the House of Commons by the Foreign Minister, Anthony Eden, who demanded an explanation of events in Sagan.

“At the beginning of April 1944, the Head of the POW Department went to the front and his successor, though forbidden by Keitel to do so, made a note on all the points raised at Berchtesgaden in the presence of the Torgau officers and sent it to Keitel, who signed it as expected. This meant that the head of the POW Department at least possessed a written document confirmed by Keitel.

“On the basis of this file note, an order was drafted for signature by Hitler after it had been agreed by Keitel and Himmler. Together with the draft, the head of the POW department submitted a note in which he again drew attention to the fact that it would not be permissible to shoot escaped POWs who had been recaptured. Should it prove impossible to cancel Hitler’s order, it would be regarded as especially unwarrantable to apply it to prisoners of war employed by the German authorities. To mention the extremely difficult economic situation seemed to offer the best hope of success, and such was the case: prisoners of war engaged on work were excluded from the order. While much was achieved in this way, a further task was to ensure that in the case of the remaining prisoners it would prove impossible to execute the fatal order. Had the order been applied, the situation in the POW camps by the end of the war would have been the same as in the concentration camps.

“This was why, when he had a chance to talk to Kaltenbrunner about the order, the head of the POW Department stressed that

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1 Mr. Gabriel Naville, Attaché in the Swiss Legation in Berlin.
2 Officers of the Prisoners-of-War Bureau of the OKW, whose headquarters was at Torgau. Some of these officers were present at the Berchtesgaden meeting on 26 March.
Keitel did not have enough influence with Hitler to have the order rescinded. Consequently there was only one way, which was to try to have it done through Himmler. Kaltenbrunner was begged to take this step to avoid unforeseeable results. During the conversation, the head of the Gestapo, SS-Gruppenführer Müller, who was present, said he was against cancellation of the order, though Keitel remained non-committal, not saying yes or no. The head of the POW Department left the talk sure that nothing would be done from that quarter to suppress the order and that he would have to look elsewhere. Since attempts in Germany had so far proved unsuccessful, an approach had to be made through another country, by diplomatic channels, to avoid further disasters. An apparently acceptable opportunity soon arose. Unknown to his superiors, the head of the Prisoners-of-War Department included the senior officer of the Sagan camp among British POWs exchanged for German prisoners held by the British, in conformity with the Geneva Convention. Of course, the decision to do so should have been submitted to Keitel, who would certainly not have agreed. Following the report of the senior British POW from Sagan, Mr. Eden made a second statement in the House of Commons concerning the camp and demanding that those responsible be punished. As a result, nobody again dared to shoot an escaped POW who had been recaptured.

It transpired later that one of the senior officers of Stalagluft III, Group-Captain Massey, had been released on the occasion of an exchange of prisoners a few weeks after the mass escape and executions. Travelling with him between Marseilles and Barcelona, Dr. Schirmer, the ICRC delegate in Germany, heard his account of the events in Sagan, which gave great credibility to the theory of the executions. On his return to Germany, Dr. Schirmer, accompanied by Dr. Marti, approached a senior official of the Auswärtiges Amt, Dr. Albrecht, and asked for explanations of the circumstances in which the escapers had been killed, whether it was true that there were no survivors, and where they had been interred. At the time, the ICRC was given no official information. Everything connected with the Security Services of the Reich was confidential.

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1 Memorandum from General Westhoff to Dr. Roland Marti, beginning of 1950 (undated).
2 The executed prisoners were cremated and the urns containing their ashes were sent to the camp from which they came.
3 In reply to its requests, the Swiss Legation in Berlin, the competent authority in the matter, received a note from the Auswärtiges Amt dated 6 June 1944, giving no details on the circumstances of the incident.
The special surveillance camps for recaptured escapers (Flüchtlingsauflafenglager, Sonderkompanien) often had the appearance of punishment camps. ICRC delegates did, however, have access to them. In several of these camps their reports, their efforts to effect improvements and the collective and individual relief they distributed brought a definite change for the better in the prisoners’ conditions.

In spite of the threats and the extreme security measures, a large number of prisoners of war succeeded in escaping, that is, in rejoining their service or getting out of the territory occupied by the forces which had captured them. Those held by the Germans in Europe were able to find refuge in neutral or non-belligerent countries such as Switzerland, Sweden, Spain or Portugal. Where they could not leave their country of asylum without the risk of being recaptured by the Power from which they had escaped, they were placed in assigned residence or interned.

Some of the escaped prisoners and civilian workers—French, Belgian, Dutch and Polish—from camps in Germany were able to find refuge in Hungary and Rumania. Though allies of Germany, these countries were not at war with the escapers' countries and interned them as if they were in a neutral country. They tried to prevent their arrest by the German military authorities, until the political events made this impossible.

The Axis prisoners in American, British and Free French hands had fewer opportunities to escape and less hope of reaching their own countries. However, the number of attempts to escape increased after the Allied landings in North Africa and the subsequent operations, when many units of the Afrika Korps were captured. In this area, in fact, the German troops could hope to get back to the territory controlled by their own forces. The ICRC regularly made inquiries as to how escaped prisoners had died, and protested when recaptured POWs were subjected to ill-treatment or to punishment in excess of the maximum laid down by the Convention.

Among the mass escapes of prisoners of war in the United States was that of 25 officers of the German Navy from Papago Park, Arizona, on Christmas night 1944. After this, the camp was subjected to numerous investigations by the American civil and military authorities. Visiting the camp in May 1945, the ICRC delegate reported that “there are few camps in the United States where the regulations are as severely applied as here”, but noted that “in spite of the pressure of public opinion, the camp commander had adhered strictly to War Department regulations and the articles of the Geneva Convention”.

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The American authorities then created special sectors for recaptured escapers and prisoners who, in their opinion, caused the most trouble. One sector was in Papago Park and the other in the subsidiary camp of Pima, opened on 9 January 1945. Conditions were the same as in the main camps but the security measures were stricter. In the Pima camp there were three or four roll-calls per day and the prisoners were often counted during the night.

Grouping of prisoners in separate sectors was in fact done by the detaining authorities to avoid the consequences of political rivalries among the POWs, which at times included murder. In the Pando camp in Colorado, the camp commander arranged the transfer of 20 prisoners who had refused to celebrate the Führer's birthday and feared they would be "beaten up or killed" by their comrades. The ICRC delegates reported the cases notified to them but had no means of intervening in disputes among the prisoners themselves.¹

A completely different type of escape attempt took place in Australia. One thousand Japanese prisoners held by the Australians in a camp in Cowra, New South Wales, made a surprise attack on the camp garrison and there was a pitched battle in which 234 prisoners died.

Here the attempted escape took the form of a rebellion. Japanese POWs in Australia had no hope of reaching a country of asylum or rejoining their own forces or avoiding discovery in the detaining country. The other escapes described above were secret operations, while the action of the Cowra prisoners was an open assault. It was probably intended as a deferred act of war, the resurgence of a fighting spirit frustrated by captivity.²

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The practice of reprisals against prisoners of war, which had, as we saw, often made their conditions worse during the First World War, had been prohibited since the conclusion of the Geneva Convention of 27 July 1929 relating to the treatment of prisoners of war. This does not mean that the belligerents did not resort to reprisals in the

¹ "In several camps, especially in 1944 and early 1945, prisoners of war voiced fears of rough handling by their comrades for political reasons. I always took their names and privately asked the commander to investigate the situation. If the case required, I always advised the prisoners' representative to keep the men calm and to forbid discussions on politics and religion." (Guy Métraux, *Rapport général et observations sur les camps de PG aux Etats-Unis*, June 1946.)

² An analysis of the events at Cowra has been made by Mrs. Charlotte Carr-Gregg, "Japanese Prisoners of War in Australia, The Cowra Outbreak, August 1944", in *Oceania*, XLVII, No. 4, June 1977.
Second World War; but at least the ICRC could base its protests on the text of a convention.

The International Committee, in fact, frequently had to intervene to put a stop to reprisals against the civilian population or prisoners of war. In many cases, where the measures were of limited application, the ICRC was able to make direct approaches after ascertaining the facts. In more general cases it appealed to governments to halt practices which, if made reciprocal, might jeopardize the application of humanitarian law.

Where POWs were concerned, the ICRC took action chiefly on matters such as disciplinary measures following escapes, refusal of the right to correspondence or parcels, confiscation of various items, delays in repatriation, the creation of special camps known as "reprisal camps" as a punishment or in response to measures applied to prisoners in the hands of the adversary.

One example of this kind was the grave and protracted affair of the "handcuffed prisoners", which required over a year of representations by the Protecting Power and the International Committee.

When Dieppe was raided on 19 August 1942 by a Canadian division supported by British commandos, with cover from the Navy and the Air Force, Germans captured by the troops as they came ashore at Dieppe and on the island of Sark had been handcuffed on the battlefield. When the German Government heard of this it protested vigorously and announced that, from noon on 8 October, 1,376 British and Canadian prisoners in German hands would in turn be handcuffed. The British Government disputed the Germans' right to take reprisals and announced that it would apply handcuffs to an equal number of German prisoners in British and Canadian hands.1

The ICRC at once offered its services in a telegram dated 9 October and sent to the British and German Governments. It renewed its appeal on 22 October, emphasizing the danger arising to prisoners of war from non-application of the Conventions and requesting the belligerents to guarantee wounded or captured enemies "humane and chivalrous treatment". In addition, the Protecting Power, which happened to be Switzerland, simultaneously representing German interests in Great Britain and British interests in Germany, acted as intermediary between the countries involved.

Without contesting the accuracy of the facts with which it was reproached, the British Government stated that it had never approved

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1 Both parties removed the handcuffs at mealtimes, and sick prisoners were not handcuffed.
a general order for prisoners to be bound on the battlefield, but that such a measure might on occasion be necessary owing to the pressure of circumstances, without constituting a violation of the Geneva Conventions. It based this argument on the provisions of the first article, which stipulated that the Convention applied in particular "to all persons belonging to the armed forces of belligerents who are captured by the enemy in the course of operations of maritime or aerial warfare, subject to such exceptions (derogations) as the conditions of such capture render inevitable". In the eyes of the British Government, the special conditions of a seaborne landing operation justified this exception. The German Government invoked the sentence immediately following in the same article: "Nevertheless, these exceptions shall not infringe the fundamental principles of the present Convention", which it considered made the measures taken by the British and Canadian troops illegal. To this His Majesty’s Government replied that in any case reprisals were forbidden.

Without making the dispute a legal issue, the ICRC sought to calm both parties by sending delegates to visit the camps where handcuffed prisoners were held and sending the reports simultaneously to the prisoners’ own governments. Professor Carl Burckhardt, moreover, wrote to the then President of the German Red Cross, Dr. Grawitz, proposing that groups of 100 prisoners on each side be freed from their handcuffs simultaneously, under the supervision of ICRC delegates, until all the POWs had their hands free.

On 8 December 1942, the Swiss Federal Political Department proposed to the British, Canadian and German Governments that they should bring this harsh measure to an end, by common consent, at 10 a.m. on 15 December. The Governments of Great Britain and Canada agreed to this and freed the German prisoners of their handcuffs on 12 December 1942. The German Government said it was willing to implement the Political Department’s proposal on condition that the British Government officially prohibited, under penalties, the binding of prisoners and the use of handcuffs. At the suggestion of the ICRC, it agreed only to remove the prisoners’ handcuffs at Christmas and New Year.¹

The solution was still far to seek. On 11 February 1943, the British Government informed the Reich authorities that instructions to observe the Geneva Conventions had been given to all United Kingdom combatants, that any general order to bind prisoners had

¹ On 24 November 1942 there were 4,128 handcuffed prisoners in Germany, distributed in five camps.
been clearly stated to be illegal and strictly forbidden. It added that
the handcuffing of prisoners of war might nevertheless appear
necessary in certain circumstances, in the interests of the prisoners
themselves, who might be tempted to try to escape or to hamper the
actions of their captors; but that in all cases, these measures would be
taken humanely and would cease as soon as circumstances allowed.
The Government of the Reich, replying that such reservations made a
mockery of the general order not to bind prisoners, continued to
apply the rigorous measures.

In the meantime, the ICRC delegates went on visiting the camps
where there were handcuffed prisoners. They found that in most of
the camps the measures had been mitigated, and that the length of
the chains linking the actual handcuffs had been increased to 30 cen­
timetres. The German camp commandants showed themselves reluc­
tant to apply the orders “from above” and wished they would be
ended. But the situation remained unpleasant for the prisoners sub­
jected to such treatment.
The ICRC then decided to tackle more discreetly a problem which
would never be settled as long as the States concerned made it a ques­
tion of prestige. Professor Carl Burckhardt again appealed to the
German Red Cross and was informed in October by its President, the
Duke of Saxe-Coburg, that the moment seemed propitious to make a
new approach to the authorities. Burckhardt, accompanied by the
secretary Hans Bachmann, then travelled to Berlin on 17 November
1943. In the course of an interview with Foreign Minister Von Rib­
bentrop on 20 November, Burckhardt put the case of the prisoners
and appealed to the army’s chivalrous spirit and humane tradition
to put an end to the situation. Ribbentrop, empowered to act in the
matter, felt that it was too soon to agree to this, because of the ad­
vantages which enemy propaganda could make of the gesture.
Burckhardt then proposed that the measure be lifted with the greatest
discretion: ICRC delegates would be present in the camps when the
handcuffs were removed and their reports notifying the “fait ac­
compli” would be sent to the prisoners’ home countries with a re­
quest that no public comment should be made. The Foreign Minister
consented, the necessary orders were given on 21 November and the
next day the prisoners had their handcuffs taken off for good.¹

¹ A detailed account of this interview was given by Hans Bachmann, Eine Interven­
tion des Internationales Komitees vom Roten Kreuz, in Dauer im Wandel, Festschrift
The provisions of the Conventions—which, in this section, we have assumed to be accepted by the Detaining Power—were thus frequently contravened owing to external circumstances, only a few examples and effects being given here. The consequences of the military, economic and political situation, the weight of public opinion, the destruction of transport, the growing hostility towards the enemy, the personal attitudes of the camp commandants and, in general, the argument of force majeure, all contributed to alter, distort and erode the rules laid down in the Conventions. The visits to the camps played a vital role in this context: neutral visitors, less affected by these factors, were in a position to make an investigation of the camps which, though necessarily subjective—a visitor will never have the same picture of the camp as somebody confined in it—gave a fair estimate, of great value as information to the prisoners' home country and to the Detaining Power. Such information supplied to both sides, together with the delegates' immediate discussions with the camp commandants or responsible authorities, or the approaches by the International Committee to governments, made it possible to prevent such a deterioration of the situation as would have entailed reprisals and possibly jeopardized the prisoners' situation beyond hope of repair. By referring constantly to the provisions of the Convention, by ensuring through their supervision an equitable distribution of material and moral aid and by making sure that the prisoners' links with the outside—capture cards, correspondence, etc.—were maintained, the delegates unquestionably relieved substantially some of the chief burdens of captivity: decisions without appeal, hunger, depression, isolation.

* * *

C. Organization of relief

The relief operations of the ICRC are inseparable from its visiting and information activities, all mutually complementary and supportive. Just as a relief operation could be diffuse and ineffective unless based on an exact knowledge of the needs, identity and numbers of the victims, so collection of the relevant information would fail in its purpose unless coupled with assistance. The Basle Agency in 1870, the Belgrade Agency in 1912 and the International Agency during the First World War had included in their activities the dispatch of aid to the victims of war. During these conflicts, however, it had not been
necessary to create an autonomous relief service, since the methods and means of warfare had not totally disorganized transport and production and relief supplies could usually be sent through private forwarding agencies. It was during the postwar operations in devastated Europe and then in the Spanish Civil War that the ICRC created special relief services. That of the Spanish War was still operating in September 1939 and became the nucleus of the ICRC's relief service in the Second World War.

Another difference with the situation in 1914 was that the ICRC could count on the collaboration of the League of Red Cross Societies, whose headquarters had been moved back to Geneva on 6 September 1939. This meant that the two bodies could be sure of a degree of co-ordination in their relief operations. Later, when these seemed to be assuming an unforeseen dimension, they decided to create a special body for their joint operations, the Joint Relief Commission. The Commission was not a new element of the International Red Cross but an association of two existing elements—the ICRC and the League—with independent legal identity which meant that it was responsible for the operations carried out by its administrative staff. Its statutes, adopted on 23 July 1941, defined its aims as being relief operations suitable to be entrusted to a body distinct from the ICRC and the League, in favour of civilian victims of war, especially women and children. This collaboration gave the Joint Commission the advantages possessed by each of its two component organizations: the federative character of the League, making it much easier to find financial support among the National Societies and to organize purchases, while the neutral character proper to the ICRC was of greater benefit in the transport and distribution of relief, and in negotiating with the belligerents.

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The prevailing conditions in Europe made Allied prisoners of war and civilian internees the first recipients of relief. The number of POWs in Axis hands and of civilian internees with equivalent status who benefited from this relief totalled 2 million. Smaller quantities of relief supplies were sent to Allied prisoners and civilian internees in the Far East.

Supplies to German and Italian prisoners and civilian internees covered by the Geneva Conventions and detained outside Europe did not suffer from the same difficulties in the first years of the war. It was towards and after the end of the war that relief became most
necessary. At that time the ICRC sent emergency supplies to about one million Italian and German POWs and internees, out of a total of 2.5 to 3 million. Most packages were sent in 1945 and 1946.

Civilian deportees and detainees without status equivalent to that of POW formed a separate category to whom the ICRC had no access, and in spite of the Committee's efforts (described later) its operations in this context were gravely hampered.

Assistance to the civilian population was organized mainly by the Joint Relief Commission, and directed to certain categories (children, old people, the sick and infirm) and the inhabitants of regions which had particularly suffered from military action. Relief was brought also to the camp of Pruskow, temporary home to part of the population of Warsaw, to the children of Paris in 1940 and those of Berlin and Vienna from 1945 to 1947. One of the most remarkable operations, in its scale and the means employed to transport the goods, was the relief supplied to Greece which, after October 1940, was cut off from its normal supply routes through the Mediterranean. This will be described in a special section.¹

Figures giving the commercial value and the tonnage are only the statistical aspect of the activities of the ICRC and the Joint Relief Commission during the war. Every move in the relief operations was strewn with obstacles, many of them appearing at first sight insurmountable. The task was to find goods of prime necessity in a world where everything was rationed, to ensure payment in a period of monetary crisis when the transfer of funds was minutely regulated, and organize the dispatch of the goods when transport facilities by land, sea and air were reserved first and foremost for the needs of the belligerents. In addition, it was necessary to arrange for the goods to pass into blockaded areas or combat zones, have them accepted in regions subject to wartime regulations, and to supervise each step, from dispatch to final distribution—in a word, to carry on free trade through a serried mesh of prohibitions.

The Allied governments vigilantly controlled supplies to Europe as long as it was dominated by the Axis forces. From the start of hostilities, a ban was imposed on trading with enemy countries or enemy-occupied countries and trade with neutral nations was strictly regulated. Moreover, many goods were considered contraband in time of war and declared liable to seizure by the control bodies of the belligerents.

¹ See pp. 491 ff.
Control was carried out in the loading ports before shipment, the shippers being obliged to obtain a transport authorization known as a *navicert*. To be granted immunity from requisitioning, the ship itself had to possess a *ship warrant*, delivered by the naval authorities in return for an undertaking to carry only goods accompanied by a navicert and never to render any services whatever to the enemy.

Professor Carl Burckhardt went to London in December 1941 to discuss with the Ministry of Economic Warfare ways of alleviating the blockade in favour of war victims and civilians. He obtained permission for individual parcels—a form of assistance envisaged in the Geneva Convention—to be sent to prisoners of war. Collective parcels, without which prisoners in German hands would have been without a vital supplement to their rations, were authorized only when the ICRC had supplied proof that it was able to supervise their distribution to the Allied POWs and civilian internees. Great difficulties also arose concerning the dispatch of goods in bulk, allowed from 1941 onwards but requiring navicerts and landcerts1 on each occasion. During 1942 the United States in its turn introduced tight controls on its exports, through the Board of Economic Warfare. Throughout the war the ICRC kept up its efforts to obtain the easing of these restrictions, which applied to the dispatch of clothes and food, though not medicines and medical items. Supplies for Axis prisoners and internees in Allied hands also required authorizations and formalities, but the dispatch of parcels from Switzerland or through the German Red Cross met with fewer difficulties as the distribution of the goods, supervised as it was by ICRC delegates, could not benefit the Detaining Power.

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Just as much as the countries at war, the ICRC needed to keep open its channels of communication. Yet the merchant fleets of the belligerents were primarily used to transport arms and essential materials, the sea lanes were under threat and submarines hunted the convoys. After the lightning operations in 1940 and 1941, when the adversaries had established apparently impregnable bases and taken the measure of each other’s forces, the outcome of the war was being disputed in the North Atlantic, the Mediterranean and the Pacific. Meanwhile the number of neutral or non-belligerent countries steadily

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1 *Landcerts* were transport authorizations delivered by the Allied authorities. They were required for forwarding goods by land from the ports where they had been unloaded.
diminished, and the entry into the conflict of Norway and Greece, the USSR, Japan and the USA brought the world's largest merchant fleets into the war.

For the ICRC, this meant solving a dual problem: how to ensure transport for relief consignments, either by merchant ships belonging to belligerents or neutrals or by ships assigned exclusively to such transport; and, in the second case, how to protect them by the use of special markings and by agreements with the belligerents.

To understand the difficulties, it is necessary to remember that the only vessels protected under the Hague Convention of 18 October 1907 were hospital ships. There was no protection under the Convention for ships carrying medical equipment or Red Cross food supplies. The creation of a Red Cross fleet had been the subject of a report by the ICRC to the Fourteenth International Red Cross Conference and of study by the Commission of Naval Experts meeting in Geneva in 1937, but without any definite results.

At the beginning of the war, relief supplies for Allied prisoners were taken to Lisbon by British ships chartered by the British Red Cross, then sent by train to Germany or, after the winter of 1940, by ship from Lisbon to Marseilles. Later the ICRC used ordinary shipping, especially neutral vessels. But the tonnage available soon proved insufficient; and, as submarine warfare increased, special protection was necessary. It was then that the ICRC made plans to charter ships itself and have them sail under its own flag.

Under the terms of the 1907 Convention, military hospital ships and those equipped by individuals or recognized relief societies were distinguished by their white hulls, the first category carrying a green horizontal band, the second a red band, and by the Red Cross flag flying from the main mast. The custom of marking the hull with red crosses was already established and later embodied in the provisions of the 1949 Geneva Convention. To extend the protection of the sign to ships other than hospital ships, it was necessary for the belligerents to agree, which they did. The merchant ships chartered by the ICRC bore the markings C. INTERNATIONAL and a red cross on a white ground. With their national flag they flew the flag of the Red Cross. The distinctive signs were lighted at night, except in ports where the ships docked, since they had to obey blackout regulations. Before being put into service they had to satisfy extremely precise stipulations: to have obtained the necessary safe conduct from the belligerents, to be carrying nothing but the authorized relief supplies, to bear the distinctive signs, to be accompanied by neutral convoying agents designated by the ICRC, to adhere to a sailing schedule and
follow a course agreed by the belligerents. During the large-scale landing operations in 1944, the ICRC ships were additionally required to signal their position regularly by radio. In this way the ICRC, in 1940 and 1941, was able to arrange the transport of goods and mail for the camps of prisoners of war and internees.

After the war spread to the Pacific, however, the system proved inadequate. Many neutral ships remained immobilized in enemy ports or had been requisitioned by the belligerents. The tonnage available to the neutral nations was scarcely enough for their own needs.

A number of National Societies, in particular the American Red Cross, then suggested to the International Committee that a marine transport service for relief shipments be organized to sail under the Swiss flag. In theory this was feasible. As from 1941, in fact, Switzerland had formed its own merchant marine. Swiss law required ships flying the Swiss flag to be owned by a legal entity or physical individual of Swiss nationality. It was therefore possible for the ICRC to assume the direction of a commercial shipping company or to set up a body subsidiary to the Committee for the purpose. It was the latter plan which was accepted.

Again, numerous obstacles had to be overcome, in a sphere where the ICRC had no precedents to draw upon. Where would it raise the money to purchase or charter ships? How would it cover operating costs? How would it manage, in wartime, to obtain the authorization for transferring ownership, guarantee the safety of the vessels and the inspection of cargoes?

From early in 1942, President Max Huber and Professor Carl Burckhardt had examined the technical and legal problems remaining. They enlisted the help of Professor Robert Haab, of the University of Basle, an expert in maritime law, and of Edouard de Haller, an honorary member of the ICRC who had been appointed in January 1942 as the delegate of the Swiss Federal Council to the international aid organizations.¹

When the experts had concluded their work, the ICRC, at its meeting on 14 April 1942, agreed to create an autonomous foundation under its auspices, to be responsible for organizing Red Cross transport and empowered to acquire or charter ships for the purpose. The constituting document of the “Foundation for the organization

¹ The post was created on 13 January 1942 by the Swiss Federal Council in order to co-ordinate the activities of the Swiss Confederation and private organizations working in international aid. As he had been appointed to this post, Edouard de Haller, who had been a member of the ICRC since 26 June 1941, offered his resignation to the Committee and was made an honorary member.
of Red Cross transport”, drawn up by Professor Haab, was adopted by the Committee on 15 April. Article 2 of its statutes describes its functions:

“The object of the Foundation is to secure, against payment or otherwise, transport of every kind required in connection with the humanitarian tasks entrusted to the International Committee of the Red Cross as a consequence of the current war.

“It may accordingly acquire means of transport, especially ships, by, inter alia, purchase, charter, lease or loan.

“The Foundation may itself operate such means of transport, or arrange for third parties to do so.

“The Foundation, in all its operations, must comply with the instructions of the International Committee of the Red Cross.”

The Foundation, entered in the Basle Commercial Register on 20 April 1942, was directed by a council whose first members were: Ernst Froehlich, doctor of laws (chairman), Bernhard Sarasin, banker, Paul Logoz, member of the ICRC, professor at Geneva University, Robert Haab and Ernst Widmer, merchant.¹

Having thus created the administrative and technical machinery enabling it to form its own fleet, the ICRC could concentrate on the purchase or charter of ships. In fact, since 1941 it had been engaged in negotiations with the Belgian Government in London to purchase the Belgian cargo ship Frédéric, immobilized by the war in the port of Casablanca. The Committee then obtained the agreement of the belligerents concerned—chiefly the Belgian Government and the German authorities—for the Frédéric to be transferred to Swiss ownership.

The question of finance was no simpler. Ships cost several million Swiss francs to buy, and the transfer of funds to a belligerent country was fraught with difficulty. The Foundation therefore employed a specific form of contract permitting it to postpone payment of the price of a ship until the end of hostilities, the seller undertaking to reacquire it then at the original sale price—this was known as “sale with right to repurchase”. This was the method used for purchasing the Frédéric, the first vessel belonging to the Foundation for

¹ Professor Logoz resigned in December 1942 and was replaced by Jacques Barthélemy Micheli, a member of the ICRC. On the latter’s death in November 1945, his place on the Council was taken by Hans Bachmann, then deputy secretary of the ICRC. Another regrettable death among Council members was that of Robert Haab in August 1944. He was succeeded by Professor Alexandre Beck of Basle University. At the end of 1946 the Board of Management elected by the Council included, besides Ernst Froehlich, Matheus Klaas and Hans Wuest.
organization of Red Cross transport. The ship was renamed Caritas I, and was joined by Caritas II, formerly the American ship Spokane, and the Henry Dunant, previously an American vessel, the Oriente.

In addition to these ships, the Foundation chartered nine others. The fleet of a dozen ships helped to carry relief supplies on three main routes: the North Atlantic (Philadelphia-Lisbon and Philadelphia-Marseilles); the Mediterranean (Lisbon-Marseilles); and the northern route between the United States and Göteborg, where the Foundation took charge of 96% of the tonnage carried on this line under ICRC protection, chiefly at the end of the war when ships were no longer allowed to cross the Skagerrak.¹

The ICRC now had available a system of maritime transport enabling it to overcome the difficulties due to the blockade and counter-blockade and the shortage of available tonnage, and to guarantee to a great extent the forwarding of relief and mail for prisoners of war and civilian internees. A total of 43 vessels —12 Spanish, 10 Portuguese, 13 Swedish and 8 Swiss—placed at the disposal of the ICRC between 1941 and 1945, made 383 voyages under the Committee's auspices. The cargoes totalled 470,000 tonnes of relief supplies, of which 462,511 went to nationals of the Allied countries and 7,493 tonnes, carried in the return voyage, to German prisoners.² These figures do not include transport organized by the ICRC delegation in Turkey to supply the islands in the Aegean or the voyages made by the Swedish vessels in the large-scale operation to bring relief to the Greeks.³

In spite of the protection they were granted, the ships sailing under the sign of the ICRC still remained exposed to the risks inherent in war. A number were lost after striking mines or as a result of air attacks: the Swedish ship Stureborg was torpedoed on 9 June 1942 while sailing from Piraeus to Alexandria; the Padua was sunk by a submerged mine on 27 October 1943 off Marseilles; the Embla was sunk on 19 April 1944 in the Golfe du Lion; and the Christina went down on 6 May 1944 in the harbour at Sète. The goods lost amounted to about ¹/₂ per thousand of the total transported, and less than three per cent of the tonnage employed was lost.

¹ Goods were transported from Göteborg to Lübeck in Germany by Swedish coasters, whose departure was notified to the British and Soviet representatives in Stockholm. From November 1944 until the end of the war in Europe, these Swedish ships made 27 voyages and in April 1944 they were able to return with a thousand persons released from concentration camps.
³ See below, section 4, pp. 491 ff.
The ICRC exercised very strict control of the dispatching, transport and distribution of goods. In the major centres where goods were received, it was the ICRC which organized and supervised the loading and unloading of ships, reception and forwarding. To carry out controls on board ship, the Committee had created a new category of representatives, convoying agents, responsible for enforcing the rules for protection of the vessels and with full powers to ascertain that the transports were not being used for purposes other than those for which they were intended.1 When this system was first introduced, all ships, at the request of the belligerents, were accompanied by convoying agents. Towards the end of the war, the belligerents agreed to waive that requirement, but the ICRC continued to have an agent aboard its ships as far as possible.

A total of 56 convoying agents were recruited and made 507 voyages, 417 in the Mediterranean, 74 in the Atlantic and 16 on other routes. Two of them were killed and four others wounded as a result of hostilities; 25 crew members also died and many others were wounded or shipwrecked.

The Committee also tried to set up other links, similar to those in the Atlantic and the Western Mediterranean, with Red Cross ships plying in the Eastern Mediterranean between Turkey and the Adriatic, but these efforts were not successful.

The dispatch of relief by sea to Japan and ports in China or South-East Asia occupied by the Japanese forces caused the ICRC the greatest difficulty. The problem will be discussed specifically in the section dealing with the Committee’s activities in the Pacific war.2

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If getting supplies to prisoners of war and civilian internees—persons protected by the Conventions or having equivalent status—was largely a matter of chance, it was even more so for the task of supplying the civilian population. Europe was like a fortress under siege, where only a few neutral or non-belligerent nations kept open gates through which all access had to be made. In the occupied areas, and in those devastated by war, civilians were virtually captives, either because of emergency laws or because of their impoverished condi-

1 See the book written by Philippe Eberlin, a former ICRC convoying agent: Rapport de mer, Navires et marins au service de la Suisse et de la Croix-Rouge pendant la guerre de 1939-1945, Berne, Office central des imprimés et du matériel, 1970.
2 See below, pp. 521 ff.
tion, when they were not actually detained or deported. Requisitioning, the maintenance of occupying forces, the payment of compensation, the deterioration of crops for lack of implements and fertilizer, the devastation of cities and destruction of transport all brought in their train a steady reduction in food supplies, clothes and medicines, and consequently under-nourishment, famine, chronic diseases and epidemics. The Red Cross had earlier given many warnings on the subject but, as in the case of arms limitation, they had gone unheeded.

Economic war is one form of warfare, a blockade is a weapon. Even immediately after the First World War, the International Red Cross Conference of 1921 showed little optimism on the possibility of a partial lifting of the blockade:

"The Conference recognizes the difficulties inherent in the proposal by the Swedish and Danish Red Cross Societies to preserve the sick, the elderly and children from the disastrous effects of the economic blockade. Nevertheless, it expresses the hope that governments will reach an agreement on relaxation of the blockade in order to make it possible to implement such action which is completely in keeping with the humanitarian idea on which the Red Cross is founded."

A resolution of the 1930 Conference in Brussels, dealing particularly with the situation which would be created in the event of economic sanctions in application of Article 16 of the League of Nations Covenant, instructed the ICRC to offer its services to the nations concerned with a view to extending the principle of maintaining humane relations to the circumstances of a wartime blockade.

Following a joint approach from the League of Red Cross Societies and the ICRC, the German Government, on 11 January 1941, accepted in principle the dispatch of relief in cash and in kind to needy population groups in the countries occupied by the German forces, with the proviso that relief must be in the nature of a collective gift, inspected by the German Red Cross and distributed by local charitable organizations in accordance with the wishes of the donors. It was specifically stated that nothing would be taken for the benefit of German troops or officials and that representatives of the donors could travel to the occupied territories to ascertain that the relief was being fairly distributed.

But attempts to secure a relaxation in the Allied blockade encountered grave difficulties, as the 1921 Conference had only too well foreseen. In September 1940 the British Government had settled its policy on the matter: the dispatch of relief into the occupied...
countries constituted indirect aid to the enemy, by allowing a larger part of production to be devoted to feeding the enemy population or even to manufacturing war material. Moreover, the British considered it impossible to be sure that the enemy would not appropriate the relief for its own use, and decided that feeding the population of an occupied country should be the responsibility of the Occupying Power.

In the first years of the war the Committee was unable to obtain special facilities for aiding the civilian population, and relief supplies from overseas therefore remained in principle available only to prisoners of war and civilian internees. Exceptions, however, were agreed, especially for aid to occupied Poland, for the relief operations in Greece and for a number of large consignments from Latin America in favour of the wounded and sick in Poland and Germany; exceptions were also made for medicines and dressing materials.

The Joint Relief Commission was to some extent able to buy supplies in the countries of Europe, but the market there was restricted by rationing or by exchange control regulations. Goods imported into a neutral country were not easy to export to belligerents. In Switzerland, the “Standing Joint Commission”, composed of representatives of the Swiss and the Allied Governments, dealt with the problems arising out of enforcement of the Blockade Agreement or made approaches to the governments concerned about difficulties it was unable to solve. In the belligerent countries, even those which traditionally exported food or clothing, production had been severely limited. The International Red Cross Joint Relief Commission was nevertheless able to make most of its purchases in Switzerland, Sweden, Hungary (until 1944), Rumania, Yugoslavia, Spain and Portugal. In this way it was able to send material aid, very varied in nature and quantity, to most of the occupied countries in Europe during the war and even more after the end of the fighting, once the difficulties caused by shortages, Customs and political barriers and restrictions of all kinds, and in particular the lack of transport, had been surmounted.

Sending relief supplies by land in Europe was no less beset with problems than shipping it by sea. The railways, like the merchant fleets, were overburdened, trains and stations being filled to capacity with military material, there was a shortage of rolling stock and much destruction, especially after the Allied landings, so that operations were sometimes totally paralysed. To overcome these obstacles, the ICRC created a central rail transport service, with similar services attached to several of its delegations, while to ensure the safety of the consignments, and at the same time reduce the number of wagons
required, it grouped the consignments in sealed wagons containing goods intended for all the prisoners in one camp or several camps in the same railway sector.

In certain circumstances, the Committee used whole trains of 20 to 25 wagons carrying nothing but relief supplies and correspondence for POWs and internees. This was done in 1942, when goods from overseas were piling up in the warehouses in Lisbon owing to lack of cargo space in the Mediterranean: sixteen entire trains travelled from Lisbon to Geneva. In 1945 the ICRC again employed this method to send supplies to the camps in southern Germany, among them Stalag VII A at Moosburg, in which almost 100,000 Allied prisoners were held, and in the direction of the Vorarlberg and the Tyrol, to which were sent the POWs evacuated from Italy and from Upper and Lower Austria. The ICRC made up 186 relief trains, their wagons painted white and bearing the legend (in French) "International Committee of the Red Cross, Contents exclusively reserved for POWs" and marked with the red cross and the Swiss federal cross.

The ICRC also made use of road vehicles, especially towards the end of the war, to make up for the delays in rail transport. It used 474 trucks and 137 trailers lent to the Committee by the American Government, the American Red Cross, the Canadian Red Cross, the Allied High Command, the Young Men’s Christian Association and the Polish Red Cross. They were employed chiefly to bring to Switzerland goods discharged in Barcelona, Toulon and Marseilles from the ICRC ships, and later, from March 1945, to take supplies to the POW and internment camps in Germany and to the columns of prisoners and deportees on the march, as well as to convey evacuees and deportees to Switzerland for repatriation. Like the special trains, the trucks were marked with the red cross and the Swiss federal cross. They drove in convoys of about ten, accompanied by a mobile repair shop and extra supplies of fuel; the drivers were Swiss or POWs assigned to these duties. With each convoy there were a doctor and nurses supplied by the Swiss Red Cross, and nursing supplies and medicines were carried. This continued after Germany capitulated, in particular to take relief to the Jewish population of Terezin, and to Vienna, Budapest, Bucharest and Warsaw. The columns of vehicles performed a total of 366 missions in the last months of the war and in the post-war period, carried 8,602 tons of goods and repatriated 23,481 persons.

The transhipment, forwarding, storage and packaging of goods arriving in Europe necessitated huge warehouses which the ICRC established in the ports and main transit centres. Lisbon, the main
terminal for the trans-Atlantic route, had the largest of these. The goods had to be checked and stacked, often on the wharves, as the stores were so full. The ICRC delegation arranged the transport: import and export permits, checking, sorting, forwarding by train to Switzerland or by ship to Marseilles. Correspondence for POWs and internees, in mailbags, also went through Lisbon, as did relief and mail for Axis prisoners overseas.

Relief brought by the North Atlantic route was warehoused in Göteborg and then taken to Lübeck, after November 1944, by Swedish coasters. For storage and forwarding in Switzerland, the ICRC had depots in Vallorbe, Geneva, Bienne and Basle, and in various places in the country or in the frontier stations. For the purposes of centralizing and distributing relief, the ICRC also opened various depots in Algiers and Casablanca, for consignments intended for North Africa; in Cairo, for the Middle East; in Paris as from March 1943; and, from January 1944, in Greece and Yugoslavia. Ravensburg, north-east of Lake Constance, 25 kilometres from the Swiss frontier, became the great distribution centre for supplying the camps in south Germany, by train and truck, as from the second half of April, while Landeck, in the Tyrol, near the Arlberg Pass, was the supply centre for prisoners evacuated from Lower and Upper Austria.

Relief to prisoners of war and civilian internees during the war and in the post-war operations amounted to 445,702 tonnes, estimated at a value of 3,400 million Swiss francs.

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3. The campaign in the West

On 10 May 1940, about 80 German divisions supported by armoured divisions and motorized units simultaneously crossed the borders of Holland, Belgium and Luxembourg. Repeating with greater intensity the Blitzkrieg methods first used in the campaign in Poland, the German army drove deep into the territory under attack before the Allied forces had a chance to join up with the defenders. As the frontiers were crossed, airfields in the invaded countries were being bombed, while troops were landed by glider and dropped by parachute behind the lines of defence, to disorganize resistance. By 12 May the advance guard of the German motorized units had linked up with the airborne troops south of Rotterdam and cut the country
in two, so preventing the planned breaching of the dikes. On 13 May the ICRC issued a new appeal to the belligerents to spare the civilian population:

"In view of the ever-increasing severity of the present conflict, the International Committee of the Red Cross urges the belligerents to refrain completely from attacks against persons whose non-combatant statut should mean that they are not subject to the attacks of war. ..."

"The International Committee, in the name of human dignity, considers that the voice of the Red Cross ought to be heard, and this time publicly. Over and above all the Conventions and all legal texts, it appeals to the conscience of nations."

But these "non-combatant" people now found themselves at the heart of a battle which extended as far as the Meuse. Bombing behind the lines, the penetration of tanks and their deployment in depth reached and encircled thousands of civilians, who saw their only hope of safety in flight and set out on the long trail which was to lead them into fresh traps and towards other areas of fighting. Rotterdam was taken by the Germans, recaptured by the Dutch, then, on 14 May, heavily bombed and partially destroyed. On the morning of 15 May the commander-in-chief of the Netherlands army ordered his troops to lay down their arms. The Dutch royal family and Government had meanwhile reached London, where, like Poland and Norway, they formed a government in exile.

At the same time the battle raged on the Belgian front. Despite the resistance of the fort of Liège, motorized divisions crossed the Albert Canal and the Meuse and occupied Sedan on 14 May. Having opened up a breach in the French positions around Mézières, they proceeded to spread out beyond the Allied lines of defence. Following the fall of Holland, Belgium and Northern France became a battleground. Aircraft from both sides attacked stations, factories and centres of communication. Civilians fleeing from the fighting and bewildered by false reports were terrorized by dive-bomber attacks as they struggled along the overcrowded roads in the opposite direction to the convoys going up to the front. On 17 May Brussels was occupied. On 20 May, German troops had taken Abbeville at the mouth of the Somme and by 25 May had reached Calais and Boulogne, cutting off the left wing of the Allied forces in Flanders. On 28 May King Leopold ordered the Belgian army to cease fighting, while the Belgian Government in its turn re-formed in London. Between 29 May and 4 June, the French and British forces trapped without hope of escape in the pocket round Dunkirk were evacuated by sea. Under an umbrella of
Allied planes, more than 300,000 French and British servicemen, some wounded, were taken to Britain by a fleet of 800 ships and boats of all sizes and types—warships, cargo, vessels, pleasure craft and hospital ships.

By 5 June the front stretched from Abbeville to Montmédy. Behind this line, the Belgian army, three French army groups and the British troops who had not been able to leave by sea were taken prisoner.

In Geneva, the Central Agency received a huge influx of requests for news of civilians and servicemen. The French service and the newly created Dutch, Belgian and Luxembourg services were overwhelmed. The Red Cross Societies in the invaded countries had split into separate committees, some continuing to function, as far as circumstances allowed, in occupied territory, others moving to France or England. A joint appeal was launched by the League and the ICRC on 29 May: “Approximately three million French citizens, two million Belgians, seventy thousand Luxembourgeois and fifty thousand Dutch nationals, refugees or evacuees in France, in state of serious deprivation. French Red Cross requests aid sister Societies to maintain distressed population with assistance Belgian, Dutch, Luxembourgeois organizations in France…”

The massive use of paratroops and airborne forces was not entirely novel—the German army had already used them in Poland and Norway and the military attachés had been able to observe them during manoeuvres in Germany before the war. But to its victims such warfare appeared at the time to be scarcely lawful, and the parachutists were accused of wearing, contrary to the customs of war, the uniforms of their enemies or civilian clothes. The uniform of the German paratroops—a helmet and overalls with insignia and rank—was in any case different from the traditional uniform of soldiers of the Wehrmacht, adding to the confusion. And once more the cycle of reprisals began. The German High Command announced that for every parachutist killed ten prisoners would be put to death. The ICRC reacted by reminding the belligerents of the provisions of the 1907 Hague Regulations, and concluded:

“If therefore the paratroops are regular soldiers wearing uniforms permitting them to be distinguished as such, they are entitled to the benefit of the provisions of the Hague Regulations and should be treated like other servicemen.

“If, on the other hand, they are disguised, for example, wearing foreign uniforms and not showing the distinctive signs permitting them to be recognized at a distance, and if they then penetrate into
the zone of operations of the enemy forces, they run the risk of being considered spies and thus losing the benefit attaching to combatants who form part of the regular army.”

In addition, Dr. Junod hastened to unoccupied France to visit the German POWs and civilians transferred to the south of the country and to obtain first-hand accounts of the parachutists’ conditions. Having visited five camps between 19 and 25 June 1940, accompanied by the delegate Claude Pilloud, he was able to send the Auswärtiges Amt reassuring news at a moment when it was feared that reprisals would be taken against French POWs: “Matter of paratroops apparently completely erroneous. No killings known, even to prisoners”.

The German offensive, after slowing down briefly, was resumed. The battle for France was engaged on 6 June along the whole of the front. By the 8th, German armour had passed Abbeville and reached Forges-les-Eaux on the main Dieppe-Paris road. The Allied air forces counter-attacked on the roads and lines of communication in the occupied territories and bombed the Ruhr and the Rhineland. Italy entered the war on 10 June. Paris, which had been declared an open city, was occupied on 14 June. The same day, President Roosevelt announced that the United States would place all its resources at the disposal of the Allies. On 16 June, the Prime Minister Paul Reynaud submitted the resignations of the cabinet to the President of the Republic, who appointed his successor: Marshal Pétain.

From then onwards the outcome of the battle was decided. On 17 June, as the German armies drove beyond the Loire and approached Lyons, reaching the Swiss frontier, Marshal Pétain asked for a cease-fire. On 22 June his Government concluded an armistice with Germany and on the 24th with Italy, thus ending the first French campaign.

Capture cards poured in to the Central Agency. They were sent to the ICRC by the prisoners, in addition to those they addressed to their families during the first week of captivity, in application of the POW Code. The belligerents had accepted this rule at the proposal of the ICRC, and its advantages were now being demonstrated. Cards bearing the address of the ICRC had priority in the camp post offices and went ahead of those sent to the families which, owing to the dispersal of the civilian population, were to be greatly delayed and often lost. The situation required new services. At that time the Agency employed a staff over 1,000. Another matter of concern to the Committee was the effect that an invasion of Switzerland might have on ICRC activities. It decided that if invasion occurred the Cen-
The Central Agency which, under the terms of Article 79 of the Convention, had to be created in a neutral country, would be transferred elsewhere. The International Committee, however, did not envisage leaving Geneva. “Better perhaps a Red Cross subjected to indignity”, wrote Jacques Chenevière, “than a Red Cross wandering the earth.”

The defeat of the French army in the metropolitan territory seemed to mark a halt in the war in Europe. Germany, in fact, had extended its domination to the Atlantic coast of France and to the far north of Norway. Its frontiers to the east appeared safeguarded by the German-Soviet pact. In the Mediterranean, Italy remained on a war footing, and Spain, though keeping strict military neutrality, was politically favourable to the Axis. The power of the Third Reich seemed to some to be permanently established in Europe, though others saw the June victory as only the first episode in a long war. Contesting Marshal Pétain’s request for an armistice, General de Gaulle had stated on 18 June his intention to keep France in the fight. Great Britain had proclaimed its decision to continue the war, with the support of the Commonwealth. In Libya, Somalia and on the borders of Abyssinia the fighting continued.

Under the terms of the armistice, France was divided by the line of demarcation extending from the eastern Pyrenees to Geneva via Tours, Moulins, Châlon-sur-Saône and Dôle. The occupied zone itself was divided into five regions, in which movement was strictly controlled and at times prohibited. All direct communication had ceased with the 8 million or so refugees from Holland, Belgium, Luxembourg and northern France who had spread out along the roads, moving on until they found shelter, friends, a place to settle for a time. But most families were scattered, and for them Geneva remained the only centre of communication. The Central Agency, after a short interruption of mail due to the breakdown of postal links, was receiving mailbags by the truckload—50,000 or 60,000 letters a day in July. To simplify sorting and classifying, the Agency had created tracing cards, distributed by the French Red Cross and intended to replace the families’ letters. There were also the cards notifying capture and the official lists of prisoners. As during the First World War, all the work done was directed towards the establishment of concordances between the request for news and official or unofficial information. Notices based on capture cards were sent to families at a rate of 2,500 a day. Replies conveying information derived from official lists numbered 600 to 700 a day. To deal with requests concerning French civilians, the Agency had made contact with the postal authorities in
Lyons, which had a central register of the addresses of refugee families in unoccupied France. To absorb this crop of information the Agency set up branches in about twenty Swiss cities, to help in making index cards. Cards for servicemen and civilians from all over the world had reached a total, by mid-September 1940, of 3,720,000.

The war on land had halted in Europe after the evacuation of Dunkirk and the Rethondes armistice. The war in the air now took first place. Hitler accused Britain of indiscriminate bombing in Germany and, on 4 September, announced retaliatory measures: “If the British drop two or three thousands kilograms of bombs, we will drop 150,000, 180,000, 200,000... If they attack our cities, their cities will be simply wiped out.” It was no empty threat. Three days later, 300 bombers and 600 fighters of the Luftwaffe made a high-altitude raid on London, with British fighter counter-attacking. For forty days in succession the capital was bombed in what Londoners christened the “Blitz”. It called to mind the warning uttered by the Archbishop of Canterbury in St Paul’s Cathedral two years before, when he addressed the delegates attending the Sixteenth International Red Cross Conference:

“It may be that in the future the need will be even greater and on a vaster scale. God forbid that it should be so. The mere possibility that what was deemed to be the progress of civilization should end not only in widespread war but in war stained by forms of destructive savagery unknown even in the wild days before civilization began—this mere possibility must bring to our conscience a sense alike of bewilderment and of shame. Yet the very development of science has invented new weapons of destruction dealing death and suffering not only as before to the actual combatants but to multitudes of defenceless people—men, women and children. Death will descend as a terrible rain from the skies. Even now we are horror-struck by the signs before our eyes of what modern warfare means.”

October marked the end of the constant attacks on London, but bombing went on in other areas. The air raid on Coventry in the night of 14 November 1940, when 450 tons of bombs were dropped, left the city in ruins. The practice of bombing cities became the rule and, at a later stage, when the Allied bomber forces had gained complete superiority, the cities of Germany and then Japan were in their turn wiped off the map. Any diplomatic intervention seemed useless. After its appeals of 12 March and 12 May 1940, the International


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Committee repeated twice more, in the course of the war, its calls for the protection of the civilian population. And it concluded its wartime interventions immediately after the surrender of Japan with an appeal for an agreement among all the belligerents regulating or restricting the use of the atomic bomb.¹

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In Eastern Europe, the borders were being changed without fighting. On 15 and 16 June 1940, while the Allied front was crumbling in the west, the USSR had occupied the three Baltic States, where new governments had been formed, and then, on 2 July, Bessarabia and Northern Bukovina, subsequently turned into the Federated Soviet Republic of Moldavia. Rumania, under the influence or the pressure of Germany and Italy, was forced to hand over part of Transylvania to Hungary on 30 August. King Carol abdicated in favour of his son Michael, and on 7 September his country was made to hand over southern Dobrogea to Bulgaria; on 7 October Rumania was occupied by the German army. Hundreds of thousands of people thus had their nationality changed, with no guarantee of effective diplomatic protection.

At the same time, the weight of the occupying power pressed more and more heavily on the population. Occupied Europe was one huge military camp where every activity was subject to the State police. The requirements of security, the needs of production and the myth of ideological unity were all invoked to curb individual liberty. At Montoire on 24 October, the French head of state and Hitler defined Franco-German relations in the form of a collaboration. A cleavage was thus created in the annexed, protected or occupied States of Europe between the voluntary or compulsory adherents of collaboration and the partisans of the resistance; this rift was to have incalculable consequences in a sphere for which humanitarian law was as yet unprepared.

In Libya, the forces of Marshal Graziani, who had succeeded Marshal Balbo, killed in an air crash in June 1940, pressed forward into Egypt and were threatening Mersa-Matruh. The British army entered Somalia. Malta was attacked. The struggle for control of the Mediterranean became the main objective of the belligerents.

¹ See below, section 11, p. 635.
In the East, the interminable China war went on, and Japan extended its hold on South-East Asia. On 30 August it obtained the Vichy Government’s consent to use the airfields in Indo-China and take its troops through the territory. The ports of Haiphong and Cam-Ran—where the Russian fleet had called in 1905—came under Japanese control on 15 September. In Tokyo, on 27 September, Japan, Germany and Italy signed the tripartite pact, joined soon afterwards by Hungary and Bulgaria.

But on the other side the opponents of the Axis were also preparing for a long war. The Commonwealth countries gave Great Britain the support of their subjects and their economic wealth. They were helped by the Netherlands colonial empire, the Belgian colonies, the Danish territories—and especially their merchant navies—part of the French colonial empire and the Governments in exile: the Netherlands, Belgium, Norway and the French National Liberation Committee.

The brief respite was used by the ICRC to consolidate the gains it had made and to adapt its operations to the probable dimensions of future events. The Central Agency, momentarily submerged by the tide of mail and capture notices after the large-scale operations in June 1940, brought its files up to date at a rate of 50,000 index cards a day. It was then that the French service of the Agency undertook a vast inquiry among 570,000 French prisoners of war in German hands, to try to discover what had happened to 40,000 of whom there was no news.  

The British service was gathering together information not only on prisoners taken in the campaign in France but also on those in Libya and Somalia. Later, it greatly enlarged its field of activity when it began to work in collaboration with the official information bureaux of Australia, Canada, India, New Zealand and South Africa and their liaison offices in London.

During the same period the ICRC opened several new delegations in many parts of the world—South Africa, Kenya, India and the Dutch East Indies—and greatly increased the number of its delegates in Germany. The Committee kept a permanent secretariat in Paris.

The camps under German control held about two million prisoners of war, in varying conditions. Only British prisoners, at that time, benefited from reciprocity. The French, who did not, were subject to the agreements resulting from the armistice: the Vichy French authorities were entitled to inspect camps, and the Scapini mission

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1 See above, Section 3, The Central Information Agency.
handled relief and supervision. Belgian and Dutch prisoners were in much the same position. The Poles were in the worst situation, enjoying no reciprocity and with no Protecting Power. Consequently, the ICRC was obliged to extend greatly its work of mediation, centralizing, storing, forwarding and distributing the relief for the camps. During the summer of 1940 it introduced the collective dispatching of parcels for prisoners in a single camp or group of camps besides encouraging standardized contents and packaging. It sought and obtained the occasional lifting of the blockade on Europe, reductions in import and export restrictions, Customs duties and transport costs. In Lisbon, Marseilles and Switzerland it established warehouses for receiving, repacking and forwarding goods.

It was also in 1940 that the International Committee created Intellectual Relief for the purpose of collecting and distributing books, games, musical instruments, sheet music, etc. It called on bodies having their headquarters in Switzerland: the World Alliance of Young Men’s Christian Associations, the International Bureau of Education, the European Student Relief Fund, the International Federation of Library Associations and Institutions, the ecumenical committee for spiritual aid to prisoners of war and the Swiss Catholic mission to prisoners of war, and set up an advisory committee for reading matter for prisoners and internees. This committee not only provided relief from the monotony of captivity but also supplied specialist works and correspondence courses to those wishing to continue their studies, religious literature for all denominations, and artists’ materials. Martin Bodmer, a member of the ICRC, who had created a library of valuable manuscripts and rare books in Geneva, was a particularly appropriate person to direct this service.

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Part of the French army in eastern France, cut off by the German advance which outflanked the Maginot Line, fell back to the Jura region. In the night of the 19/20 June 1940, the 45th army corps, numbering 42,000 men, including a regiment of Algerian Spahis and a 13,000-strong Polish division, presented itself at the Swiss frontier. The men were at once disarmed and fed, before being housed temporarily in the areas of Porrentruy, Delémont, Bienne and La Chaux-de-Fonds. Later they were interned in four main areas. The organization of internment was a matter for the Federal authorities, as, under the terms of the Hague Convention of 1907, it is the responsibility of neutral Powers receiving troops belonging to a
belligerent army. In this case, the Federal Military Department appointed Divisional Colonel de Muralt, President of the Swiss Red Cross, as Commissioner of Internment. The ICRC was consequently not involved in administering internment; however, it drew up a card-index of the interned troops, as it did for POWs, and helped in inquiries and searches and in forwarding correspondence. When hostilities ended in France, the French troops were repatriated, beginning on 20 January 1941, while the members of the Polish division and the British troops remained in Switzerland.

Throughout the conflict, and especially from 1943 onwards, Switzerland took in many soldiers and civilians, the total being almost 300,000. The ICRC increased its assistance to them and, towards the end of the war, began systematic visits to the camps of military internees and civilian refugees.

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Simultaneously with the expansion of its relief work in POW and internment camps, the ICRC intensified its assistance to the civilian population. During the summer of 1940 the Committee sent to refugees and evacuees in France over one thousand tonnes of relief supplies, provided mainly by the National Societies in response to the joint appeal made by the League and the ICRC on 29 May 1940. At the time, the blockade of the French coast prevented consignments from North and South America from reaching Europe, and the sources of supply proved insufficient for the needs. Many problems still had to be solved in connection with purchases, transport and distribution. The ICRC and the League continued to work closely together, not only in bringing relief to civilian victims of the war but also to those struck by major natural disasters, such as the earthquake in Anatolia on 27 December 1939 and that in Peru on 24 May 1940. Mindful of the difficulties in assisting Poland, where cooperation had not functioned at once, the two institutions began, in June 1940, to undertake joint study with the aim of co-ordinating their services more precisely. The results were soon to appear fully in the biggest and longest relief operation of the war, relief to Greece.

4. The war in the Balkans and aid to Greece

While a new order was taking over western Europe, the war zones shifted towards the Balkans and the Mediterranean. On 28 October
1940, after the Hellenic Government had rejected Italy’s ultimatum, Italian forces massed in Albania attacked Greece. A few days later the British army landed in Crete.

The Central Agency in Geneva added a further national service to those already in existence, the Hellenic Service, which provided the link with the official information bureau set up in Athens by the Hellenic Red Cross. On 12 November the ICRC sent as its delegate to Athens Robert Brunel, whose activities after the First World War in the Balkans and in Finland have been described earlier. A joint appeal from the Committee and the League went out on 21 November to 35 National Societies: “Hellenic Red Cross would be grateful for any financial aid sent by wire. We are at disposal for transmission.”

Many National Societies responded, and committees for Greece were created in several countries. However, the aid campaign did not reach its full extent until after the 1941 spring offensive and the occupation of Greece by the Axis forces.

Germany, in fact, was preparing to throw the weight of its armies and equipment into the balance. On 2 March 1941 the *Wehrmacht* occupied Bulgaria, and by 6 April had advanced into Yugoslavia and Greece. Notwithstanding the rearguard action fought by the Yugoslav forces, the Germans took Zagreb on 10 April and Belgrade, after fierce bombing, three days later. The Italian forces meantime reached Ljubljana and Hungarian troops also crossed the Yugoslav border and occupied the Banat region. The Greek army, cut in two by the fall of Salonika, succeeded for a time in holding the German advance with the help of Commonwealth troops landed in Greece and of the British Air Force. But the German army could not be withstood and on 2 May it occupied the entire country, taking 577,000 prisoners, of whom 340,000 were Yugoslavs, 218,000 Greeks and 19,000 Commonwealth troops.

During this time, North Africa was the scene of a dramatic series of battles which gave neither side a decisive victory and which left the deserts of Libya and Tripolitania strewn with the burned-out carcasses of Australian, British and Italian tanks and the dunes littered with abandoned corpses. General Wavell launched a spectacular offensive in January 1941 which took his forces to the frontier of Tripolitania; then, in March and April, General Rommel’s tanks reoccupied Cyrenaica, with the exception of Tobruk, and advanced into Egypt to beyond Sollum. On the Sudan and Somali front, the British forces succeeded in liberating Ethiopia and restored Emperor Haile Selassie to the throne. The half-million prisoners of the Balkan campaign were increased by hundreds of thousands of men captured.
in the various theatres of operations in North Africa. The ICRC’s field of activity was likewise considerably extended in regions—the occupied countries—where its means of action were limited.

On 20 May, the Germans, rounding off the Greek campaign, launched a massive naval and airborne assault on the island of Crete. The invading troops, flown in by plane and glider, landed on beaches or dropped by parachute, conquered the island after twelve days of what a British communiqué described as the fiercest fighting of the war.

For the Greek people, it was the beginning of a long-drawn ordeal, inflicting some of the most poignant sufferings in a conflict abounding in human disasters. To the destruction caused by the fighting were now added the burdens of requisitioning by the occupying armies, bad harvests, restrictions on sea fishing, the breakdown of all communications, arrests, the deportation of Greek Jews, epidemics, famine and civil war.

Robert Brunei wrote to the ICRC on 30 May 1941 drawing attention to the need for aid:

“Hoping that the Committee will be able to provide much-needed help in feeding the civilian population and especially in supplying relief in the form of milk for the women and children.”

Replying on 13 June, the Committee told him it was planning an assistance operation and was negotiating to send 100 tonnes of milk taken from American stocks.

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In the second half of 1940, the ICRC and the League had felt it necessary to tighten their collaboration on relief. The International Committee, while wishing to retain responsibility for relief to prisoners of war—work arising from its traditional role and requiring a neutral intermediary—saw the value of working with the League on relief for civilians, at least in technical matters and in appealing to National Societies. Thus, the appeal of 29 May 1940 had been signed by both bodies. Germany, whose consent was required for relief operations in the occupied countries in Europe, was opposed to the participation in these of representatives of National Societies of countries with which it was at war. Great Britain, which had agreed to partial lifting of the blockade so that food and essential medicines could be supplied to POW camps, was unwilling to grant the same facilities for the purpose of aiding civilians. It was then that the ICRC and the League decided to join forces. On
8 October, at a joint meeting attended by the European representative of the American Red Cross, Malcolm Davis, it was planned to make a further appeal, signed by the League and the ICRC, to Governments and National Societies for supplies for women and children in the occupied countries. Describing the meeting to the ICRC Relief Commission on 9 October, Carl Burckhardt stated: "In giving aid to civilians, there are two aspects to the work, one diplomatic, the other economic. The work must be accomplished jointly within the International Red Cross movement and in close collaboration with the League". On the day Greece was attacked—28 October—the International Committee and the League were discussing the creation of a joint body, the Joint Relief Commission; and even before it had been legally constituted it began in November to hold regular meetings. Its first concern was to send an appeal to belligerent and neutral governments and National Societies on 22 November, asking for their co-operation:

"Relief for prisoners of war (administered solely by the International Committee of the Red Cross) may be provided through consignments from overseas. By contrast, aid to women and children, which the two institutions undertake jointly, has to be organized in those countries where there are no insuperable obstacles to the forwarding of supplies.

"Given the worsening situation, the two international institutions of the Red Cross, with the help of National Societies wishing to contribute, would like to benefit from the trust placed in them by Governments by being permitted henceforward to bring humanitarian aid of a specific character. In view of the difficulties of forwarding goods, aid in the form of cash would enable us to find the best practical solutions. It is with this in mind that we take the liberty of appealing to Your Excellency."

The state of Europe at that time was such that the response was comparatively poor. However, the ICRC and the League could now at least point to their joint activities, centralize donations in the Bank for International Settlements and carry out a more thorough inquiry into the sources of supply. After a few months' study, they signed a legal document on 23 July 1941 confirming the formation of the "Joint Relief Commission of the International Red Cross" as an association with a corporate identity and a board of directors of five members. These first board members were: Carl Burckhardt, President of the Joint Relief Commission, and Edouard de Haller, for the ICRC; the Comte de Rougé and Georges Milsom, both French, for the League; and as fifth member, Dr. Robert Boehringer, doctor of political economy.

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On his return to Greece in August 1941, the ICRC delegate Robert Brunei realized how critical the situation was and drew up a plan for generalized aid to the whole population and called it “Food for Greece under the auspices of the ICRC”. “Only the ICRC”, he said, “would be in a position to provide the necessary guarantee to Great Britain by offering to send consignments of cereals to Greece and to supervise their distribution.” He insisted on the need to import only goods in sound condition and of good quality, pointing out that there was no reason why “a humanitarian undertaking should not be entitled to the same guarantees as a commercial transaction”. Concerning supervised distribution he added: “The ICRC should not offer its services unless it is given full powers”.

The situation was made all the more complex as Greece was split into three zones of occupation: the Italian zone, comprising three-quarters of the country—ancient Greece, the Cyclades, Samos, Icaria, Piraeus and Crete, the two last-named being also occupied by the Germans; the German zone, covering Macedonia, Chios, Lemnos and Mytilene; and the Bulgarian zone, northern Macedonia. It was consequently necessary to deal with at least two occupying authorities—the Italians and the Germans—as well as with the Greek Government in Athens.

To ensure liaison with these authorities, Robert Brunei set up a General Managing Board of which he was chairman in his quality as head of the ICRC mission. The Committee included representatives of the Hellenic Red Cross and the German and Italian Red Cross Societies. Then, in September 1941, he set up a body responsible for the inspection and distribution of goods, the “Managing Commission for ICRC food supplies”, which will be referred to here as the “First Managing Commission”, to distinguish it from the two which succeeded it in September 1942 and March 1943. Headed by the assistant delegate A. Gredinger and composed of representatives of the ICRC and the Hellenic Red Cross, the First Managing Commission ensured the start and expansion of relief operations in Greece. It dealt with all matters connected with the practical side of providing relief: unloading, transporting and storing supplies, distribution, inspection, reports.

Meantime, the Joint Relief Commission had requested Canada to prepare to send wheat, while in Ankara the Greek Ambassador, Raphael Raphael, and Dr. Marcel Junod approached the Turkish Government and the National Society with a view to sending food to Greece. On 16 October 1941 the Turkish steamship Kurtulus, chartered and escorted by the Turkish Red Crescent, unloaded
5,000 tonnes of food at Piraeus, the first gesture in a relief operation which was to last for five years.

In addition to the supplies from Turkey, the First Managing Commission had received gifts from the Italian Red Cross and the Italian occupation authorities, from religious bodies, the Swiss Red Cross, Sweden and the Swedish Red Cross. Priority in distribution was given to hospitals and charitable institutions, the infirm and war victims, the needy and children. Gradually the supplies were going to more and more groups of the population, including the POW and internment camps, prisons, the police, the fire service—vital to the proper functioning of public emergency services—groups of foreign residents and clergy. Apart from the direct distribution of food, use was made of communal kitchens and canteens.

In the first few months of the occupation, Red Cross relief had provided a supplement to the very meagre rations available to the population. The Kurtulus made five voyages from Turkey to Greece before sinking in January 1942. However, from December 1941 onwards, the delegates' reports gave rise to fears of a catastrophic worsening of the situation:

"Although the cargoes brought by the Kurtulus have been very beneficial, particularly as from December, it cannot be over-emphasized that general living conditions in Greece have deteriorated so greatly meanwhile that only an immediate and massive increase in the quantities of food coming in, more varied than those received hitherto, can prevent a catastrophe without precedent in the history of modern Europe. It cannot be stated too strongly that the world must tackle the pressing problem of helping three and a half million Greeks facing starvation.

"Everything combines to make the situation worse: the present winter is one of the hardest to strike Greece since the beginning of the century, in any case the worst since 1928. It is made more cruel by the almost total absence of any means of heating in the cities... All factories, apart from rare exceptions working for the occupying armies, are closed for lack of power supplies. Electric light is available only to private dwellings and only during some of the hours of darkness. Unemployment is almost total.

"The problem of food supplies has become worse. Bread is of deplorable quality and insufficient in quantity. Further breadless days have been announced."

The daily bread ration, in fact, had dropped to 80 dramia (250 grams) in June, then to 40 dramia in January 1942. Rice, oil and sugar rations were reduced to 200 to 300 grams per month. The black
market flourished, prohibitive prices being asked for adulterated goods—bread containing sawdust, coffee substitutes, sugar mixed with powdered marble. Constitutions weakened by malnutrition succumbed to the harsh winter of 1941/42:

“In the light of impressions derived from a special study made in the principal cemeteries of the region and unofficial but reliable information, based chiefly on activity in the cemeteries, we estimate that deaths in the last four months up to today are far more than 40,000, eight times the figure for the corresponding period in recent years.”

In November and December 1941, Professor Carl Burckhardt and Miss Lucie Odier travelled to Lisbon and then to London to settle a number of outstanding issues, particularly in relation to maritime transport and relief. On receipt of the first reports from the ICRC’s delegate in Athens, the Joint Commission sent a telegram to Burckhardt on 28 November describing the disturbing decline in the health and food situation in Greece and asking him to do his best to have the blockade reduced. Following appropriate action over the first few months of the following year, the ICRC succeeded in obtaining Allied agreement to the dispatch, initially, of 15,000 tonnes of wheat a month.¹ The Swedish Government declared itself willing to make ships available to convey the goods. The Swedish mercantile marine was capable of providing the tonnage required, but the vessels in question were in fact mainly those bottled up in the Baltic since the occupation of Denmark and Norway, and Germany was reluctant to let them sail through the Kattegat unless it was sure that they would not be chartered by the Allied Powers. When requested by the Swedish Government, the German authorities gave their agreement in principle, on the following conditions:

a) The vessels in question should be guaranteed not only against capture in accordance with the law of prizes, but also against seizure for reasons of a public or private nature, until they returned to Sweden;

b) As long as the ships were in service to assist the Greek population, they might not by used for any other purpose by the adversary; and when this service had come to an end, they were pledged to return at once to a Swedish port.

¹ The permitted quotas for food supplies to Greece increased considerably during subsequent years. In 1942 there was an additional quota of 3,000 tonnes of dried vegetables and 600 tonnes of tinned milk. In 1944, consignments from overseas totalled 24,000 tonnes of wheat, 6,000 tonnes of dried vegetables, in addition to milk and other products with high nutritional value.
c) These conditions had to be accepted by the other belligerent governments also, on the side of the blockading powers.

The Allied authorities consented and the Swedish Government was able to supply the First Managing Commission with the ships it needed. They were chartered by the Swedish Red Cross and painted white, their hulls bearing red crosses and the Swedish national colours. They were obliged to follow courses approved by the belligerents on both sides and to signal their position at regular intervals; they were not allowed to leave the loading or unloading port before giving advance notice to the belligerents.

Twenty-one Swedish vessels were assigned, for various periods, to the transport work of the First Managing Commission. In all, they made 94 voyages and carried 623,274 tonnes of goods.

The isles of Greece, deprived of food and resources, suffered worst. Distress calls came from all sides, like the telegram from the children of the primary school on Kimolos:

"Our small arid island has no food left, not even bread. Many of our friends do not come to school any more because they are starving. In a few days we too are going to say goodbye to our school, perhaps for ever. If you want us to live and not die of starvation, we beg you to send us flour and food."

The supply ships were authorized to unload their cargoes only in the port of Piraeus, or exceptionally in Salonika or Crete. To take food to the islands, the Managing Commission chartered sailing caiques, the majority of those with engines having been requisitioned by the occupation authorities. But in 1942 the Allied authorities told the Managing Commission that it must no longer use sailing caiques for transporting food, and this was a severe handicap in supplying some parts of the country, particularly the Cyclades, which could obtain no relief from the Commission for over a year. By the end of 1943 the situation in the islands had become so alarming that the chairman of the Commission, noting that civilian and military shipping moved about more or less freely, decided to ignore the Allied prohibition and resume supplies to the Cyclades.

The Joint Relief Commission, for its part, undertook to purchase supplies in Europe and send them to Greece by rail or, when the railways could not provide enough wagons, by the Swedish cargo ship Hallaren plying between Venice and Piraeus. The first consignments of food were sent in November 1941, thanks to gifts from

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1 Four of these ships were lost and a fifth withdrawn from service as a result of air attacks, running aground or striking mines.
the Apostolic Nunciature in Switzerland. The Joint Relief Commis­
sion continued to send food throughout the war, chiefly condensed
milk, milk powder and flour for the children’s canteens run by the
Swiss Red Cross and for public canteens and school canteens; phar­
maceutical products; and clothing. The gifts sent by these routes,
provided by donations from the Hellenic Government in London,
various pro-Greek charities and National Red Cross and Red Cres­
cent Societies, amounted in all to 3,471 tonnes, including 929 tonnes
sent in 1946.

* * *

From March to August 1942, more than 23,000 tonnes of wheat
and flour were landed in Greece from ships loaded by the Swedish
Red Cross, while consignments from Turkey in the same period
amounted to 11,500 tonnes. When the Kurtulus was wrecked at the
end of January 1942, she was replaced by the Turkish ship
Dumtipinar. The first cargo of overseas wheat arrived in Piraeus on
17 March 1942 in the Swedish ship Radmansoe, followed by the
Hallaren a month later to the day and by the Stureborg, also
Swedish, bringing a cargo from Haifa in May. But the voyages re­
mained fraught with danger, even for neutral ships bearing the sign
of the red cross. On her return voyage, the Stureborg was sunk by
Italian aircraft south of Cyprus. The whole crew was lost except for
one Portuguese seaman, picked up on the Palestine coast. One of the
victims was the ICRC escorting agent, Richard Heider.

The First Managing Commission also established a service for pro­
viding Athens with bread, in collaboration with the Ministry of
Food. From 1942, the Commission had available 15,000 tons of
cereals a month sent by Canada, the Ministry’s share consisting of
part of the 1942 wheat harvest and, depending on circumstances, im­
ports from Italy and Germany. Relief was distributed mostly in the
capital and the large cities where tens of thousands of refugees had
flocked. Then it was extended to the worst-hit rural areas, though
not all the transport problems were overcome: railway tracks had
been destroyed, communications were almost unusable, trucks and
fuel were unobtainable. The Swiss Red Cross had sent milk and
medicines from the beginning of 1942; then, on 12 July, it installed a
mission in Athens, led by Dr. Frédéric de Fischer, whose task was to
distribute the milk to children and to feed the babies in Athens and
Piraeus. When, in September 1942, the Second Managing Commiss­
ion was formed, Dr. de Fischer was appointed one of the members;
the Swiss mission then took over the distribution of milk and medicines sent from overseas and the supply of food to children’s canteens, hospitals and welfare institutions in Athens and the provinces.

* * *

During 1942 the ICRC and the Swedish Government held talks with the belligerents concerned regarding structural modifications to the Managing Commission. The Swedish Government, in charge of transporting supplies to Greece on the conditions set by the Allied and Axis Powers, in fact carried great responsibilities, both as regards the inspection of the goods carried and their final distribution. It thus appeared necessary to make a place for its representatives in the body responsible for distributing relief. The new Commission had fifteen members: a chairman of Swedish nationality, seven Swedish and seven Swiss members. It took the title of “Managing Commission of the ICRC Delegation in Greece” and functioned as a body belonging to the ICRC. The representatives of Sweden were called ICRC delegates or assistant delegates. There were no longer any members of the Hellenic Red Cross in the Commission. On the other hand, the whole administrative system remained as it had been, based essentially on the collaboration of members of the National Society and government officials.

The Second Managing Commission took up its duties on 1 September 1942, under its chairman Paul Mohn, diplomatic counsellor, head of the Foreign Interests Division of the Swedish Royal Legation in Rome.

Notwithstanding the action taken in the second half of 1941, the death rate due to cold, hunger and the diminished resistance of old people and children had risen to a frightening extent. The spring of 1942 brought a marked improvement, however, accompanied by better climatic conditions and two major relief operations: the distribution of bread in Athens and the start of the Swiss Red Cross programme for children.

To the effects of cold and starvation were added those of disease and epidemics. As the delegate, Robert de Graffenried, wrote in December 1942: “Health conditions are very bad (exanthematic typhus, typhoid fever, diphtheria, malaria), as a result of malnutrition, dirt, the almost complete lack of any products to combat the epidemics. In July there were about 500,000 cases of malaria in the provinces.”

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Nevertheless, supplies to the Greek cities improved, thanks to the shipments of Canadian wheat, donations from various organizations, consignments sent by the Joint Relief Commission and the Swiss Red Cross (still able, in 1942, to use the railway from Chiasso via Trieste and Belgrade to Salonika), the increase in the number of ships from Sweden and the campaign by the Greek War Relief Association. Unfortunately, the rural areas were still at a disadvantage. To supply the islands, the Managing Commission continued to use Turkish sailing craft and Greek caiques, at least the smaller ones which had not been requisitioned.

The structure of the relief organization was still very complex, in order to meet the somewhat contradictory requirements of the two groups of belligerents: the Allied Governments were willing to modify the blockade only if the goods continued to be distributed under the exclusive supervision of a neutral commission, independent of the occupation authorities and even, at decision-making level, of the Hellenic Government; the occupation authorities, however, were not willing to leave the direction of operations wholly in the hands of non-belligerent countries. The difficulties were very real. The Italian Red Cross representative on the General Managing Board, E. Arno, made this clear to the ICRC in his letter dated 11 November 1942. He considered that the number of delegates on the spot was excessive and, without questioning their good intentions or their qualifications, he wondered whether they realized exactly the limits set to their work by both the letter and the spirit of the relevant agreements:

“It is obvious that the distribution and supervision of 15,000 tonnes of wheat per month do not require an organization of such numbers, unless the ICRC delegation intends to replace the state administration in Greece, something not provided for in the agreements for the supply of Canadian wheat.”

* * *

But the situation in the country, however, offered no prospect of slowing down relief operations: on the contrary, it urgently required them to be expanded. The Swedish Government and the ICRC therefore agreed to redefine the structure of the bodies dealing with distribution and liaison, without changing their responsibilities, but so as to take into account, outwardly at least, the opposing viewpoints of the Allied Governments and the occupation authorities, the former holding the key to supplies and transport, the latter control-
ding distribution within the country. It was agreed that the General Managing Board should retain its existing composition with wider responsibilities, but not wide enough to enable it to interfere with the programmes for distributing and allocating the goods. The Managing Commission had meanwhile undergone another change of title to become the "Managing Commission for Greek Relief under the auspices of the ICRC", while remaining composed of equal numbers of Swedish nationals and ICRC delegates. The chairman, however, nominated by the Swedish Government, was now in sole charge of distributing goods brought by the Swedish ships, while the vice-chairman, appointed by the ICRC, was responsible for the relief supplies provided to the Managing Commission by the ICRC.\footnote{The chairman of the newly-named Commission, Emil Sandström, Counsellor at the Supreme Court of Sweden, took office in March 1943. From the same date the ICRC delegation was headed by Jean d'Amman and from August 1943 by Béat de Glutz.} The Commission thus took on the character of an autonomous body within which two distinct delegations, that of the ICRC and that of the Swedish Red Cross, were working together, each with the same number of persons. This joint system seems to have been adapted to meet the circumstances. The Swedish Government, which had supplied the ships and was responsible for their movements, was given administrative powers and thus made answerable to the blockading nations, while the ICRC brought to the whole operation the guarantee conferred by its role as a neutral intermediary, recognized under the Geneva Conventions, and the use of the protective sign, whose efficacy was demonstrated not only in respect of the occupation authorities but also when the country was liberated and during the civil war in 1944. The Managing Commission, functioning under three successive types of structure without halting in its work, had been able to give out to the population a total of 712,000 tonnes of food, of which almost 470,000 was wheat or wheat products. Clothing distributed in 1944 and 1945 amounted to 900 tonnes of garments for 300,000 children.

Robert Brunel did not live to see the completion of his work. He fell seriously ill in March 1943, was repatriated and died in Switzerland on 16 June of the same year. His death was an occasion for national mourning in Greece: flags were flown at half-mast on all buildings belonging to the Hellenic Red Cross, and the Municipal Council of Athens decided to name a street after him. Robert Brunel, said the President of the Hellenic Red Cross, "was regarded by all of us not merely as a fellow-worker but as an eminent member of our
great Red Cross family, who supported us devotedly and lovingly in all circumstances. His door was always wide open to all those afflicted by the war. We may therefore state with complete conviction that Mr. Brunel has deserved well of the Red Cross.”

5. The German-Soviet conflict

The occupation of Crete, completed on 1 June 1941, had ended the Balkan campaign. Three weeks later began the most gigantic battle of the war, involving five million men from the Baltic to the Black Sea. At dawn on 22 June the German division massed along the new German-Russian frontier and supported by Romanian forces, attacked the Soviet Union. In the following week, Italy, Finland, Hungary and the occupied countries of Slovakia and Albania declared war on the USSR. On the Allied side, Winston Churchill proclaimed on 23 June: “Any man or State who fights on against Nazidom will have our aid. Any man or State who marches with Hitler is our foe”. In the succeeding months, Great Britain and the Commonwealth countries extended their declarations of war to cover the Powers which had joined Germany in the war on the eastern front.

The initial operations of the Wehrmacht were again an illustration of the Blitzkrieg strategy, against which Poland, Holland, Belgium and France had proved powerless. Attacking simultaneously on a front of 2,000 kilometres, three army groups drove deep in Soviet territory, occupying one after the other the Baltic provinces, Smolensk and the Ukraine and by early December 1941 they had reached a line stretching from Leningrad, which was still holding out, to the outskirts of Moscow and beyond Kursk, Kharkov and Rostov.

But conditions in this conflict differed too greatly from those prevailing on the western front to allow the full deployment of the Blitzkrieg. The USSR had far greater reserves of men and materials than its adversary; it spread across two continents and could leave matters to time and space. The country was likewise preparing to oppose the aggressor with systematic resistance, the principles of which had been laid down by Stalin in his speech to the Soviet people on 3 July:

“The war against Fascist Germany cannot be considered as an ordinary war. It is not just a war between two armies, it is a great war of the whole Soviet people against the German Fascist troops.”

It was therefore at one and the same time a traditional war, a war of resistance, an ideological war and a war of liberation. The final
objective of the belligerents was not merely victory through force of arms but the destruction of the enemy's political regime. In such circumstances, the application of humanitarian conventions was to encounter insuperable obstacles. During the first months of the campaign, the German forces took almost two million prisoners, who were held in pitiable conditions, large numbers of them dying from starvation, disease or cold. Resistance by the Russian population was met with excessive reprisals. It was, in fact, total war.

The ICRC had offered its services to the Soviet Government on 23 June 1941, and simultaneously to the German, Finnish and Rumanian Governments. In the telegram to the People's Commissar at the Ministry of Foreign Affairs in Moscow, the International Committee proposed to mediate in the transmission of information on prisoners of war and dead, and announced its intention of creating a subsidiary to the Agency "in the place most convenient geographically". It added:

"The fact that the Soviet Union is not a party to the 1929 Geneva Convention relating to the treatment of prisoners of war should not constitute an obstacle to fulfilment of the proposals above, provided that their application is agreed by the parties to the conflict."

The People's Commissar replied on 27 June:

"The Soviet Government is willing to accept the proposal of the ICRC concerning sending particulars on prisoners of war if such indications are sent by the countries at war with the USSR."

The ICRC approached the countries at war with the USSR and obtained agreement successively from Finland, Rumania, Germany, Hungary and Italy. The matter in hand at the time was no more than an exchange of information on prisoners, subject to reciprocity.

Nevertheless, the ICRC was anxious to achieve wider agreement concerning the protection of prisoners. On 2 July it wrote to People's Commissar Molotov for permission to make contact with the Soviet Ambassador in Ankara, with the aim of setting up a relay in Turkey for forwarding information on prisoners. The reply was received on 6 July:

"Soviet Government gives consent to International Committee's contacting USSR Ambassador Ankara to discuss establishment relay in Turkey to forward information to Central POW Agency, based on principle of reciprocity."

Three days later the ICRC notified the Soviet Government that it was about to send its chief delegate, Dr. Marcel Junod, to Ankara and that Germany, Finland, Hungary and Rumania had agreed to the exchange of POW lists through the Central Agency, again with
the proviso of reciprocity. On his way to Ankara, Dr. Junod stopped in Berlin, where on 15 July he visited the Oberkommando der Wehrmacht (OKW). There he learned that the Third Reich authorities intended to send, not POW lists, but capture cards, collected by the OKW, to the ICRC, Sweden—Protecting Power for Soviet interests in Germany—and the Soviet information bureau. Dr. Junod’s visit had an immediate result: next day, an officer of the OKW had a list of 300 Soviet POWs drawn up by a prison camp commandant. The list was sent by the German Ambassador to Dr. Junod in Ankara, who handed it to the Soviet Embassy and notified the Soviet Government by telegram of this communication. At the same time, talks were in progress between the two Governments through the intermediary of the Protecting Powers, on the application of the Conventions. In a note dated 17 July, forwarded on 19 July by the Swedish Legation, the Soviet Government notified Germany that the USSR was willing to apply the Fourth Hague Convention on conditions of reciprocity.

On 22 July the ICRC informed the People’s Commissar for Foreign Affairs that Italy and Slovakia also agreed to the exchange of lists of prisoners and wounded, on the same conditions, and added that Italy was willing to apply the 1929 Geneva Convention relating to the treatment of prisoners of war and asked for a reply. Referring to its note of 17 July sent to Germany earlier through the Protecting Power, the Soviet Government confirmed and defined its position in a telegram dated 8 August:

"In reply to your No. 7162, the People’s Commissar for Foreign Affairs has the honour, by order of the Soviet Government, to notify you that the Soviet Government has, in its note dated 17 July last, already informed the Swedish Government, which represents Soviet interests in Germany, that the Soviet Union considers itself bound by the rules of war set out in the Fourth Hague Convention of 1907."

1 The handwritten list, bearing the stamp of Camp 304, gave three items of information on each prisoner’s identity: his last name in Cyrillic letters, the designation of his army unit, and his date of birth. Also given was his camp number. As one name was listed twice, the number of POWs was only 299.

2 Dr. Marti was told in October 1941 by an official of the POW Service of the OKW (Mr. von Rotenhan) that Moscow Radio had given a list of 300 names of German POWs which in fact corresponded with the names of men who had disappeared (Dr. Marti to the ICRC, 19 October 1941). It was not stated whether this broadcast was in fact in response to the sending of the names of 300 Soviet prisoners.

3 According to Mr. von Rotenhan, the German authorities had found, among Russian loot, instructions to the Soviet troops on the treatment to be meted out to German prisoners, instructions derived from the Fourth Hague Convention of 1907. (Dr. Marti to the ICRC, 19 October 1941.)
18 October 1907 respecting the laws and customs of war on land, on the binding condition that the above rules are observed in the war by Germany and its allies; that the Soviet Government agrees to the exchange of information on prisoners of war and wounded and sick persons in the order laid down by the provisions of Article 14 of the Annexe to the above-mentioned Hague Convention and by Article 4 of the Geneva Convention of 27 July 1929 for the amelioration of the condition of the wounded and sick in armed forces in the field. With reference to your communication concerning the Italian Government’s proposal to apply the other articles of the 1929 Convention on the treatment of prisoners of war, the Soviet Government points out that all the principal matters concerning the captivity arrangements are completely covered by the above-mentioned Annexe to the 1907 Hague Convention.

Vishinsky, People’s Commissar for Foreign Affairs.”

Finally, in a note sent to the Auswärtiges Amt on 9 August through the Bulgarian Legation, which acted in German interests in the USSR, the Soviet Government defined its position with regard to all the Conventions:

“The People’s Commissariat for Foreign Affairs of the USSR expresses the assurance of its highest consideration to the Legation of Bulgaria and has the honour to inform the Legation that the Soviet Government will, in the course of the war at present opposing the Soviet Union to Germany, respect the generally known Conventions on the law of war and in particular:

1. The Hague Convention of 18 October 1907 respecting the laws and customs of war on land.
2. The Geneva Protocol of 17 July 1925 for the prohibition of the use in war of asphyxiating, poisonous or other gases.
3. The Geneva Convention of 27 July 1929 for the amelioration of the condition of the wounded and sick in armed forces in the field.

“The Soviet Government nevertheless considers it necessary to declare that, as a result of the systematic violation of the Conventions and international treaties by Hitler’s Germany, it will not respect the treaties and Conventions mentioned above in its relations with Germany except to the extent that Germany respects them.”

Meantime, in Ankara, Dr. Junod had been in touch with Ambassador Vinogradov. He was informed by the Embassy on 9 August that a communication received from Mr. Morozof, Vice-President of

1 From a communication by the Auswärtiges Amt to the Royal Italian Embassy.
the Alliance of Red Cross and Red Crescent Societies, reported that the official bureau for information concerning prisoners of war in Russian hands had been established in Moscow at the offices of the Alliance's Executive Committee. The bureau, acknowledging Dr. Junod's telegram announcing that a list of Russian POWs in German hands had been handed to the Soviet Embassy, stated on 26 August that its own lists would be in Roman characters, and also that prisoners would be permitted to post capture cards to their families.

At that time, therefore, it was legitimate to hope that partial agreements to supplement at least to some extent the provisions of the Hague Convention, which provided for the creation, in the country of each belligerent, of an information bureau responsible for replying to all inquiries concerning prisoners of war and for free postage to be granted for letters, money orders, cash and parcels sent to or by prisoners, but did not explicitly cover making lists and sending them to the enemy. But the negotiations undertaken between the two belligerents, through the Protecting Powers, to determine the application of the humanitarian conventions had by now reached a stalemate. Germany's reply to the Soviet note of 17 July, referred to in Vishinsky's telegram quoted earlier, was handed to the Swedish Legation on 21 August 1941. In form and content, it was a rejection.

The reply expressed the extreme astonishment of the Reich Government "that the Soviet Government, in spite of the conduct of its troops up to the present time towards German soldiers who fell into their hands, considered itself still entitled to speak of recognizing humanitarian rules concerning the treatment of prisoners of war and moreover to raise the question of reciprocity". Affirming that the German Government itself treated prisoners according to the humanitarian rules in force, it accused its adversary of inhuman acts and atrocities, and concluded:

"In these circumstances, the Soviet Government, before making statements on the arrangements agreed with it on the treatment of prisoners of war, should provide proof that it is now genuinely willing and in a position to bring about a complete change in the behaviour of its troops and of other groups of persons with regard to German prisoners." 1

The matter under discussion now was not so much an agreement

1 Note from the Auswärtiges Amt to the Swedish Legation, 21 August 1941.
on reciprocity as the fixing of preliminary requirements, and this diminished the hope of a mutual agreement on application of the Geneva or Hague Conventions. In spite of these obstacles, the ICRC opened a USSR Service in the Central Agency and attempted to extend its work of information and relief in favour of prisoners.

At the beginning of August 1941, two members of the ICRC, Carl Burckhardt and Edouard de Haller, travelled on mission to Berlin to examine, with the legal section of the Auswärtiges Amt, the prisoners' service of the OKW and the German Red Cross, matters of current interest, not least the problems arising out of the extension of hostilities to the east. On this occasion, they were invited by the German authorities to visit the camp at Hammerstein, near Neu-Stettin, which held about 10,000 Russian prisoners of war and civilians, 4,000 of them were working in labour detachments. The visit appears to have been limited to the material installations of the camp—wooden huts and brick buildings under construction, a well organized kitchen with the latest equipment.

Continuing his mission, Edouard de Haller met Ambassador Vinogradov in Ankara and Istanbul on 19 and 24 September. He reported his findings on the camp visit, but stressed that it had not been carried out in accordance with the usual rules in conformity with the principles which normally guided the ICRC delegates. When he saw the photographs, Vinogradov thought that most of the persons were civilians deported from the occupied territories. During the second interview, de Haller suggested that Dr. Junod should go to Moscow to collaborate with the prisoner-of-war information bureau set up within the Alliance, and asked the ambassador to support this move. On 2 September 1941 the ICRC applied officially to the People's Commissariat for Foreign Affairs for a visa for its delegate. This was not granted. After that, the ICRC received no reply to approaches to the Soviet authorities, though it remained in touch with the USSR's diplomatic representatives in London, Stockholm, Ankara and Teheran and corresponded with the Alliance of Red Cross and Red Crescent Societies.

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1 However, Dr. Junod did receive a transit visa from the Soviet authorities to travel to Japan via the USSR in July 1945 (see below, Section 11, page 627).
2 The Central POW Agency regularly sent the Alliance the information it had been able to obtain on Soviet prisoners of war in Germany, either through escaped Soviet POWs who had taken refuge in Switzerland or through various Red Cross Societies and administrative bodies. The Agency also forwarded Soviet POW lists supplied by Finland, Rumania, Hungary and Italy and messages from prisoners in those countries.

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The ICRC delegates in Germany approached the authorities there for information on prisoners and to discuss conditions for sending relief, for the situation of the Soviet POWs, of whom hundreds of thousands were pouring into camps behind the front line, was alarming. One of the delegates, Dr. Exchaquet, wrote in October 1941:

"We know for a fact that the Prisoner-of-War Service is completely overwhelmed at the moment by the tremendous influx of Russian prisoners and does not know how to deal with it."

Relief was of the first importance, since winter was approaching. "Mr. de Rotenhan told us how useful it would be if we could send as many collective consignments of food as possible to the Russian prisoners, who were severely under-nourished and could not be given ample rations by the German Government. Food and other collective consignments for the Russian POWs should be addressed to the camp commandants, who will distribute them, since there are no prisoners' representatives in the Russian camps."

The Russian prisoners in German hands were suffering severe hardships, in fact. Arrangements for housing them proved totally inadequate. For the first two months of the war, they had been held in camps within occupied Soviet territory. From September, some of them were transferred to camps in Germany, necessitating long and exhausting journeys. They should have been provided with special rations suitable for their condition, but nothing had been done. The ICRC was not authorized to visit them, but it so happened that the delegates visiting camps of Allied prisoners chanced to catch sight of them in the sections of the camp allotted to them, in labour detachments or sick bays. Dr. Marti described the arrival of Russian prisoners in a camp in Pomerania:

"They arrived in a pitiable state. Most of them had been given various kinds of uniform, such as blue French army capes, old French uniforms, etc., but many were in rags.

"The majority were terrible to see, they looked just like walking corpses. Whole lines of them held on to each other's shoulders so as not to fall, others were still strong enough to carry a dying comrade.

"Most of them were young men of seventeen or eighteen, haggard and emaciated.

"I saw labour detachments coming back from work in just the

1 Dr. Descœudres to the ICRC, 3 October 1941.
same state: clothes in ribbons, feet wrapped in rags, inert bodies. They moved slowly, hardly able to walk, and always among them some dying men whom the others were dragging along.”¹

On receiving this information, the Committee empowered Professor Burckhardt, who was about to depart for Lisbon and London to discuss the problem of feeding Allied prisoners in spite of the blockade, to approach the Foreign Office, the British Red Cross and the Soviet diplomatic mission in London with a view to including prisoners from the Russian front in the proposed relief operation. But the questions relevant to them were left unsettled and no immediate decision was taken. While in London, Professor Burckhardt was received by the Soviet Ambassador, Mr. Maisky, and reminded him of the request for a visa made on 25 September to allow two ICRC delegates to travel to the USSR. He suggested that if the names put forward were not acceptable to the Soviet authorities a new list could be presented which would also contain representatives of other nationalities.² The ICRC was informed on 18 December by the embassy that a list of delegates would be given favourable examination by the Soviet authorities. After asking the Swedish Red Cross to assist, the Committee sent a telegram to Moscow containing the names of six delegates—four Swedes and two Swiss—who were prepared to leave for Moscow. The proposal received no reply.

After six months of the war on the German-Russian front, therefore, neither the Soviet prisoners in Germany nor the German prisoners in the USSR were protected by the Geneva Convention, and could not send messages or receive relief. The German High Command had expected a short campaign, but the Soviet forces had made a stand before Leningrad and round Moscow. To the ICRC it was more than ever necessary to arrive at a reciprocal agreement on application of the Convention. But it seemed that simply to make repeated approaches, which had frequently been met with a categorical refusal or completely ignored, would not succeed in overcoming the intransigence and the mutual suspicion of the two main adversaries. Moreover, it appeared that similar efforts by the Protecting Powers had had no greater success.

The International Committee attempted to persuade Great Britain and the United States to support it in its discussions with their Soviet

¹ Dr. Marti to the ICRC, October 1941.
² Carl Burckhardt to Mr. Maisky, 2 December 1941.
ally. When President Roosevelt and Secretary of State Cordell Hull met People's Commissar Molotov in Washington on 29 May 1942, they expressed America's hope that the Soviet Union would adhere to the 1929 Geneva Convention on prisoners of war, but without result.¹

* * *

For some time after this, the ICRC ceased its efforts to obtain an application, even partial, of the Conventions and directed its energies to organizing relief, at least. Since no lists of names were available, it could try to send collective consignments and to persuade the belligerents to forward relief to the prisoners. Large purchases were involved, and these could be made only outside Europe; this in turn meant transferring funds from the prisoners' home countries, chartering cargo ships and, particularly, getting through the blockade, at least as regarded the consignments for the Russian prisoners in Germany. But the condition fixed by the blockading powers was that distribution of consignments in the POW camps should be supervised by the ICRC, with the help of the prisoners' representatives, who had to sign receipts for the goods.

Nor did the possible application of the humanitarian conventions make any progress. In Ankara on 9 February 1942, the Soviet Ambassador handed to the ICRC delegation a letter from the Alliance accompanying a declaration made by German prisoners concerning breaches of the 1929 Geneva Convention by the German army and a letter from Minister Molotov protesting against the crimes, atrocities and violence of the German forces in the occupied areas of the Soviet Union. The ICRC sent on the protests to the German Red Cross with the request that they be notified to the Reich Government. The German Red Cross replied that the substance of the protest was already known to the Government through Soviet radio broadcasts and from leaflets dropped by Russian aircraft, and that Germany had no intention of discussing the subject.

* * *

In May 1942 the ICRC again approached the German authorities, sending the following telegram:

"If permitted to hand out overseas gifts to Russian prisoners of war would be grateful receive proposals concerning regular distributions in Russian camps your potential collaboration and reports by delegates would improve possibility receiving other gifts." 1

On 1 June, the head of delegation in Berlin wrote to the ICRC:

"Though this matter was of very great interest to the lesser ranks of the OKW staff whom we see as a rule, up to and including General von Graewenitz, the question was submitted to General Keitel by General Reinecke in an unfavourable light and consequently Keitel again vetoed it. This means that the OKW refuses to accept food intended for Russian prisoners. This reply will probably be notified to you officially.

"So everything is at the same stage as in February 1942, when General Reinecke gave me a negative answer to the same question."

On 12 September, Dr. Marti wrote to Geneva:

"The OKW has told me confidentially that Goering agrees to the sending of relief to prisoners of war in Germany, but not to supervision by the ICRC. Now the OKW is fully aware that the International Committee will not provide food for distribution to the Russian prisoners without supervision, so the Prisoners' Section of the OKW will somehow find a way to allow us to act as supervisors."

Commenting on this information, the ICRC Relief Division emphasized that it considered that the question of relief to Russian prisoners should be dissociated from general problems arising from the German-Soviet conflict. The Co-ordinating Commission, at its meeting on 2 October 1942, defined the Committee's position:

"The Commission acknowledges that although the Soviet authorities give us no opportunity to carry out a reciprocal operation, the ICRC should not neglect the opportunity to act in favour of Russian prisoners. The ICRC has never wavered from this principle of helping wherever possible, even without reciprocal facilities.

"In this specific case, Mr. Burckhardt stresses that he has noticed deep-rooted bitterness in some countries because the ICRC has been

1 ICRC to OKW, 12 May 1942.
unable to assist POWs in Russia. This impression came particularly from the talk he had with Mr. Comnène.

"Nevertheless, we ought to seize the opportunities which may occur to help the Russian POWs. Consequently, the Co-ordinating Commission authorizes the Relief Division to receive relief supplies for the Russian POWs in Germany and to attempt to distribute them."

But the German authorities' attitude appeared inflexible as regarded ICRC supervision of distribution. On 16 November 1942, the OKW informed Dr. Marti that relief for the Soviet prisoners would be accepted on the following conditions:
(1) The OKW would designate the camps of Russian prisoners of war in Germany allowed to benefit from this operation.
(2) The camp commandants would distribute the food and return receipts for it.
(3) Supervision could not be exercised by ICRC delegates, since the Russian (POW) camps could not be visited in the absence of reciprocity.¹

* * *

During the same period, however, the ICRC had been able to initiate a relief operation in favour of Russian prisoners in Finland. Marshal Mannerheim, in fact, had asked the ICRC for help in March 1942, without requiring any reciprocal action:

"We are desirous of respecting the requirements laid down by international treaties and humanitarian law for the treatment of our prisoners of war, but we are faced with a crisis which we cannot resolve by our own means. The critical situation of this country with regard to food supplies does not allow us to improve either the quality or the quantity of prisoners' rations. We cannot even guarantee the present level for long. Any increase in POWs' rations would have to be made to the detriment of our own civilian population.

"In apprising the International Committee of the Red Cross of this situation, we hope the Committee will give thought to the plight of our prisoners and find ways to bring them assistance. Our most urgent needs at the moment are for foodstuffs and medicines. We ourselves would be very pleased to welcome an ICRC delegate to

¹ Dr. Marti to the ICRC, 13 November 1942.
whom we would give every facility to check that consignments sent to prisoners of war were completely and exclusively devoted to the uses of Soviet prisoners of war in Finland.”  

The ICRC transmitted this request to various National Societies. In such circumstances, response was not long in coming: from June 1942 to October 1944 500 tonnes of relief supplies were distributed in the Soviet POW camps in Finland, comprising standard food parcels, milk powder and medicines, in particular 500,000 vitamin capsules. The gifts came mainly from the American Red Cross, and also from the National Societies of Argentina, Canada, Sweden, Switzerland and the Swiss workers’ charity, l’Oeuvre suisse d’en- traide ouvrière. ICRC delegates took part in allocating and distributing the supplies.

* * *

This experience showed that it was materially possible to bring relief to Soviet prisoners as long as one of the three obstacles—the conditions set by the blockading authorities, refusal of permission for ICRC supervision, absence of reciprocity—was surmounted. Admittedly the needs in the camps of Soviet POWs in Germany, where the numbers exceed 2 million, were far greater than in Finland. Thus the only conceivable relief operation would have had to be on a vast scale, which made its implementation even more difficult. At that time the ICRC had it in mind to collect sufficient quantities of relief supplies, in the hope that the Nazi authorities might partly lift their veto. This is what the Committee told its delegations in Washington, Montreal and London on 7 December 1942:

“Without being able to give any definite assurance, we are able henceforth to envisage an ICRC delegate being given responsibility for distributions provided his functions did not go beyond technical duties similar to those performed a few weeks ago by one of our delegates who, with the help of local sections of the German Red Cross, organized the programme for distributing medicines sent by the Commission for Polish Relief for the Polish civilians under the General Government.

“We would be grateful if you would kindly bring to the attention of the authorities concerned the few points covered in this note and

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1 Marshal Mannerheim, President of the Finnish Red Cross, to the President of the ICRC, 1 March 1942.
to inform us to what extent relief could be undertaken along these lines.”

But these renewed attempts were unsuccessful. The governments consulted persisted in opposing the sending of relief whose distribution would not be supervised by the delegates of the ICRC.

Then the ICRC seems to have seized on the idea of a method which had given some results in dealing with the problem of relief to the concentration camps, from which it was also barred. It had sent, from July 1943 onwards, individual parcels to a number of these camps, with receipts attached, and the receipts had been returned bearing the signature of the addressees. As a consequence, the ICRC had been able to obtain further gifts and send more parcels. ¹ Carl Burckhardt wrote to the Washington delegation on the subject on 4 May 1944. He noted that “the principle of visits to the camps of Soviet prisoners had been rejected by the German authorities” and that the ICRC was trapped in a vicious circle. He intended to ask the American Red Cross to prepare a small number of individual parcels—two to three thousand—and to obtain permission from the OKW “to send them to the Soviet prisoners’ representatives in the usual way, that is, accompanied by receipts and covering letters”. If the results were good—in other words, if the receipts were signed and returned—the ICRC would then request authorization for a delegate to verify the proper use of the parcels and, if this were granted, the operation could then be continued.

These plans were based on the fact that the Committee had been able to send parcels addressed to Soviet prisoners in one camp and in a sick bay, but in such insignificant quantities that they could not be used as a test of German intentions.

But the reply was again in the negative. The representative of the American Red Cross stressed that the American organization “Russian War Relief” only sent relief supplies to the Soviet Union. Sending goods to Russian prisoners in Germany, he felt, was a matter for decision by the German and Soviet Governments.

* * *

Relief for German POWs and those of their allies in the USSR was also of concern to the ICRC, which had sent a telegram to the Alliance proposing to send aid to war victims in the Soviet Union. In reply, the Alliance suggested that the best method would be to send

¹ See below, section 9, pp. 586-588.
medicines and medical equipment for the health services, and stated what the needs were. The Committee then informed the National Societies of America, Great Britain and Australia, which were generous in their response, sending the Alliance large quantities of medical relief worth several million dollars.

In notifying the Alliance by telegram on 1 October 1941, that it had forwarded the request to the National Societies, the ICRC added:

"We willingly offer our mediation if you think it helpful in sending Russian prisoners collective consignments underclothes shoes food tobacco for distribution as supplement to those regularly allocated to camps. If we had the funds available we might be able to purchase on your behalf in America items and foodstuffs mentioned above for Russian prisoners. We expect Article 15 Fourth Hague Convention to be applied reciprocally and that we could send similar relief to German prisoners in USSR. Thanks in advance for your reply."

But here again there was no response to the Committee’s efforts.

* * *

Having renewed contact with the Soviet Embassy in Ankara, the ICRC sent the Soviet Government a memorandum on 10 August 1942 recalling the successive efforts the Committee had made and stating that it was ready to "resume negotiations immediately with a view to resolving current difficulties". But nothing fresh occurred to allow such negotiations to recommence. At the end of October it seemed that the situation was, at least temporarily, at a standstill. The German Government’s attitude remained unchanged: no lists of Soviet prisoners, wounded or sick without reciprocity; no parcels for prisoners; no visits to Russian POWs. The Soviet Government had not modified its official stance concerning the applicability of the Hague Conventions and, as the fighting became more desperate, there seemed no hope of obtaining partial agreements regarding treatment of prisoners.

Fighting on the eastern front had by then reached an unparalleled pitch of intensity. Early in the summer campaign of 1942, the Wehrmacht had taken the Crimea, crossed the Don and reached Stalingrad. On the northern front, the Red Army’s counter-offensive had halted the German forces, regained huge tracts of country and taken many prisoners. At Stalingrad the 6th German Army found itself immobilized by the Soviet troops’ resistance and soon afterwards encircled by their counter-offensive. Eye-witnesses and participants have described the ferocity of the battle, one of the most
savage of the whole war, where the combatants, battling for each street, each house, each factory, in snow and icy temperatures, were unable to think of retreat or surrender. In the evening of 2 February 1943, after 23 weeks of fighting, when the last German unit laid down its arms, the battle had claimed 200,000 dead and the Russians had taken 91,000 prisoners. The Soviet prison camps were now filled with hundreds of thousands of prisoners from the Axis forces: Germans, Rumanians, Italians, Finns, Hungarians. Lists of names were broadcast by the Soviet radio and large numbers of POWs sent cards to their families. The correspondence was routed through Turkey and only in exceptional cases passed through Geneva. The Reich Government meanwhile continued to forbid any correspondence by prisoners with Soviet Russia, allowing communication only with German-occupied territory. Realizing that the two Governments concerned maintained their positions unchanged with no improvement foreseeable, the ICRC then tried to resume contact with a Soviet Embassy close to Soviet territory and in direct communication with Moscow. As delegate for the mission it appointed Voldemar Wehrlin, who had represented the ICRC in Moscow from 1921 to 1938. Wehrlin travelled first to Ankara, then Teheran. Iran, partly occupied in the north by Soviet troops, in the south by the British, had signed a treaty of alliance with the USSR and Great Britain, and was at the time an important staging-post in communications with the Soviet Union, flights between Teheran and Moscow being direct and frequent. The choice of Teheran for the Inter-Allied Conference in November 1943 highlighted the importance of the Iranian capital as a key centre. The Allied and neutral countries had large embassies there, intent on making the most of this observation post. Wehrlin thought it offered the best chance of making contact with the USSR, and devoted himself to this objective for 18 months, from May 1943 to December 1944.

By the end of 1943 he had received encouraging replies from both the Soviet Embassy and from the Alliance delegate in Teheran, Dr. Boroyan. He suggested that the Alliance should delegate a representative to the ICRC or that he himself should go to Moscow. His proposals to establish a standard system for POWs' correspondence and for sending relief were studied, and he obtained permission to send out inquiries on Russian civilians and troops displaced as a result of the war. He approached the representative in Teheran of the Union of Polish Patriots, with a view to making inquiries concerning Poles in the USSR. But results were not proportionate to his efforts. On 9 August 1944, the Alliance informed him that it was not authorized
by its Government to maintain official contacts with the ICRC, though it was pointed out that this should not be interpreted as a ban on continued personal relationships between the ICRC delegate and the Soviet representatives, nor the examination, in unofficial talks, of current problems. There was consequently no possibility of an agreement on the ICRC's proposals, and Wehrlin terminated his mission in December 1944.

The ICRC was not slow to seek the causes of this failure. In retrospect they appear to be numerous, most of them originating in the political and military events of the period. At a time when the belligerents' energies were totally channelled towards unequivocal victory, gathering together all the nations' resources, it would have been surprising if the matters dealt with by the ICRC had not suffered. The public appeals made by the Committee, couched in very general terms in order to apply simultaneously to all the warring States, could be interpreted as criticism or blame by anyone of the belligerents. For example, the appeal by the ICRC on 30 December 1942 requesting the States not to institute legal proceedings against prisoners as reprisals for acts occurring before they were captured came just after the Kharkov trial and gave rise to vigorous criticism in the Soviet press. In the same way, the ICRC's attitude towards the Katyn massacres—that it was willing to appoint a commission of inquiry if it received the consent of the three Governments concerned, which, in its eyes, were those of Germany and the USSR and the Polish Government in London—was fiercely disputed and harmed its relations with the Soviet Union. Doubtless, if the ICRC had managed to overcome the obstinacy of the OKW and visit the Soviet prisoners in German hands, the achievement might have opened the route to Moscow. But the condition of reciprocity which each party considered indispensable was an insuperable obstacle.

Nevertheless, and without discounting the harmful results of these circumstances, it remains true that the initial problem was that of applying the Conventions. It is hard enough, in wartime, to ensure respect for Conventions whose applicability is not disputed. It is far harder when the two belligerents refer to different treaties and efforts have to be made to conclude special agreements. Paul Des Gouttes had voiced his doubts on the subject during the drafting of the Geneva Convention of 1929 relating to the treatment of prisoners of war: "In the course of a war such as those foreseeable in the future, we must rule out any idea of an "additional arrangement" between States".

* * *
The only remaining possibility—since the 1929 Geneva Convention on the protection of POWs had no compulsory force in relations between Germany and the USSR—was to apply the Fourth Hague Convention of 1907 which was still in effect. The two Conventions, however, did not cover the same field. The first was a code for the treatment of prisoners of war, the second a code of the laws of war. In addition to laying down the treatment of prisoners, the Hague Convention regulates the means of injuring the enemy, the conduct of sieges and bombardments and the exercise of military authority over the occupied territory of the hostile state; it also protects the civilian population against arbitrary measures by the occupying authority. The statement of Foreign Minister Vishinsky, made simultaneously to the Protecting Power and the ICRC in August 1941, referred explicitly to "the rules of war set out in the Fourth Hague Convention of 18 October 1907". The application of this Convention would have been of vital importance for the Soviet Union, compelled as it was, within one year, to see a large part of its territory invaded and half its population subjected to the occupation authorities, as we have seen, in pitiless conditions. But the Government of the Third Reich would not agree to be bound by the Hague Convention. After the defeat of Germany, in fact, published statements indicated that Hitler had decided and had ordered his generals not to implement the customary laws of war on the eastern front. In addition, it was not the army which was in charge of order and security in occupied territory, but the head of the SS, Heinrich Himmler, and the special Gestapo units. So there was no hope of inducing the German authorities to change their minds on what they regarded as a matter of basic policy. The ICRC tried to bypass this by proposing limited agreements on the question of prisoners of war; but the USSR was not willing to dissociate the problem of prisoners—dealt with in Section I of the Fourth Hague Convention—from that of respect for the rules of war laid down in the same Convention.

This transpired from the explanation given to Voldemar Wehrlin by the Russians he talked to in Teheran. In January 1944, Consul-General Emelianoff told him, unofficially, that according to an opinion expressed in some Soviet circles, the conventions concerning prisoners of war, like all the other humanitarian provisions, "should be based not only on the principle of reciprocity but also on respect for the standards of the law of nations concerning the limits of warlike action, standards which had been embodied in the stipulations of the Hague Convention of 1907 or had remained in the
sphere of customary law”. 1 Again, during the talks on 9 August 1944, in the course of which Dr. Boroyan had told Wehrlin that the Alliance was not authorized to enter into official and direct relations with the ICRC, Consul Emelianoff returned to the subject: any humanitarian convention, he said, “was based not only on the principle of reciprocity but took for granted respect of the standards of the law of nations setting limits to the powers of belligerents over the population of occupied territory”. At a farewell dinner given for Wehrlin when he was leaving Teheran and attended by the Russian consul, the Alliance delegate voiced the same opinion. Writing to the ICRC, Wehrlin said that “he spoke of the terrible devastation of his country and the extraordinary sufferings endured by the Russian people under the enemy occupation and expressed the view I have already had occasion to report to you, that international conventions ought to be based on respect for the elementary rules of the law of nations”.

By that time the Soviet armies had reconquered all the invaded areas. From Riga to Odessa, on the same front where the Wehrmacht had launched its lightning offensive three years earlier, 300 Soviet divisions attacked in their turn and, having crossed the Dnieper and the Vistula, carried the war into the occupied or allied territories of the Axis. Warsaw, depopulated and devastated by SS units after the attempted rising, was liberated in August 1944 and Belgrade in October, while Budapest was under siege by November. Rumania had laid down its arms in August 1944, Finland in September. With all its forces gathered for resistance with no hope, Hitler’s Government was less than ever amenable to any kind of compromise.

An ICRC representative made contact once more with a representative of the Alliance of Soviet Red Cross and Red Crescent Societies in London, but nothing occurred to modify the situation up to the end of the war. Only when they began to take food to the columns of evacuated prisoners on the roads of Germany, during the last weeks of the conflict in Europe, were ICRC delegates able to approach Soviet POWs and give them relief supplies.

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The ICRC was therefore unable to provide assistance or protection to the prisoners of war held by the belligerents on the German-Russian front. With no access to the camps—except on the rare occa-

1 Wehrlin to the ICRC, 30 January 1944.
sions we have mentioned—its delegates were in no position to report on them. Information obtained from other sources indicated that many prisoners, on both sides of the front, were obliged to undergo a degree of physical and moral degradation which many did not survive. If the Conventions had been applied, if delegates had visited the camps, if relief had been supplied, would their fate have been less hard? It is highly probable, for it is acknowledged that the proportion of dead, sick and missing in the POW camps which did not have the benefit of visits from ICRC representatives was far higher than that recorded in the prison camps receiving ICRC aid.

The ICRC’s activities in Eastern Europe after Germany’s capitulation will be described later. Repatriation of the prisoners—which took years in the case of the Germans—was dealt with directly by the Governments concerned and the ICRC was not involved.

6. The war in the Pacific

On 7 December 1941, Japanese carrier-based aircraft attacked the American naval base or Pearl Harbor, and from then on the fighting front stretched unbroken from the Atlantic to the Pacific, cutting air and sea communications, covering North Africa, Eastern Europe, the Middle East, South-East Asia, China, Japan, the Philippines, the islands of Wake and Guam and, soon afterwards, Malaya, Indonesia and New Guinea. The extension of the war made itself felt in Geneva as the traditional measures, by now almost routine, were put in hand: the offer of services to the belligerents, creation of new national services in the Central Agency, the appointment of delegates.

Once again there arose the problem of application of the Conventions. It was of the first importance that the Empire of the Rising Sun, not a party to the POW Code, should guarantee reciprocity of treatment to captured enemy soldiers. To the ICRC’s initial approach Japan replied: “Since the Japanese Government has not ratified the Convention relating to the treatment of prisoners of war, signed in Geneva on 27 July 1929, it is not in fact bound by the said Convention. Nevertheless, as far as is possible, it intends to apply the Convention, *mutatis mutandis*, to all prisoners falling into its hands, while at the same time respecting the customs of each nation and people in relation to the food and clothing of prisoners.”

As at the beginning of the European conflict, the ICRC had proposed application of the same rules to civilian internees. Japan replied that it would apply to non-combatant internees, *mutatis*
mutandis and provided there was reciprocity, the articles of the Convention relating to prisoners of war, on condition that the belligerent States did not force civilian internees to perform physical labour.

Delegates were at once appointed to the countries drawn into the wider conflict and those who had been sent to colonial territories were confirmed in their functions. In Tokyo, the ICRC representative was Dr. Fritz Paravicini, who had acted as ICRC correspondent during the First World War; in Shanghai was Edouard Egle, in Washington, Marc Peter, in Sumatra, Dr. K. E. Surbeck, in Java, W. Weidmann, and in Borneo, Dr. M. Vischer, of the Swiss Basle Mission. In addition, there were the existing delegations in Australia, New Zealand, India and Ceylon. The network of ICRC delegations now covered five continents: in May 1942 there were 42 delegates or liaison agents in seven European countries, six in Africa, seven in Asia, five in Oceania and six in the American continent.

All was now ready for the flow of information to begin. From the United States, in February 1942, came the first list of Japanese internees. From Japan in turn, the ICRC delegation forwarded in March 460 names of prisoners to Shanghai. The Japanese Government had established an official POW information bureau, the Huryojohokyoku, on 27 December 1941, and from April 1942 this bureau forwarded lists of prisoners and civilian internees.

The first camp visits took place early in 1942, in January in Canada, in February in India, Ceylon, Australia and the United States, in every case to civilian internees. The nature of the operations in the Pacific, the rapid advance of the Imperial forces and the fact that Japanese soldiers did not surrender meant that the number of Japanese troops captured in the first months of the war was small. Japan, on the other hand, held an appreciable number of prisoners of war and civilian internees. On 12 March 1942 Dr. Paravicini was able to visit the first POW camp in Japan.

So, as the ICRC had hoped, some of the Convention's provisions were being applied: lists were sent, delegates were accepted, visits were made to POW and internment camps. The camps under the US and British Commonwealth authorities usually observed the provisions and the ICRC was able to perform its normal activities in favour of Japanese prisoners and internees. However, on the Japanese side it came up against serious difficulties which increased as time went on and the Japanese armies advanced across South-East Asia.
Since the start of the Sino-Japanese war the Government of Japan had never accepted delegations in the territories it occupied, nor considered the Geneva Conventions as being applicable there, yet Japan, whose Red Cross Society was one of the best organized and most active, had applied the Convention then in force during the Russo-Japanese war in 1904 and during the First World War. In 1942, however, circumstances were very different, as Dr. Paravicini pointed out in his first report to the ICRC: “The war is a matter of life and death, the principal and almost the only one for the nation, and anything which does not contribute to its progress is superfluous and must wait. Anything remotely resembling working for the enemy is likely to be suspected... So I go three times a week at least to Tokyo and am always welcomed at the Japanese Red Cross, the Huryo-johokyoku and the Foreign Ministry. Even so, what I can get in the way of information, relief, messages, nomination and assistance of delegates to the occupied territories is very little, as you well know, and the world “impossible” appears with depressing frequency in my cables, baffing as this may be for those who knew Japan before this war.”

Something else which was largely instrumental in hampering the ICRC’s work for prisoners and internees was Japan’s attitude towards the capture of its own troops, who were virtually forbidden to lay down their arms. While the military regulations of all armies order combatants to fight to the last, this idea in the Japanese forces was taken to extremes. Garrisons on Pacific islands were found to resist until all their ammunition was gone and even then the surviving defenders would charge with knives and bayonets, preferring death to capture. A garrison of 2,600 men at Attou, in the Aleutians, left only 28 prisoners in the hands of the American 7th infantry division, 11,000 strong.¹

Thus it was that the military authorities showed no sign of concern about the fate of Japanese soldiers taken prisoner. The prisoners, too, were conscious of their opprobrium. Most of them did not wish to write to their families, asked for their names not to be sent to Tokyo and even gave false particulars as to their identity. Some told the ICRC delegates who visited them that after being shipwrecked they had been picked up and their lives saved against their will. The same was not true of civilian internees, who had had no chance to escape internment and who were supplied with food whenever possible by the Japanese Red Cross.

¹ Quoted by Eddy Bauer in La dernière guerre, Editions Alpha, 1972, ch. 49.
Such intransigence towards oneself does not encourage kindness towards the adversary. The argument of reciprocity was futile. By the end of October 1944 the Allied forces had captured 6,400 Japanese, while the number of Allied POWs in Japanese hands at the same time was estimated at 103,000. It was only from the beginning of 1945, after the reconquest of the Philippines and the occupation of Okinawa, that the number of Japanese prisoners increased to any considerable extent. But only the order to surrender given by the Emperor led to the Japanese army’s laying down its arms. Even so, 25 years after the war, isolated Japanese soldiers were found who were still unwilling to give themselves up.

In addition to this, the ICRC met with political obstacles. At the same time as they attacked the American bases in the Pacific and landed in the Philippines, the Japanese forces continued their advance towards South-East Asia. Hongkong was attacked on 10 December 1941 and fell on the 25th. The Japanese then drove through Thailand, invaded Malaya, and attacked Singapore from the rear. The city capitulated on 15 February. The Japanese navy attacked the islands of the Indonesian archipelago, where the land forces and the Dutch and British fleets fought delaying actions. The Dutch forces in Java requested an armistice on 9 March, leaving 20,000 Dutch and Allied prisoners in the hands of the enemy. Rangoon was taken on 5 March and soon the Japanese army, having occupied Burma, reached the borders of India.

After three months of fighting, the Imperial forces occupied or controlled an area bigger than Europe—covering the Philippines, the countries of Indo-China, Thailand, Malaya, Singapore and Indonesia—where there were now several hundreds of thousands of prisoners of war and civilian internees, whose food supplies could become extremely precarious. For the ICRC this was an enormous extension of its responsibilities. Yet with a few exceptions it was virtually excluded from the whole area. Throughout the war, the Japanese Government recognized only three ICRC delegations, those in Tokyo, Shanghai and Hongkong. All the rest of South-East Asia under occupation was considered as a zone of military operations.

Hence the obstacles to the appointment of delegates, though the ICRC kept up its attempts to persuade the Government in Tokyo to recognize those appointed before the Japanese occupation in Singapore, Manila, the Netherlands East Indies and Bangkok—

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1 This does not include men who died in the camps or drowned when ships transporting POWs were torpedoed (ICRC report, 1939-1947, Vol. I, Chapter XII).
without success. In Thailand only, as we shall see, was the delegate, who had been approved by the Thai authorities, able to assist civilian internees. Elsewhere, though deprived of official recognition, the delegates appointed by the International Committee did their best to bring some help to POWs and internees, at great danger to themselves. The delegate in Singapore, suspected of spying because of his interest in the detainees, was taken three times to the office of the Kampetai (military police) and interrogated at length. In Borneo, the ICRC delegate, Dr. Matthaeus Vischer, and his wife, accused of plotting against the Japanese army, were sentenced to death on 11 December 1943 and executed nine days later.

Here mention must be made of national resistance movements, which found in the circumstances an opportunity to strengthen and extend their bases of action, the removal or defeat of colonial rule having given them the opening they needed. For all that, they had no wish to see Japanese administration replace European or American rule, and regarded the advance of Japan's forces merely as a step towards the liberation of their countries. In Vietnam, for instance, Ho Chi Minh had created the Vietnamese League of Independence, or Vietminh, in 1941: and, in Indonesia, Sukarno and Hatta, though members of the advisory council set up by the Japanese authorities, stayed in touch with the opposition nationalist groups; in the Philippines, Malaya, Cambodia, Laos, Thailand and Burma, resistance movements were formed. Thus, while the armies of the belligerents were locked in gigantic battles, small groups of men, hidden in the mountains or the jungle, were making ready for the wars against colonial rule and a new type of fighting which would follow on the establishment of a precarious peace.

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It can be appreciated, therefore, that the work of the ICRC varied extremely, according to the situation in the different territories. It was always limited, of course, owing to the restrictions on the application of the POW Code and the delegates' activities, yet even so there were three principal areas where the ICRC's opportunities of action varied:
— Japan, Korea, Manchuria and Formosa, where the delegates were able to work, with the restrictions described later;
— Shanghai, Hongkong and occupied China, where the Committee's activities were much more limited;
— the occupied territories of South-East Asia, where the ICRC was not authorized to operate.

In the first zone, the ICRC delegates and the representatives of the Protecting Powers were allowed to visit a number of POW and internment camps. The Japanese central information bureau, the Huryojohokyoku, also forwarded lists of prisoners and internees, though only after long delay, so that a large number of prisoners had still not been listed by the Central Agency in Geneva by the time Japan surrendered.

Before visiting the camps, the delegates had to go through a lengthy and complicated procedure. For every visit they had to obtain the authorization of the War Ministry, then a travel permit from the police authorities, and these often required several weeks. Meanwhile the Japanese Red Cross—whose Vice-President or General Secretary usually accompanied the delegates—prepared the itinerary. Once they had received all the necessary permits, the delegates were well received by local authorities; but the visit itself was still subject to various restrictions. The military authorities did not recognize prisoners' representatives. The POWs were represented by the oldest officer or by a man nominated by the camp commandant, and these representatives had no right to talk freely to the delegates, who were not authorized to speak to the prisoners. Interviews with representatives always took place in the presence of the authorities. The delegations were not informed of the number of camps, their location or the numbers of each nationality held in them.

These restrictions, added to the difficulties of travel in the last years of the war, explain the small number of visits in comparison with the number of camps. In Japan itself, the delegates from the Tokyo mission made a total of 54 visits to 42 POW camps out of 102 camps listed at the end of the conflict. Visits to camps for civilian internees, who came under the Ministry of the Interior, required fewer formalities but were still subject to similar restrictions, especially towards the end of the war. The delegates made 36 visits to internees in 23 different camps.

At the start of the conflict the prospects seemed good, and in the first camps visited conditions appeared relatively normal. Zentsuji camp, in the north of Shikoku Island, visited four times in 1942—twice by the representative of the Swiss Legation, twice by the ICRC delegate—was one example. Later the visits were further apart and revealed a worsening situation, apparently linked with the economic collapse then affecting the whole population. The food was insufficient and lacking in variety, but the prisoners had received several
deliveries of individual relief parcels. The last visit to Zentsuji camp, on 3 September 1945—after the surrender of the Japanese forces—confirmed observations made during the war. The delegate noted that the most critical period was during the summer of 1944, when the daily food ration was 360 grams of rice, with a few vegetables, though prisoners who worked received extra food; and the individual parcels, distributed weekly from November 1944, brought welcome additions. As the delegate wrote, “If the prisoners had not been able on many occasions to obtain extra food to add to their standard rations, under-nourishment would have been more marked and more serious.”

And indeed, far worse was found after the surrender of Japan: deplorable camps unknown to the ICRC, and cases such as that of 200 US aircrew members kept secretly throughout the war in the cellars of the Tokyo military headquarters, or of 18 Australian nurses in the civilian internee camp No. 2 on Kanagawa, captured in New Guinea in 1942 and held without communication with the outside, or again of 44 members of the crew and staff of the Dutch hospital ship “Op Ten Noort”, held in total isolation. Between the extremes ranging from mediocre to very bad, there were wide differences in the treatment of POWs and internees, depending in all likelihood on the initiative and the authority of the camp commandant.

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In occupied China the only ICRC delegation able to work was that in Shanghai. However, the delegate appointed to it, Edouard Egle, had been able to select correspondents in Canton, Peking, Tientsin and Tsintao. He began activities in favour of prisoners of war and internees in April 1942, though subject to severe restrictions: the only permitted official contact was with the Japanese Consulate or, in the case of prisoners of war, with the official “Japanese Army Liaison Office”, from June 1942; he could undertake no relief operations without the prior consent of the authorities; the delegation’s communications with the outside were censored; and any action to help persons detained by the Japanese civil police was strictly prohibited. Detention conditions, moreover, as in Japan and Manchuria, did not

1 A later section describes how the ICRC delegations continued to visit camps of prisoners in Japanese hands for several weeks after the surrender, while waiting for the Allied forces to take over control. It also gives details of the ICRC’s work for Japanese troops who had laid down their arms.
comply with those laid down in the POW Code, to which the delegate could not refer. The right to correspondence and the receipt of relief were greatly limited, and prisoners who escaped risked severe punishment.

In Shanghai itself, various categories of persons had been interned: POWs transferred from the islands of the Pacific, crews and passengers from ships seized at sea, Shanghai residents of enemy nationality. The ICRC delegate was able to visit a number of camps in Shanghai and the occupied territories, relief activities being the essential part of the delegation's work. The rations for prisoners were scanty, lacking in proteins and vitamins, and often gave rise to gastric disorders or vitamin deficiencies. The relief supplies came either from what was left of stocks built up by the American Red Cross before the United States entered the war and partly recovered, or from gifts sent by National Societies, or purchased with funds collected by the delegation or foreign residents' associations. Food, clothing, coal and medicines were the most urgently needed items. Purchases on the spot were further restricted by the unfavourable rate of exchange imposed on foreign currency by the Japanese authorities. Visits were made not only by the ICRC delegates but also by the consular representatives of the Protecting Powers, Sweden and Switzerland, who also distributed relief and cash.

The situation was thus comparable with that in the POW and internment camps in Japan and similarly deteriorated as the war went on, owing to the scarcity of supplies and the rise in the cost of living, together with communication difficulties. As in Japan, the plight of the prisoners and internees varied widely according to their place of detention and the facilities granted to visiting delegates. Some places of detention, and the special prisons for recaptured escapees, remained unknown to the delegates. Within the camps visited, the situation likewise depended on the attitude of the commandants, some of whom made the best of the small rations received and tried to help the delegates in their task. For example, the commandant of the POW camp in Shanghai told delegate Egle confidentially that the camp was about to be transferred to north China, so that Egle was able to provide a large quantity of food and clothing for the transfer and later, still in contact with the camp commandant, to keep the prisoners supplied in the stages of their subsequent journey from Peking to Japan. The transfer of civilian internees from the camp in Haiphong Road in July 1945, on the other hand, was made without notifying the delegation and under harrowing conditions. After five days' travel in cattle trucks without food, the internees arrived in
Peking in a state of collapse and in spite of numerous attempts they were not visited until after the end of hostilities.

In the territory of Hongkong the situation resembled that in occupied China. Robert Zindel, appointed as ICRC delegate when the British colony was occupied, was approved by the Japanese Government in June 1942. He too had his activities limited by the conditions imposed by the military authorities: censorship of correspondence, presentation of a monthly report, notification of any changes in his team. He was not notified when camps were moved, or informed about births, deaths, internments or releases, or of modifications in the food rations to POWs and internees. During visits, he was not allowed to speak to prisoners, and those who tried to speak to him were punished.

In spite of these restrictions, the delegate was able to provide some measure of assistance: a civilian message service, telegrams and distribution of mail; compilation of lists of POWs and information cards, inquiries about persons living in Hongkong; forwarding of books and gifts of cash; and the distribution of relief parcels. He also took over the administration of British funds given to purchase relief for British prisoners and internees and for patients in the Bowen Road military hospital, to supply them with pocket money, to buy food parcels for some civilians not interned and to pay for medical and dental treatment. The prisoners of war, who were housed in two camps and the Bowen Road military hospital, numbered about 3,000, and the civilian internees in the Stanley and Kowloon camps about 2,500. In addition, Zindel succeeded in organizing a scheme for supplying needy civilians who had not been interned with food and medical treatment, and he opened the "Rosary Red Cross Home" for those in greatest need.

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In the area listed third, the occupied countries of South-East Asia, no systematic activities were possible, as it was considered a zone of military operations, where consular representatives were not authorized to extend their mandate to nationals of those States whose interests they protected. As we have seen, the ICRC delegates appointed before the Japanese troops invaded had not been approved by the Japanese authorities and were unable to perform any official duties. So until the days immediately preceding Japan's capitulation, these areas remained unknown territory to the International Committee.
In the first years of the war, the delegate sent to the Philippines, Joseph Bessmer, had managed to bring some help to civilian internees. Though not authorized to visit the camps, he could at least contact the Executive Committees of the internees in the camp at Santo Tomas and find out their needs. He was also able to send them the funds granted by their home governments and to help receive and store relief parcels sent to the internees.

His work, limited as it was, became even more difficult after Japan, in November 1943, decreed the independence of the Philippines. Nevertheless, he was able to collaborate with the Swedish Consul, Mr. Jansen, who was responsible for distributing relief from the Young Men's Christian Associations. On 4 October 1944, however, he was informed that he must cease his activities for the internees.

Two cargoes of relief parcels were unloaded at Manila during the war. They came from the American Red Cross and were distributed in the POW and internment camps, though distribution was not supervised by the ICRC delegate.

Bessmer was never authorized to visit the prisoners of war. Accounts were given after the war of their harrowing ordeal: from the forced march from Bataan to San Fernando until the final evacuation operations they were treated with extreme severity and kept very short of food. The death rate in the camps of US and Filipino prisoners was very high. On two occasions, nevertheless, the POWs were able to receive some of the American Red Cross parcels, sent via Laurenço Marques (Maputo), and little though the relief was in relation to the needs, an official report written after the war stated that it had helped to save many prisoners’s lives.

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Even more isolated was the ICRC delegate in Singapore, Hans Schweizer, who had been appointed on 1 January 1942. He was never recognized by the Japanese authorities until the date of the surrender, in August 1945. Acting on his own initiative—links with the Committee’s headquarters were problematical and subject to long delays—he was obliged to restrict his activities to unofficial relief, discreet and even secret, since he was constantly watched. Working jointly with the representative of the Australian Red Cross and with the help of a few sympathetic Japanese officials, aided by neutral residents still in the city, he made contact with the civilian internees employed by the “Enemy Aliens’ Control Office” and succeeded in sending relief parcels to internment camps all through the war, to a total value of
2,390,000 Straits dollars. He was forbidden access to the prisoner-of-war camps and any attempt he made to help POWs met with a categorical refusal. All he could do was to make available to them 117,500 Straits dollars provided, like the funds for civilians internees, by the British Government and the British Red Cross.

As in the Philippines, the situation worsened as the war went on. When Japanese warships were attacked by Allied submarines in Singapore Harbour on 10 October 1943, reprisals were made on civilian internees. After that, the Japanese authorities forbade them all to have any contact with the outside world. However, Schweizer, thenceforward considered as a "neutral agent", still went on giving relief. Even when the Japanese Government decided in January 1945 that, since it had not recognized him he could not receive funds and must immediately stop all supplied to the camps, he was not deterred: he managed to make arrangements with some of the camp commandants, who were thankful to be able to add a few outside relief items to the meagre allowances they received on which to keep the internees.

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In Indo-China, Indonesia, Thailand and Burma, the same difficulties hampered the ICRC's work for prisoners of war, civilian internees or the local population, when they did not prevent it completely. Efforts by the ICRC from 1943 onwards to appoint a delegate to Saigon encountered repeated refusals by the Japanese authorities. After the sudden strike by the Japanese on 9 March 1945 which led to the imprisonment of the Franco-Vietnamese forces and the detention of civilians who offered resistance, the ICRC again tried to send a delegate and again failed. In Indonesia, the delegates appointed by the ICRC before the occupation, who had then visited camps of German and Italian civilian internees, and later Japanese internees, were not recognized by the new authorities. They had no way of getting in touch with Geneva and could send no relief to the internment camps, something the consular representatives of Sweden and Switzerland were able to do to some extent. The ICRC delegates had to be content with local and occasional work.

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The Kingdom of Thailand, dragged into the war on the side of Japan on 25 January 1942, had maintained a national government,
and as a consequence civilian internees were the responsibility of the Thai authorities, while prisoners of war came under the Japanese military authorities. The position taken by the Japanese Government was explained to the delegate appointed by the ICRC, Werner Salzmann, as follows:

"The Japanese Government does not recognize a representative of the International Committee of the Red Cross here except in Japan, Shanghai and Hongkong. Consequently the said relief is not different from that of the general public... In regard to the suitable relief articles, the Military Authorities here suggest, for your information, foodstuffs, toilet articles and cigarettes. The amount of the pocket money is not limited, but the distribution of the money and comforts should entirely be left in the hands of the Military Authorities concerned.

"In connection with the civilian internees in Thailand, I beg to inform you that you should be in touch with the Thai Government."

Relief operations for civilian internees were consequently quite separate from those for prisoners of war. Officially recognized by the Thai authorities and supported by the Thai Red Cross, the ICRC delegate was able to bring help to about two hundred civilian internees in satisfactory conditions, to visit them and to distribute relief. On the other hand, the prisoners of war, most of them transferred from Singapore and the Netherlands East Indies and forced to construct the Burma railway in grim conditions, were completely outside his scope of action. The most he could do was to forward relief, using the funds supplied by the consular representatives of the Protecting Powers. Between November 1943 and July 1945 he sent 11,774 parcels of goods and 395 cases of medicines and medical instruments to the prisoners, the majority of them British, New Zealanders or Australians transferred from Singapore; but he took no part in the distribution. For the Dutch prisoners transferred from the Netherlands East Indies, he had at his disposal funds provided by the Dutch Red Cross, but could make purchases himself only in exceptional cases.

Werner Salzmann and his assistant, Dr. Laupper, spared no effort to ensure that this limited assistance did the most good: they escorted the relief supplies as far as the camps, ignoring at times deliberately the ban on their activities, and they kept in touch with groups of European and Thai individuals who handed on relief to the prisoners. In his final report, Salzmann wrote, "I do not know whether
you approve of any clandestine help given to seriously suffering POWs by a member of your organisation. I had no choice.”

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For prisoners held in the occupied regions of south-east Asia, transfer to Japan or occupied China sometimes meant an improvement in their circumstances. But the conditions in which the transfer took place were extremely distressing, and several cargo ships carrying prisoners were machine-gunned or torpedoed. Information supplied after the war by the official Japanese information bureau, Huryojohokyoku, showed that out of a total of 15,000 prisoners carried in this way in 14 voyages, 10,000 died at sea as the result of torpedo or other attacks on their ships.

From the time Japan entered the war, the ICRC had made constant efforts to obtain permission to send Red Cross ships to the Far East with relief supplies essential to Allied prisoners of war and civilian internees. Many projects were submitted one after the other to the Japanese authorities, but all had to be abandoned.

Japan refused to allow neutral vessels to move within Japanese waters or those of the occupied territories, rejecting even proposals to make Lourenço Marques (Maputo), in Portuguese Mozambique, or some port in the Pacific, a port of call where the Red Cross ships would take on a Japanese crew.

The only seagoing transport used on the initiative of the ICRC were the ships effecting the exchange of diplomats and civilians between Japan and the Allied States. Japanese ships sailed to Lourenço Marques, where the exchanges took place, and took back parcels for POWs and internees. However, this was only a substitute. Between July 1942 and the end of 1944, the number of parcels sent in this way was 151,781.

The ICRC also tried to establish a port of call at Vladivostok, to which goods could be taken in a Soviet ship—before the USSR was involved in the Far East conflict—with Japanese vessels carrying them onward to Japan. Japan agreed, provided its ships were given a safe-conduct, and in November 1944 the Japanese vessel Hakusun Maru loaded at the port of Nakhodka part of the relief supplies unloaded at Vladivostok, a total of 74,364 parcels weighing 2,000 tonnes. Unfortunately, the ship distributing the relief in the occupied territories in the south, the Awa Maru, was torpedoed by an

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1 Salzmann to the ICRC, 21 February 1946 (original English).
American submarine on 1 April 1945 on its way back to Japan. From then on, the Japanese authorities refused to consider any attempt by the ICRC to obtain permission for its ships to enter Far Eastern waters, and maintained this attitude until the end of the war. The system of marine transport used in the Atlantic and the Mediterranean was therefore impossible to employ in the war in the Pacific, and the total number of parcels sent to POWs and internees—226,145—was small in comparison with their needs.

Supplies from overseas being ruled out, the ICRC tried, despite currency and rationing difficulties, to purchase goods locally. The necessary funds came from Allied Governments, Red Cross Societies of Allied countries, and other relief bodies. The ICRC’s relief work, as we shall see, expanded in the liberated territories of South-East Asia and in Japan itself once the war was over.¹

Towards the end of 1944 the course of the war reduced even further the ICRC delegation’s opportunities for action in Japan. Tokyo was heavily bombed from November 1944 onward, and in a few months most of the capital had been laid waste. Yokohama was virtually destroyed by the air raid of 29 May 1945, though the ICRC’s stocks of relief supplies, held in strongly built warehouses, escaped destruction. The majority of government officials had lost their homes and in the ruined city there was no transport. Frequent alerts and air raids made it almost impossible to arrange meetings with officials. The raid of 23 May 1945 destroyed the Gaimusho (Foreign Ministry) building and a portion of its archives.

The leaders of the Japanese Red Cross, particularly Prince Kuniyuki Tokugawa and Prince Tadatsugu Shimadzu, both members of the House of Peers, did their best to help the ICRC delegation, chiefly in material ways—transport, arranging visits, accommodation. But they had no influence with the military High Command, the sole authority competent to take decisions concerning prisoners of war. Nor did the official information bureau or the Gaimusho have any greater power. Dr. Paravicini stated: “The Huryoohokkyoku is itself in bad odour with the military High Command because it sends in too many questions and requests which appear to have no vital connection with the prosecution of the war.”

The ICRC delegates in the Japanese territories had been selected from the Swiss nationals resident there, most of whom, for this reason, had an extensive knowledge of the country where they worked, its language and customs. This was true of Dr. Paravicini and his

¹ See below, Section 11, pages 632-634.
assistants, the delegates Max Pestalozzi and Harry Angst. Dr. Paravicini, *doyen* of the foreign colony in Japan—he had lived there since 1904, the beginning of the Russo-Japanese war—was one of the most highly esteemed foreigners in the capital with excellent friends there, especially in the Japanese Red Cross. His death on 29 January 1944 was a great loss to the Red Cross movement and the occasion of impressive demonstrations of sympathy from the National Society and the authorities.

At various times the ICRC had planned to support its local delegates by sending out others from Geneva, but had never received official consent. After the death of its chief delegate in Japan, the International Committee resumed its efforts to send someone specially from Geneva to replace him. The man chosen was Dr. Marcel Junod. But, as we shall see, discussions to have his appointment approved took so long that he arrived in Tokyo, via the Trans-Siberian railway, only a few days before the surrender of Japan. In the meantime, ICRC activities were continued by Pestalozzi and Angst, helped from November 1944 onwards by Fritz Bilfinger.

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No such difficulties were encountered in connection with Japanese prisoners of war or internees held by the Allies. Their conditions of detention were more or less the same as those for Axis POWs. The ICRC delegates were able to make normal visits and the Agency regularly received lists of names.

The number of Japanese prisoners in Allied hands continued to be small during the war: at the end of 1944, the ICRC counted 8,658 Japanese POWs. They were scattered over five camps in the United States, six in Australia, one in New Zealand, four in the Pacific islands, and five in China. The number of prisoners rose rapidly in the first half of 1945, as the Allied forces advanced into the Philippines and the islands of Japan, and by the end of July 1945 they were estimated at 15,949. Then, when the Japanese forces laid down their arms, the number suddenly soared to several millions. In the section dealing with this period, it will be found that, like the Axis forces in similar circumstances, they were given a special status, that of “surrendered enemy personnel”. However, the ICRC delegates were allowed to visit them and provide them with some assistance.

The number of Japanese civilian internees was considerably higher. They were held in the United States (25 camps), Great Britain and the Commonwealth countries, and Central and South America.
In the USA and Canada, the Japanese population living on the Pacific coast, decreed a “Prohibited Area”, were transferred to supervised centres or labour camps scattered through the central and eastern parts of the country. Unlike the POWs, the civilian internees were willing to use the news service of the Central Agency, which also undertook searches for missing people. The Japanese Red Cross sent relief supplies for Japanese internees and agreed to the ICRC’s setting some of it aside for prisoners of war. It also sent funds to the ICRC for medical aid to needy Japanese, not interned, living in Latin America.

The Government of Free China had consented to the appointment of a delegate in March 1943. As we saw, the POW Code had not been applied during the Sino-Japanese conflict, since Japan considered it not applicable. Once China came into the war on the side of the Allies, the Code took on binding force, at least in China’s relations with the Axis Powers, which were parties to the Convention. The ICRC at once appointed a delegate to Chungking, Ernest Senn. Working conditions were not at all good for systematic operations, mainly because travel was extremely difficult owing to the fighting, the size of the territory and the shortage of transport, and because provincial governors exerted their authority more or less independently of the central Government. Nevertheless, the ICRC delegate succeeded in visiting a few camps—about 1,000 of the 3,000 POWs counted at the end of the war—and 300 civilian internees, most of them missionaries from the countries at war with China. Senn also provided help for 500 enemy aliens left at liberty on parole and some needy refugees, and set up a civilian message service.

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The foregoing description illustrates the complexity of the ICRC’s work in the Far East conflict. Alongside partial successes are areas of total failure, although it cannot be said with certainty that any other type of approach would have been more effective. Even when activities were possible, they covered only the mainland territories or the large islands. The principal theatre of war was the Pacific, from the islands of Japan to the Marshall Isles and from the Aleutians to New Guinea. In this zone, battles were fought between large warships, bomber formations and carrier-borne aircraft. These ferocious combats, which decided the course of the war—the battles of the Coral Sea, of Midway, of the Aleutians, the fighting among scattered archipelagos, on Guadalcanal, the Marianas and Iwojima—had no immediate effect on the work of the ICRC as did the major military
operations in Europe, Africa and the Middle East. In that vast space there was no way to keep track of prisoners captured, transferred or held in transit camps.

In war at sea, the front is everywhere. The communiqués never reported the capture or surrender of a warship: crippled ships, if unable to evade pursuit, were sunk. Rescue attempts were hampered and made dangerous by the combat conditions, and hospital ships risked being bombed from the air. Protests by National Societies of the countries at war could be forwarded by the ICRC, though they were usually sent through the Protecting Powers. The Australian Red Cross protested on 20 May 1943 against the torpedoing of the hospital ship Centaur off the Australian coast; the Japanese authorities replied by contesting the alleged facts. In July and December 1943 the Japanese Red Cross forwarded protests to the ICRC concerning the bombing, torpedoing and machine-gunning of ten Japanese hospital ships. In their reply, the American authorities pointed out that such attacks usually occurred owing to the absence of identification markings, pilots having been unable to distinguish the hospital ships in time because they were among a group of warships, or because their distinctive emblems were not visible from the air, or because they were not illuminated at night.

7. Resistance movements and partisans

In preceding sections we have seen that the ICRC’s activities in favour of prisoners of war were exercised very unevenly, depending on the theatre of operations in which the Committee tried to do its work. In relations between the Axis Powers and the Western Allies, the applicability of the POW Code was not as a rule questioned, so that both the ICRC and the Protecting Powers were able to visit the camps and assist prisoners. In the German-Soviet conflict its assistance was not accepted, and in the Far East only in part.

But in the course of the war, there arose, alongside the traditional armies, other categories of combatants whose status was not clearly defined and who continued fighting even after their governments had laid down arms. Some sections of the population and its leaders, in fact, did not recognize the legitimacy of the new governments set up under Axis sponsorship, did not accept the conditions of the armistice or surrender, would not obey their provisions, and continued what they regarded as a legitimate struggle, though to the occupying
power it appeared subversive. Changing circumstances and the rapid advance of the German armies in the first years of the war meant that organized resistance took place mainly in Europe. This section will therefore examine various aspects of the relations of resistance forces and the civilian population with the administrative and military authorities of the Third Reich, as far as these involved action by the ICRC.

Occupied Europe may be considered as one huge battlefield with the adversaries closely interlocked, a war without a front, without movement, where the adversaries had no choice but to remain side by side. On one side were the army and highly organized police services with the latest equipment, easily identifiable by their foreign appearance and behaviour; on the other side, a secret organization intermingled with the population, making up for its technical weaknesses by mobility and secrecy: the gladiatorial combat between the secutor and the retiarius. The law of war is hard to apply when the opponents are not using the same weapons.

Moreover, each side claimed to be the legitimate one: the resistance fighters because they denied the validity of the armistice agreements or conditions of surrender, the occupying power because it saw them as binding on every citizen of the country occupied. Not only did the adversaries use different weapons, they referred to different laws. In a situation where a legal solution seemed out of reach, the ICRC did all it could to achieve agreement to a minimum number of humanitarian rules in a struggle which by its nature did not admit of any.

The resistance movements could survive only to the extent that they were supported, supplied and encouraged from outside the country. For the Allied Powers they represented, alongside the three armed services engaged in the war, a fourth service operating in the territories occupied or annexed by the enemy. The movements remained national, independent of each other, their only shared characteristic being their common enemy and their attachment to the Allied cause. In addition, it happened that several resistance groups were created in a single country when the governments they claimed to support were themselves divided by their political aims.

This section describes all those who, whether or not they took part in resistance operations, were victims of repressive measures by the occupying powers or threatened with such measures, either because they were resistance fighters or suspects, or hostages, or else because they belonged to a persecuted group of the population without the status of prisoner of war or civilian internee and without a Protec-
ting Power. Together they formed a heterogeneous class in which a few categories could be distinguished, though it must be pointed out that some persons in any one of them could belong, in turn or simultaneously, to others. The decisive feature, in the view of the ICRC, was the fact that they had no kind of protection.¹

* * *

Men who fight in the ranks of a foreign army—apart from those who take up arms against their own country—receive in principle the same protection as the native soldiers of that army. It is their membership of the opposing army which gives them, if captured, the status of prisoners of war. Uniform denotes nationality.

True, in the upheavals in Europe, nationality assumed successive forms, but in general the rule applied, especially in the first part of the war.²

Poles fighting in French uniform alongside the French army were regarded as French prisoners, and in the same way the French fighting in the ranks of the British army and wearing its uniform were considered British prisoners.

However, the conditions of the armistice stipulated that French nationals continuing to bear arms against Germany or Italy would not enjoy the protection of the laws of war and would be considered as francs-tireurs. This gave rise to grave difficulties when the Free French units were formed and fought in French uniforms. The situation of members of regular armed forces loyal to an authority not recognized by the adverse Power had not been explicitly regulated in the 1929 Convention, though it has since been covered in the 1949 Convention. The ICRC’s prompt action nevertheless succeeded in having the Free French soldiers accepted as prisoners of war in the event of capture, while General de Gaulle let the ICRC know that the Committee of National Liberation considered itself bound by the Geneva Conventions.³ After the capture of Gaullist soldiers fighting

¹ Subsequent sections describe the ICRC’s action in favour of Jews and other concentration-camp detainees.
² “The nationality of a soldier is determined by the uniform he is wearing at the time of capture. In doubtful cases, the place of residence of the prisoner of war before the war and the present residence of his next of kin will determine his nationality.” Excerpt from an order issued by the Prisoner-of-War Department of the Wehrmacht Supreme Command, 16 June 1941, with reference to Polish soldiers fighting in the French armed forces. Quoted in “German Regulations pertaining to POW”, Office of the Provost Marshal General, 1945.
³ General de Gaulle to the ICRC, 19 November 1941.
at Bir-Hakkim, the ICRC, approaching the German and Italian Governments on the subject, was notified that they would not invoke the provisions of the armistice agreements in the case of the French captives, who would be treated as prisoners of war. The ICRC was therefore allowed to visit camps of Gaullist POWs and forward lists of their names and notices of deaths. And when the Provisional Government of the French Republic was set up in 1944 the International Committee was able to visit German prisoners in the hands of the Gaullist forces. Admittedly, there were difficulties, since Germany never recognized that government. Very often the ICRC was compelled to intervene, in individual cases or where there was a collective threat, as when, for example, the Third Reich threatened reprisals against Gaullist POWs as a protest against the prosecution of German nationals in liberated France. The competence of the ICRC, at least, was never disputed, provided the units concerned were attached to the Allied forces and under the final authority of their commander in chief.

The situation was very different for those continuing to fight in the occupied countries. Strictly speaking, they were not protected by the Convention. The best that could be done, and this was the aim underlying the ICRC’s efforts on the subject, was to have them given similar status to militia or volunteer defence units to whom, under the provisions of Article 1 of the 1907 Hague Regulations, the laws, rights and duties of war apply, provided they meet the following requirements:

1. are commanded by a person responsible for his subordinates;
2. have a fixed distinctive emblem recognizable at a distance;
3. carry arms openly;
4. conduct their operations in accordance with the laws and customs of war.

A large number of resistance groups did not comply with some or all of these conditions, yet this did not mean that they were totally unprotected. The regulations issued by most armies for repressing violent action against the occupying forces normally define punishments up to and including the death penalty; but, to paraphrase Article 22 of the Hague Regulations, the right of the occupying powers to adopt means of maintaining order is not unlimited. In the absence of a humanitarian convention, resistance fighters remained, or should have done, under the protection of the law of nations. But these principles were too often forgotten.

Other resistance groups managed to form organized units of a paramilitary nature, usually in mountainous or thickly wooded areas
affording them the necessary minimum of resources and temporary or permanent refuge. Such areas were found mainly in France, Greece, Norway and Yugoslavia. In discussing these groups, the ICRC could invoke the rules of the Conventions and, as we shall see, it made great efforts to obtain reciprocal guarantees for prisoners from either side.

Moreover, as the pressure of the Allied armies grew, links were established between them and the combatants within the country. Members of the Allied armed forces were landed on the coasts or parachuted into the zones held by the resistance, to join the partisans and fight alongside them. For these men, there were no guarantees. Here the ICRC had much less ability to act than in the case of prisoners of war. Moreover, reciprocity carried little weight for, while the ICRC might point to its activities in favour of German of Italian nationals interned in Allied countries for security reasons, such internees were few in comparison with the subject populations in occupied Europe; in addition, the internees were foreigners in enemy territory, assisted by a Protecting Power, while the partisans and resistance groups were fighting within their own countries, subject to the power of the Third Reich or the authority of a national government they rejected.

* * *

Resistance developed in the occupied countries from the first year of the war—in Poland, Norway, Denmark, Holland, Belgium, France and Luxembourg. At the same time it grew in Czechoslovakia and in the Balkan States invaded by Italy and Germany. In Yugoslavia, where the mountainous areas provided refuge for the partisans, fighting virtually never ceased, notwithstanding the capitulation of the army, and the same was true in Greece. But the occupying authorities considered resistance activities as illegal, to be dealt with summarily and, to ensure no repetition, took repressive measures against the civilian population. Only when the partisans were organized in groups and identifiable by a uniform or badge could the ICRC obtain any protection, official or unofficial, and even then only if they were in numbers large enough to be comparable with a military unit.

At first, the ICRC concentrated on individual cases of persons arrested or missing, trying to obtain news of them. After a number of Dutch hostages were deported in 1942, ICRC President Max Huber wrote personally on 1 June to the Acting President of the German
Red Cross, Dr. Grawitz, reminding him of the provisions of the Tokyo draft convention prohibiting the infliction of collective punishment on the populations of the occupied territories in the wake of individual acts for which they could not be considered responsible, and expressing anxiety over the transfer of Dutch hostages from the camp at s'Hertogenbosch—where their conditions had been comparatively tolerable—to the camp at St Michiels. He asked Dr. Grawitz to do his best to exert a moderating influence whenever the situation seemed likely to worsen and try all possible means to reduce tension. Replying on 7 July, Dr. Grawitz excluded any possibility of the German Red Cross Society's being able to intervene effectively in connection with the incidents reported by the ICRC President.1

Arrests continued in the occupied and annexed countries. On 21 July 1942, the ICRC asked its Berlin delegation to procure lists of the Polish reserve officers arrested by the Germans and obtain permission to visit the camp where they were held. And on 24 August the Committee again wrote to the German Red Cross, pointing out that civilian internees who were nationals of the countries occupied by Germany had no Protecting Power. The Committee felt they should not be deprived of the protection of the 1929 Convention and was anxious to know what was being done to safeguard their private interests and to defend them in the courts. On 15 September the ICRC renewed its instructions to delegates concerning civilian internees, stating that they should ensure application of the 1929 Convention, by analogy, in all cases where it was materially and legally feasible. Further detailed instructions were given to the delegation in Berlin for the protection of deportees, whether Jewish or not. This is described later, in the section devoted to the ICRC's efforts to assist the inmates of concentration camps.

The Allied landings in North Africa on 8 November 1942 set off renewed resistance and counter-measures by the Wehrmacht and the Gestapo. In France it resulted in invasion by the Germans of the free (unoccupied) zone. The three resistance groups, Combat, Libération and Francs-Tireurs et Partisans were then co-ordinated, while the first maquisards were those who refused to be conscripted into the compulsory labour brigades.

At this time the ICRC was concerned by the increasing cruelty of air warfare, the subject of its earlier appeal of 12 March 1940.

1 This exchange of letters is referred to again in Section 9, The concentration camps, pp. 581-583.
Following a proposal by the Spanish Government for humanizing war in the air, mainly by defining safety zones, the ICRC once more resolved to approach the belligerents and affirm its position concerning air bombing and chemical warfare. But it was also disturbed by the growing number of hostages and deportees: Paul Ruegger, who became President of the ICRC in 1947, wrote “It is not impossible that taking hostages and deportations may in future grow to colossal proportions”. The ICRC therefore decided to combine in a single appeal a protest against the taking of hostages and a call to ban chemical warfare:

“In view of the violence of hostilities, the International Committee of the Red Cross wishes once again to plead with the belligerent powers to respect, even when this conflicts with military considerations, the natural right of human beings to be treated in accordance with justice, without arbitrary judgements and without imputing to them the responsibility for acts which they have not committed. It also begs the Powers not to have recourse to unjustified acts of destruction and particularly not use harmful methods of warfare prohibited by international law.”

After the Normandy landings by the Allied forces in Normandy and later in Provence, the French forces of the interior, organized under the command of the Committee of National Liberation, resumed the offensive. Their action was considered as illegal by the commander in chief of the German forces in Western Europe, as he made clear in a broadcast by Radio Paris on 11 June 1944: “Individuals taking part in resistance movements to the rear of the occupying power have no right to the protection which regular members of the armed forces may claim... Article 10 of the Franco-German armistice agreement states that French nationals who, after the conclusion of the agreement, engage in combat against the German Reich will be considered by the German troops as francs-tireurs... The rebels will not be considered as prisoners of war, but put to death in accordance with martial law.”

Faced with this threat, the Provisional Government in Algiers requested the ICRC to send a protest. It added that the German Government could not invoke the clauses of a “false armistice having no international value and contrary to the provisions of the Hague Regulations”. The Algiers Government added that the French forces of the interior, made up of all fighting units taking part in the struggle against the enemy, formed part of the French army and were entitled to all the rights and benefits acknowledged as due to members of the armed forces by existing laws; they moreover fulfilled the
general conditions fixed by the Regulations annexed to the Fourth Hague Convention. It pointed out that if the threats were carried out it would be compelled in turn to take, in relation to German prisoners of war, all those measures made necessary by the action of the Commander in Chief of the German armed forces in Western Europe.

The reply of the German Government was especially severe:

"The Government of the Reich states that it has no knowledge of any Provisional Government in Algiers. Consequently, the Government of the Reich, without making any comment on the content and character of Mr. Massigli's dispatch, refuses to acknowledge such a text and expresses its great surprise that the International Committee should consider itself authorized to forward a text emanating from such a source.

"The Government of the Reich therefore considers this communication as being null and void. The treatment of captured insurgents will be as laid down by the High Command of the Western Front." ¹

An endless chain of reprisals seemed likely. Then the ICRC, in August 1944, succeeded in visiting German prisoners captured by the French forces of the interior in Haute-Savoie when they liberated Annecy. The Committee at once sent reports on the visits to the German Government, and notified it of the distinctive sign worn by the French forces. After 80 French hostages in Montluc prison at Lyons had been executed by the Germans, the ICRC delegation in Berlin made urgent appeals to the German Government to execute no more detained French civilians and to treat all captured French partisans as prisoners of war. No reply was received from the German Government within a period of six days, and the Committee was unable to prevent 80 German prisoners being shot as a reprisal for the executions in Montluc.

Further approaches to the German authorities elicited a statement that they were willing to give information on partisans thought to be captured. In fact, the ICRC received a few names which it sent to the Ministry for Prisoners, Deportees and Refugees in Paris. It later received an oral assurance that captured members of the French forces of the interior were in fact treated as prisoners of war. Yet in spite of these repeated efforts the ICRC received no official guarantees on the subject up to the time that France was liberated.

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¹ Oral reply communicated to the ICRC by the German Consul in Geneva, 31 July 1944.
While it was attempting to mitigate the severity of the struggle between the occupying forces and the French forces of the interior, the ICRC sent out another appeal, general in scope, for partisans to be granted the protection of law, provided they in turn adhered to the laws of war. As the Allies advanced through Italy and France and the Soviet armies progressed in the east, resistance movements had in fact become strong and well organized, with well-equipped units fighting in co-ordination with the Allied forces. On 17 August 1944 the ICRC addressed the belligerent nations, stating its principles:

“Certain aspects of the present conflict have led the International Committee of the Red Cross to concern itself with the consequences of acts of war committed by and against combatant formations whom the adversary has not acknowledged as belligerents or who are regarded as partisans. The Committee considers that the fundamental principles of international law and humanity should be applied even in circumstances, arising in the course of the war, which are not explicitly mentioned in the international Conventions.

“The International Committee, one of whose chief preoccupations has always been the plight of prisoners, considers that all combatants, to whatever authority they claim loyalty and provided they comply with the laws and customs of war and in particular are commanded by a person responsible for his subordinates, have a distinctive emblem and carry arms openly, should be entitled to the guarantees reserved for prisoners of war if they fall into the hands of their adversaries...

“Similarly, the International Committee regards it as of particular importance that the principles of the Geneva Convention for the amelioration of the condition of the wounded and sick in armed forces in the field should be everywhere respected and that established medical formations and the auxiliary Red Cross organizations should be able to perform their duties for the benefit of all wounded and sick persons without distinction.”¹

In conclusion, the ICRC offered its services as a neutral intermediary and suggested forwarding and publishing details of the distinctive signs worn by combatants without uniforms.

The ICRC’s proposals were not unanimously accepted. The Governments of Belgium, Czechoslovakia, France, Italy, Norway, Poland and Yugoslavia stated their assent. The Belgian and Yugoslav Governments also asked the ICRC to notify the adverse party of the

¹ Appeal of 17 August 1944, called “for the partisans”, sent on 24 August to 41 belligerent States.
distinctive signs worn by their partisans, as Italian and French partisans had already done. The Government of the Reich notified the Committee orally that it would in future treat as prisoners of war partisans fighting openly who fell into German hands; but it was not willing to make an official statement on the subject.

The United States Government noted the ICRC's "generous offer" to act as a neutral intermediary in order to persuade the belligerents to give the partisans the status of regular combatants. The British Government replied on 17 September that it greatly appreciated the humanitarian motives of the ICRC's action, but that study of the suggestions revealed practical difficulties which made it impossible to accept them.

* * *

In central Europe and the Balkan peninsula, resistance was equally active. The ICRC intervened in favour of Slovak partisans captured after the rising in August 1944. The Slovak Government, in reply to the ICRC's appeal of 17 August, undertook to respect the provisions of Article 1 of the Hague Regulations on condition that the partisans wore the uniform, even if incomplete, of an enemy army. However, it appeared that in fact any partisans captured were handed over to the German authorities. The ICRC delegate in Bratislava and the ICRC delegation in Berlin attempted to gather information on the captured partisans, to send them parcels and to have them treated in accordance with the Convention. The delegate succeeded in obtaining a list of 380 Slovak partisans who had been transferred on 6 January 1945 to Stalag XVII at Kaisersteinbruch, near Vienna, and by making use of family inquiries and various cross-references, managed to establish an estimate of the number of Slovak POWs and internees in Germany and a list of the camps where they were thought to be held. But it was not until the spring of 1945 that he received a favourable reply from the German staff to his request for capture cards for Allied and partisan prisoners to be sent to the ICRC (the Allied POWs were aircrew members imprisoned as "members of the general staff of the British air forces with the partisans"), and Czechoslovakia was liberated before his efforts had any practical consequences.

The resistance in Yugoslavia was unusual in character throughout. The Axis forces had never been able to occupy the whole country owing to the resistance of partisan groups holding out in the mountain areas and to the transfer of some German forces to the eastern
front. Consequently, throughout the war there were unoccupied zones where organized standing armies could be maintained. However, the nation had been dismembered: in Croatia the invading forces had set up a local government, while Slovenia had been divided between Italy and Germany and Montenegro had become an Italian commissariat; Serbia and the Yugoslav part of the Banat were under German military occupation, and large areas had been annexed by Hungary and Bulgaria. The forces of General Mihailovitch were loyal to the royal government in exile in London, later in Cairo. General Tito's forces were independent and at the beginning of December 1943 created a National Liberation Committee headed by Tito, now promoted to Marshal. The British and Soviet Governments, without severing relations with the Yugoslav Government in Cairo, had delegated military missions to the forces of the National Liberation Committee and Marshal Tito was then recognized as an Allied commander. The operations of the Committee were carried on from the unoccupied zones by the national liberation army, while guerrilla groups operated within the occupied areas.

The repression exercised by the Axis forces was among the harshest in any of the occupied countries and the number of victims among soldiers, civilians and partisans among the highest in proportion to the population. From 1943 until Yugoslavia was liberated, the ICRC was constantly active in trying to obtain some degree of protection for the partisans but, as elsewhere, with little success. The German High Command did in fact inform the International Committee in October 1943 that captured partisans would be treated as prisoners of war; but the guarantee could not be verified, since the ICRC delegates were not permitted to visit the prison camps. Moreover, early in 1944 the Reich Government told the ICRC that it did not recognize the government of the Yugoslav partisans and consequently would allow no ICRC action in their favour.

The only members of the army of national liberation whom the ICRC was able to visit were those who, at the beginning of the war, had been placed in the same camps as prisoners belonging to the former Yugoslav army, captured in 1941. Having received reports that Yugoslav partisans had been interned in extremely harsh conditions in the far north of Norway, the ICRC asked for these men to be transferred to the south of the country and given into the custody of the army. Delegates were able to visit some of them in the spring of 1943 and sent them standard parcels from the American Red Cross, and clothing and gifts from the Yugoslav Aid Committee in Cairo.
The ICRC delegate in Zagreb had conducted talks with the commander of the Yugoslav liberation army to ensure that the Geneva Convention would be applied to prisoners in its hands. The commander having stated his willingness to examine the proposals, an ICRC delegate made contact in Bari, on 13 May 1944, with two representatives of the national army of liberation. But the talks led to nothing.

The delegate in Zagreb succeeded in providing some relief for sick and wounded partisans and, particularly in Croatia, aid for civilians, especially children. The ICRC delegate in Belgrade managed to send food donated by the Swiss Red Cross to the concentration camp at Zemoun for the women and children held there, but was unable to visit it.

In Poland, because of annexations and plans to colonize the country, the whole population was without a Protecting Power, and the inhabitants were recruited for forced labour, displaced and deported with no record of their destination. The ICRC had access to the camps of Polish POWs, though, in contravention of the rule observed in the camps of POWs from western nations, the delegate was not allowed to talk to the prisoners’ representative without witnesses; but there was no possibility whatsoever of helping the civilian population except by requesting searches for missing persons. The Jews in particular, most in danger, were beyond help by the Committee. The persecution of the Jews in Poland reached its paroxysm in the annihilation of the Warsaw ghetto in April 1943, all its residents being killed or deported.

Resistance in the partly ruined capital was carried on in secret until the approach of Soviet troops, when it flared up openly on 1 August 1944. Besieged by the German army and deprived of food and help, the secret army in Warsaw held out for two months, at a cost of half its numbers, before surrendering on 2 October. The ICRC was allowed to visit these fighters in the Polish POW camps where they had been sent, General Bor-Komorowski, their commander, having obtained the assurance that all combatants, men and women, would be treated as prisoners of war by the Germans. This was the only occasion when the ICRC was able to invoke the provisions of the Geneva Convention. It did so in particular for the women captured in Warsaw:

"According to the reports of our delegates on their visit to the camp where these prisoners are held, the conditions of detention do not appear to be satisfactory in all respects. The state of health of these women, generally very bad, requires treatment and care which they do not seem to be receiving at the present time."
"The International Committee takes the liberty of insisting on the need to examine this matter with all appropriate care. It would in particular be extremely grateful if you would take measures for these women to be detained, as far as possible, in suitable camps, completely separate from the men, as is customary, for example, in the camps for civilian internees in Germany.

"Furthermore, it appears that the provision in the Warsaw capitulation agreement, which is in conformity with the Geneva Convention, under which the prisoners may not be employed as civilian workers unless they state in writing their desire to be so employed, is not always observed. To give one example, it seems that the women and girls in the camp at Gross-Lübars who were regular members of the Armia Krajowa are being transported against their will to an unknown destination where they will be put to work as civilians. We wish to express the urgent request that the only prisoners to be employed as civilian workers will be those who have stated their wishes in writing, and that the transfers referred to cease forthwith."

President Burckhardt, in a interview with Kaltenbrunner—reported in the section on the concentration camps—asked for the women and children of Warsaw to be hospitalized in Switzerland.

The reply, dated 29 March, said:

"It would be possible to consider the hospitalization of Polish women and children in German hands as a result of the Warsaw insurrection provided there were a reciprocal gesture—for example, if Great Britain or the United States declared themselves willing to release German women, secretaries to the general staff, Red Cross nurses, etc. who belonged to the Wehrmacht or accompanied it and who have fallen into their hands."

In Greece, too guerrilla fighting became more intense. In the first quarter of 1943 the partisans attacked several villages occupied by Germans or Italians. An ultimatum from the German forces which was not obeyed led to a clash between them and Greek partisans in the Mount Olympus area; and the railway between Athens and Salonika was sabotaged. These operations were followed by the arrest of hostages, reprisals and the deportation of Jews from Salonika.

The ICRC delegation in Athens did all it could to obtain reduced penalties and relief for the whole population. The delegates in

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1 President Burckhardt to the Auswärtiges Amt, 4 January 1945.
2 Kaltenbrunner to President Burckhardt, 29 March 1945 (original German).
Germany, on their visits to POW camps, discovered more than a thousand Greek prisoners and 400 Albanians and sent them relief supplies. At the request of the Hellenic Red Cross, they made representations in February 1945 on the subject of Greek partisans held in Stalag VI J at Dorsten, but were not allowed to visit them. They also made inquiries about many Greek civilians who had been suspected of helping the partisans and deported to Germany, learning only that they had been sent to join the Labour Service.

The work of the Managing Commission for relief to Greece in bringing help to the civilian population has already been described. The Commission managed to arrange for the distribution of food in the prisons, which held many political detainees, and extended its own food relief to the families of political detainees and of those who had been executed or deported. The Commission's delegates were not permitted to visit the prisons—apart from some Italian internment camps at the beginning of the occupation—but voluntary nurses of the Hellenic Red Cross were authorized to visit a number of prisons, where they were able to supervise the distribution and preparation of food, examine the health of the detainees and give them medicines and soap provided by the Swiss Red Cross mission in Greece.

In October 1944 the British forces landed in the Peloponnese, occupied Corinth and captured Athens. But liberated Greece was not to know peace: civil war brought new suffering. Fighting broke out again in Athens in December 1944 between the forces of ELAS (Greek People's Army of Liberation) and Government forces supported by British troops. The ICRC delegation then negotiated with representatives of EAM (National Liberation Front) and ELAS for the Managing Commission and the Swiss Red Cross mission to be allowed to continue their work of distributing relief on both sides of the lines; the delegates were told that hostages taken by the partisans would be released. The hostages were freed gradually from 18 January 1945. The Varsika agreement, published on 13 February 1945, ended the first stage of the hostilities; but civil war was to erupt again, more bitter than before, from 1946 to 1949.

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For Italian resistance fighters the situation was even more complex, and virtually insoluble once the armistice was signed by the Royal Government on 8 September 1943. The Italian nation was divided into two camps, and most of the country was still under Ger-
man occupation. Members of the Italian armed forces in the oc­
cupied areas at the time of the armistice were disarmed, sent to Ger­
many and interned with the description “Italian military internees”
(IMI). The ICRC requested the Reich Government to treat the in­
terned Italian forces and civilians according to the provisions of the
Geneva Convention, to send lists of the names of internees and to
allow relief parcels to be sent and visits to be made. In reply, the Ger­
man authorities notified the ICRC that the IMIs, 550,000 in number,
would receive the same treatment as the French troops, would be en­
titled to two relief parcels a month and correspondence. But the
general staff would not agree to consider them as prisoners of war,
stating that they were subject to the Neo-Fascist Government, allied
to Germany, and consequently refused to send lists of names and to
authorize visits or relief. After further representations by the ICRC
the internees were allowed to complete capture cards, 180,000 of
which were received by the Central Agency.

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These examples show how limited was the scope for ICRC action
in this respect and how uneven were the results. In general, there was
no guarantee of protection for partisans. Only when the resistance
groups grew sufficiently large and were supported by parties to the
conflict did reciprocity make its effects felt and the occupying powers
acknowledge that the partisans had some rights, though without
granting them POW status.

This experience and the objective analysis of the conditions leading
to implacable repression gave rise to the studies undertaken at the
end of the Second World War with the aim of extending to resistance
forces the protection of the Conventions. The Third Geneva Conven­
tion of 12 August 1949—not examined in this volume—showed con­
siderable progress in this regard by granting prisoner-of-war status to
members of organized resistance movements belonging to a party to
a conflict, when they fulfilled certain conditions, taken over from the
Regulations annexed to the Fourth Hague Convention of 1907. Even
this new clause appeared too restricted to be applicable effectively to
all types of popular resistance.

To meet the deficiency, the ICRC, mandated by the International
Red Cross Conferences of Vienna (1965) and Istanbul (1969), engaged
in the deliberations and studies which resulted in the opening in
Geneva on 20 February 1974 of the Diplomatic Conference on the
Reaffirmation and Development of International Humanitarian Law
applicable in Armed Conflicts and the adoption on 10 June 1977 of two new diplomatic instruments, the Protocols additional to the Geneva Conventions of 12 August 1949. The first, relating to the protection of victims of international conflicts, supplements the Conventions and extends their application to categories of persons whose protection had previously been inadequately defined, such as people fighting against colonial domination, foreign occupation and racist regimes, in the exercise of their right to self-determination. The second Protocol, relating to the protection of victims of non-international conflicts, provides fundamental guarantees and humane treatment, with no unfavourable distinction, to persons who take no part, or have ceased to take part, in such conflicts. The additional Protocols also cover protection of the civilian population against the effects of hostilities and against attacks by land, sea and air. So today, under the Conventions, there is protection for categories of persons for whom, at the time referred to here, there was virtually none.

8. Ethnic and political persecution

Persecution based on ethnic or political affiliations was one of the Nazi regime's characteristic forms of action. The same phenomenon is observable in varying degrees in other nations, and probably none can claim to be without reproach in this respect, whether at home or in any colonies it may have possessed: numerous examples could be found of circumstances in which individual rights have not been respected or population groups have been victims of arbitrary action by their rulers. In this regard, the National-Socialist phenomenon was not unique. It was, however, exceptional in that it was not merely a means of oppression, the aim of which might have been limited, but, as time went by, a systematic method of destruction. The ICRC, at first bewildered and at a loss in the face of such an unprecedented situation, attempted, as we shall see, to outflank obstacles it was unable to meet head-on and to mitigate the effects of the persecution although powerless to prevent it.

Various population groups were affected by the exceptional measures, both in Germany and in the territories under German administration or influence. In the forefront, by their numbers and the severity of the persecution inflicted on them, were the Jews in Ger-
many, the occupied territories and, in varying degrees, the countries allied to the Third Reich. There were also less numerous groups, such as gipsies and those considered as such, and pacifist religious groups such as Jehovah’s Witnesses. Also included were some minority groups in countries invaded by the Axis forces, such as the Muslim groups in Croatia, who were forced to leave their homes to escape persecution. Arrests and deportations for political reasons were likewise very frequent. The present section deals chiefly with the general action of the ICRC for the Jews, the matter of concentration-camp detainees being covered in the following section.

Even before the war, the Jews had been the object of discriminatory legislation which rapidly took the form of organized persecution, culminating in the anti-semitic demonstrations of November 1938, especially on the night known as “the Night of the Broken Glass” (Kristallnacht), when Jewish shops were sacked, the owners molested or arrested, and the synagogues set on fire. It was then that the ICRC, having received reports on the events from various bodies, first turned its attention to the problem of assisting Jews in Germany. Three forms of action were considered: a news service, consignments of food, and social assistance. Bearing in mind that food and social services could be provided by other charitable bodies, such as Jewish organizations, the International Migration Service, etc., the Committee turned to the possibility of establishing a news service:

“The question of news does not affect Jews and others who have not moved from their homes, but missing persons and those in the camps. The work is already being done in a small way and could be expanded and intensified by the ICRC. Nazi organizations such as the German Red Cross would probably not refuse to help, for fear of losing esteem and collaboration with other countries.”

The President, Max Huber, therefore wrote to the German Red Cross on 29 November 1938 to ask whether it could act as intermediary in forwarding news. The German Red Cross expressed its willingness to help the ICRC as in the past and to send news as circumstances allowed. On 28 December, following a proposal by Miss Perrière, the Committee again approached the German Red Cross, pointing out that Jews who were sick and so unable to accompany their families who had emigrated were often left without care, and that they should be placed in hospitals or clinics. Perhaps, the ICRC concluded, the German Red Cross might consider it necessary to

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1 Meeting of the Bureau, 18 November 1938.
make contact with the national body representing the Jews in Germany. Would it be possible to send warm clothing to concentration-camp detainees? The Vice-President of the German Red Cross, Dr. Grawitz, replied on 9 January 1939:

"In reply to your communication of 28 December 1938, I would first like to inform you that the German Red Cross has not taken part in any action in favour of Jewish families in Germany and that it sees no possibility or need to associate itself with the measures taken. Needless to say, the German Red Cross will be willing as before to act as intermediary to Red Cross organizations elsewhere and will get in touch with the services concerned on the subject of any suggestions made...".

At its meeting of 13 January 1939, the Bureau of the ICRC noted this rejection and reported: "The idea of the Red Cross is changing".

The problem facing the Committee was a new one, that of a group of citizens persecuted by their own government, which refused them the rights enjoyed by its nationals but, paradoxically, would allow no foreign intervention in their favour because it then considered them as nationals. So national sovereignty had two faces, one being an obstacle to outside action, the other precluding protection within the country.

The Red Cross movement, meanwhile, remained alert to the situation in the refugee camps. The Executive Council of the League of Red Cross Societies, meeting in Paris on 24 November 1938, adopted a proposal made by Norman Davies and directed the Secretary-General to consult the governments and organizations concerned on the nature of such assistance as might appear "necessary and feasible". The Council did this in the face of objections from the representative of the German Red Cross, who drew the Council's attention to the need to "take care to prevent Red Cross bodies being implicated in any such procedure". On 27 January 1939, following up information supplied by the League, the Swedish Red Cross Society suggested to the ICRC that to supplement that information it should send delegates to the refugee camps "on both sides of certain frontiers", in order to assess the most urgent needs and examine the ways in which they could be met. The Society gave 20,000 Swedish crowns to the International Committee to cover the costs of the delegation and it announced that funds would be made available in the event of a relief operation. Correspondence received by the ICRC from the countries of Central Europe showed that they were more concerned with organizing the emigration of refugees—through the Intergovernmental Committee set up in London—than with pro-
viding relief which was normally a government responsibility. At the end of February, however, the Swedish Red Cross notified the ICRC that refugee camps in Central Europe were being dismantled and consequently the organizations which had approached it were no longer pressing for the inspection previously requested. The ICRC and the League continued their efforts to bring material assistance to the refugee camps; but the war put a temporary stop to their plans.

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When the Second World War broke out, therefore, the problem of help to the Jews in Germany and Central Europe had not been tackled as a whole. Many Jews had managed to emigrate in the years preceding the war, while others were refugees outside the Third Reich in receipt of material relief from governments and the international Jewish community. But there was no way to protect the Jews in Germany and occupied Poland and Czechoslovakia. Numerous obstacles hampered their emigration: difficulties in obtaining exit visas, transport, transit visas and countries willing to accept them.

Nevertheless, in December 1939, President Max Huber conferred with the External Relations Director of the German Red Cross on the Viennese Jews evacuated to the Lublin area. Director Hartmann stated that the evacuation had been temporarily stopped but immediately excluded the possibility of visits to the evacuees: “Visits to concentration camps of evacuees or to places where these Jewish evacuees might be sent could not be contemplated at all at present, even if such visits were allowed.”

It was then that the ICRC realized that specific attempts to help Jews were bound to fail and that if it was to come to their aid it was better not to mention the “racial question” as a criterion for protection.

So, for example, the ICRC’s approaches to the Auswärtiges Amt in May 1942 on the subject of the civilians, most of them Jews—French, Polish, Yugoslav and White Russian—sent to Eastern Europe covered all such deportees. Likewise, the efforts to send relief to the camp at Compiègne were described as “assistance to internees”. Finally, the ICRC dealt with individual inquiries concerning missing Jews, but was obliged to note in October 1942 that it was “impossible to take any general action about the Jews”.

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1 Swedish Red Cross to the ICRC, telegram dated 27 February 1939 and letter dated 17 March 1939.
Moreover, limits were set on the ICRC’s ability to act by the fact that many persecuted or deported Jews were nationals of governments allied to Germany. In such circumstances, and even if the autonomy of the government in question was a political fiction, the Committee hesitated to propose its services as an intermediary or foresaw that in any case they would not be accepted. Hence it was rather in practical matters—relief, inquiries for news—that the ICRC initially brought help to Jewish individuals and communities, when circumstances allowed.

But the course taken by events and the massive persecution in 1942 caused it to re-examine the whole question. In December 1942 it was attempting to extend its assistance to deportees, Aryan and non-Aryan, and explained its intentions as follows:

“It has been remarked that the problem of deportees has been raised to avoid specifying that of the Jews, but the great majority of deportees are Jews. If the Committee obtains relief also for non-Jewish deportees, there is nothing to stop our requesting to extend our activities in their favour.”

In January 1943, the Co-ordination Commission stated that “the Committee will do all it can regarding the Jewish problem but without putting the rest of its activities in jeopardy. The Committee will concern itself with the Jews in general and also with Aryan deportees”.

It should be recalled that as far as the National-Socialist Government was concerned there was no question of discussing the Jewish problem. It was highly unlikely that the Government of the Third Reich would one day, under the terms of a treaty, agree to protection for Jews and deportees: the course of the war showed that no amount of pressure—even the Allied Governments’ threat to put the German leaders on trial as war criminals—was to modify its policy. The ICRC’s attitude therefore appears to have been more a tactical decision than a position of principle. By avoiding direct confrontation with seemingly insuperable difficulties, it did not exclude the possibility of exploiting any opening which might offer, as indeed it was to do in the satellite countries of Germany and when the Third Reich collapsed.

Jews who were nationals of occupied or annexed countries were equally bereft of assistance from any government or Protecting Power. An entire section of the population was thus persecuted and deprived of fundamental rights because of its origins. By its nature

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1 Co-ordination Commission, 30 December 1942.
and its extent the problem was probably beyond the resources of the International Committee. In fact, like the associated problem of the concentration camps, it was resolved only by force.

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In 1942 the renewed persecution of the Jews rose to such a level that it clearly could no longer be regarded as one particular aspect of the problem of prisoners of war or civilian internees. It was the year when the plan to exterminate the Jews or imprison them in concentration camps was first put into effect. They were systematically taken to the camps—closed, as we saw, to ICRC delegates—or isolated in ghettos. Emigration was virtually at a standstill.

The Central Prisoner-of-War Agency had set up, in 1940, a special service, Civilian Internees, Diverse (CID), to investigate questions concerning persons interned by the administration—Jewish refugees, escapees from the international brigades, veterans of labour companies, etc.—who could not be filed under the Agency's national services, enjoyed no protection under the Conventions and had no Protecting Power. In April 1942 the CID Service was put in charge of all cases of stateless persons except those holding Nansen passports. In the autumn of that year, in view of the flood of inquiries, the Service undertook to trace Jews who were nationals of Germany or countries under German control and had been deported to Eastern Europe. But the German authorities refused to reply to requests for information on non-Aryans and consequently the results were meagre. The only news was that obtained occasionally by delegates, in spite of the restrictions imposed on them. Later the CID Service dealt only with German or Austrian Jews and stateless persons, the files on those with a specific nationality being returned to the various national services of the Agency.

The ICRC tried also to send relief to certain Jewish communities, but its ability to do so was limited. During the year it had sent, by way of a test case, packages of medicines to the Theresienstadt (Terezin) ghetto in Czechoslovakia, but received no receipts. Relief had also been sent to some Jewish communities in Poland, the packages being addressed to the local representative of the German Red Cross, who returned the receipts signed by the local head of the Jüdische Selbsthilfe, an official organization permitted in the ghettos. Dr. Max von Wyss, the ICRC delegate, had been able to supervise the distribution of some supplies, a matter of major importance at a
time when the Allied authorities would permit goods to be sent only if their distribution was to be supervised by the ICRC. Only where the Committee could exert some control, in labour camps and ghettos, or in certain Jewish communities, could goods get through. In addition, the War Refugee Board, created personally by President Roosevelt, gave a certain number of packages to the ICRC and obtained permission for some goods to pass the blockade and to be used for relief to concentration camps. In general, however, the Joint Relief Commission and the ICRC could purchase only in Europe. The goods, or the funds needed to purchase them, were supplied mainly by Jewish aid organizations, such as the World Jewish Congress, l'Union d'Œuvres de Secours aux Enfants in Geneva and above all the American Joint Distribution Committee (the “Joint”), whose representative in Switzerland, Saly Mayer, kept in close touch with the ICRC.

The Jews in Europe received some of the relief consignments from the Joint Relief Commission, the body for combined relief set up, as we have seen, by the ICRC and the League. In addition to providing relief to the civilian population in general, the Commission carried on a special operation for refugees, internees and deportees, a large proportion of them Jews. In fact, the Commission was able to send relief consignments directly to Jewish internment camps and ghettos. In the camps in southern France this relief operation, which went on in varying degrees all through the war, benefited foreign internees, chiefly Spaniards who had fled the civil war in Spain, Dutch and Belgians, also residents of northern France who had been forced to move south, and Czech and Polish soldiers and volunteer combatants of various nationalities. The groups included Jews transferred from Germany, who thus also benefited from the assistance. Moreover, through the agency of l'Union d'Œuvres de Secours aux Enfants, the Joint Relief Commission forwarded gifts from Jewish organizations in Switzerland for Jewish adults and children in France.

Relief was distributed by the delegates of the ICRC or of the Joint Relief Commission or, when possible, by local Jewish organizations. Among the beneficiaries were Jews in Croatia, through the Jüdische Kultusgemeinde and the ICRC delegate in Zagreb; those in Holland, through the Joodse Raad voor Amsterdam, and in Italy through the Union of Jewish Communities, Delasem; in Slovakia, through the Slovak Red Cross and the Ustredna Zidov in Bratislava; and in Yugoslavia through the Italian Red Cross in Ljubljana. The Joint Commission sent a consignment of medicines to the Riga ghetto, where typhus was raging.

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In Poland, the Joint Commission managed to provide some relief for the population under the General Government, and aid to the Jews at first formed part of this overall assistance, which was divided up among the various population groups in differing ratios. The supplies, which came from a number of associations for aid to Poland or from Jewish charities, National Red Cross Societies or the Apostolic Nunciature, were handed over by the local German Red Cross representatives to Jewish bodies such as the Jüdische Soziale Selbshilfe, which later became the Jüdische Unterstützungsstelle (JUS), and the philanthropic and medical society TOZ in Warsaw.

Individual parcels were also sent by the Joint Commission to Jews living in the region known as the General Government.

The distribution of relief by the JUS was halted on 1 December 1942. This was the date when the Reich Security Services (SD) resumed their operations against the ghettos in the General Government, which it was planned to evacuate by the end of the year. In Warsaw, this meant total repression. Confronted by the resistance of those in the “Jewish residential quarter”, the army and the Waffen-SS launched a drive on 19 April 1943 to occupy the entire ghetto. By 16 May, after four weeks of street fighting, the ghetto had disappeared: the inhabitants had been exterminated or deported and the Jewish quarter was just a heap of rubble.

Thereafter the activities of the JUS, though resumed between April and August 1943, were greatly diminished. Assistance was continued for a time by the Radna Gliówna Opiekunska (Polish central aid committee) but had virtually ceased by the end of the year.

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By this time the ICRC had realized that the principles to which it held and which had been conceived in different circumstances did not allow it to carry on any effective activities in favour of all the persecuted Jewish communities and that the material relief it sent, through its own channels or through the Joint Commission, was no more than a palliative in view of the fate awaiting these communities. It was no longer possible to refer to the traditional categories of victims, since the Jews did not belong to any of them. There was no demarcation line between those expelled from society by extraordinary measures, those deprived of their property, driven from the major cities and concentrated in ghettos, those sent to labour camps and those finally deported, and the various measures taken against them were frequently only stages in a journey taking them to destruction.
Moreover, a huge obstacle existed: the blockading powers would not permit the passage of goods intended for the civilian population in countries under German control, unless distribution was supervised by a neutral body. The ICRC had created an independent section in December 1942, to deal specifically with matters connected with the Jews. It was headed by Jean de Schwarzenberg, who was already responsible for the Special Assistance Division (DAS) providing relief to the concentration camps. In addition, the ICRC made special efforts in 1943 and 1944 to bring assistance to Jewish communities, but also to afford protection wherever the political system dominating most of Europe presented some sort of loophole, for the anti-semitic measures in the countries under the influence of the Third Reich varied in severity in proportion to the countries’ degree of autonomy. Consequently, the ICRC’s efforts, doomed to failure in one country, had a chance of succeeding in another. Its activities were therefore not of a general nature, like those in favour of POWs and internees, but were adapted, often by the local delegates, to current circumstances. The problem, as the ICRC tried to deal with it, covered sixteen States or territories:

— the Greater Reich, where the anti-semitic measures were harshest;
— the countries which had been invaded and were under military occupation: Denmark, Norway, Belgium, Luxembourg, the Netherlands, Yugoslavia and Greece;
— the territories placed under German administration: the General Government of Poland and the Protectorate of Bohemia-Moravia;
— the States formed from dismembered nations: Slovakia and Croatia;
— the States allied with Germany and under varying degrees of political and military pressure from it: Italy, Rumania, Hungary and Bulgaria.

In the Greater Reich, which included the annexed territories, the ICRC general representations concerning the Jews were considered inadmissible. The Jews could be aided only when they belonged to specific categories: POWs or civilian internees. Even so, most German Jews were not included. “In Berlin”, stated an internal ICRC report, “to mention the Jews was regarded as inadmissible and obliged the other party to break off the conversation. It was necessary to make more general approaches applying to all deportees.”

1 Report by Vaudaux, 22 May 1946.
In the west European countries under German military occupation the position was hardly better, since the governments there had very limited powers in the matter, which was in fact dealt with by the Reich Security Services. Apart from the aid provided by the Joint Relief Commission, the ICRC was able to send relief to camps of internees in France, Belgium, the Netherlands and Denmark. In France the ICRC delegates had succeeded, before the whole country was occupied, in visiting refugee camps in the southern zone containing thousands of Jews. Aid to Norway, most of which was considered as a military zone, was very limited, and Sweden provided most of the relief for Norwegian civilians. The only Norwegians the ICRC could help were those who had been deported to Germany, and that was not until the war had ended.

The work done by the Managing Commission for Relief to Greece in providing food throughout the war for Greeks in need has already been described. This equally benefited the Jewish population; but the occupation authorities would allow nothing to be done for their protection.

The third group of countries aided included the territories which formed the General Government (Poland) or a Protectorate (e.g., Bohemia-Moravia). These were administered by the Reich Security Services, making any protective activities impossible. Relief in Poland was organized by the Joint Relief Commission and the Special Assistance Division of the ICRC, chiefly in liaison with Jewish relief agencies. However, on several occasions the ICRC was able to send its representative, Dr. von Wyss, to Poland to distribute relief; but he was not authorized to deal with the Jewish problem as a whole nor to supervise directly the distribution of the proportion of relief set aside for the Jews.

The Protectorate of Bohemia-Moravia was also closed to the ICRC delegates. It contained no prisoner-of-war or internment camps. The Gestapo subjected the population to extreme measures, which reached their worst pitch after the assassination of Reinhard Heydrich, the Acting Protector of Bohemia, on 27 May 1942. Thousands of Czechs were executed or deported and whole villages—Lidice, Lezaky—destroyed. The Jews in the Protectorate were concentrated in Theresienstadt, a transit centre for deportation.

At the beginning of April 1945, the ICRC delegate Paul Dunant took up temporary residence in Prague while waiting permission to join his post in Theresienstadt; and on 30 April a new delegate, Willy

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1 See below, Section 9, pp. 604, 605.
Montandon, arrived in the Czech capital. By that time the war was almost at an end. In the last week of the war, Montandon tried, by encouraging contact between the German authorities and the Czech resistance forces, to protect the hospitals and the civilian population and to prevent the city's being destroyed. As in other capitals where the ICRC had delegations, its work, especially in relation to relief and the protection of the former occupation forces, continued after a national government had been restored.

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During the second half of 1942 the ICRC was doing its best to improve its relations with the Central European and Balkan States. Circumstances in these countries, it is true, tended to vary. Hungary and Rumania, allies of Germany, were at war with the USSR. Bulgaria, which had declared war on the British Commonwealth and the United States but not on Russia, was occupying part of Thrace and Eastern Macedonia. Slovakia and Croatia, stripped of any real independence of the Third Reich, were the scene of resistance operations. But in all these countries there were groups of prisoners of war, escapees, civilian internees, often stateless persons or persons belonging to poorly defined or recently annexed ethnic minorities for whom it seemed imperative to provide information and assistance. Moreover, the Jews in these countries were to differing degrees victims of discrimination, persecution or deportation.

In September 1942, at the request of the Joint Relief Commission, the ICRC appointed a delegate in Bucarest, Wladimir de Steiger, specially responsible for commercial affairs; for at that time the Commission could still buy goods in Rumania and Central Europe. In February 1943 the International Committee was authorized by the Government of Croatia to appoint a delegate, Julio Schmidlin. However, it wanted to be better represented in the Danubian States. On 10 March 1943, following a request from Mr. Saly Mayer, representative in Switzerland of the American Joint Distribution Committee, the ICRC asked one of its members, Colonel Edouard Chapuisat, to study ways of strengthening the ICRC delegations in the States of Central Europe and the Balkans. The study completed, the ICRC sent him, accompanied by a member of the Secretariat, David de Traz, on a special mission to that part of Europe. The two men travelled through Slovakia, Hungary, Rumania, Bulgaria and Croatia, in that order.
The Chapuisat-de Traz mission marked a significant stage in the ICRC's work in the countries of the Danube basin, where it was found that the ICRC was insufficiently represented and that the National Societies and sometimes the governments placed much hope in the Committee. Colonel Chapuisat reported that they were warmly welcomed wherever they went and that the mission had been regarded in many places "as a lifebelt and not an intrusion".

It remained to translate these feelings into facts. This was not always easy. The ICRC first considered extending the competence of some delegates to cover several countries, but finally preferred to keep a representative in each capital. The problems, as we said before, tended to vary from country to country, yet they had one common denominator, the persecution of the Jews.

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In Slovakia, the first anti-semitic measures had been put into effect in 1940 and 1941. Many Jews in Bratislava had been sent to labour camps. But from March 1942 onwards, under pressure from Heydrich, Jews in the labour camps were transferred to the camps in the east, chiefly to Auschwitz (Oswiecim). On 9 June 1942, the Slovak Red Cross wrote to the ICRC:

"Please note new regulations concerning Jews residing in Slovakia. Jews who are Slovak nationals are excluded from military service and instead are obliged, under Government Decree No. 198/41, Section 22, to enter the compulsory labour service. Slovakia has ordered that they be sent to labour camps in Slovakia or beyond the frontier to perform this service. To date, approximately 50,000 Jews of Slovak nationality have been placed at the service of the German military authorities and were probably sent to the General Government. Constitutional Law No. 68 of 15 May 1942 stipulates that expatriate Jews and those who have left Slovakia or leave it in future lose their right to Slovak nationality."

"Since, as a consequence of these regulations, we are no longer able to concern ourselves with their situation, we request the International Committee of the Red Cross to be good enough to take care of these people."

The ICRC, however, as we have seen, was unable to penetrate the barriers set up by the German authorities against bringing assistance

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1 See Gerald Reitlinger, "The Final Solution", New York, The Beechhurst Press, 1953, Ch. 15.
to Jews in the territory of the Reich and the occupied countries.Replying on 3 September to the Slovak Red Cross, the Committee stated how difficult it was to take the action requested:

“Our role, in fact, is normally that of a neutral intermediary between two or more adverse belligerent parties, whereas in the present case direct relations seem possible between the authorities concerned, Slovak and German. Nevertheless, we should take action were there any hope that our doing so would have some effect. Unfortunately it is not the case, as all we can do in the present circumstances is to notify the German Red Cross of the problem, and this Society has very recently replied to a letter of ours stating that it was not competent to deal with matters of this kind.”

The International Committee proposed to forward civilian messages, through the central Jewish bureau in Slovakia, to the Jews deported to Poland.

Appointing a delegate to Bratislava took some time. At first the ICRC considered asking its delegate in Sofia to represent it in Slovakia as well, but travel was too difficult and the situations in the two countries too different for this solution to be satisfactory. Finally, the Committee had to await a transit visa from the German authorities, who did not think that the presence of an ICRC delegate in Bratislava was necessary. It was not until 24 October 1944 that the delegate appointed to the post, Georges Dunand, arrived in the Slovak capital.

He realized immediately how critical the situation was. Following an uprising by a section of the population and of the Slovak army in August and September 1944, the Wehrmacht had entered Slovakia and the Reich Security Services inflicted very harsh measures of repression on partisans and Jews, many of whom had taken advantage of the rebellion to leave the camps and escape to the mountains and forests. Many thousands of Jews had already been arrested and deported. Those who had escaped arrest were ordered to report to Bratislava Town Hall on 20 November, but Georges Dunand noted that only about fifty obeyed.

All attempts to help the Jews appeared thenceforth doomed to fail or to be extremely slow in taking effect. When Dunand approached the SS commandant and the Hlinka Guard commander concerning the internees in the camp at Sered, the reply only confirmed the gravity of the situation:

“The order has been received to take to Germany ‘until the end of the war’ all Jews seized in Slovakia and it is extremely doubtful that
any exceptions will be made. The camp at Sered has thus become a transit camp."  

On 2 January 1945 Georges Dunand was received in audience by the President of the Slovak Republic, Monsignor Jozef Tiso, and handed him a letter from the ICRC President Max Huber. This described the requests and protests received from numerous sources concerning the detention and deportation of the Jews in Slovakia and requested Mgr Tiso personally to authorize ICRC visits to the internment camps and to end the measures in question. Max Huber wrote:  
"What we have learned appears so greatly to contradict the Christian feelings of the Slovak nation that we find it almost impossible to credit the information."  

In his reply, President Tiso outlined the history of the Jews in Czechoslovakia before and during the war and, while trying to explain the measures taken concerning them, stressed that his Government had made some exceptions in their favour:  
"Many Jews retaining their Slovak nationality have been able to continue their previous occupations when others have been restricted in their activities by the law, being now grouped together and working under their own management."

On the question of the deportations, President Tiso stated that he no longer had the power to intervene:  
"A turning-point in the affairs of the Jews in Slovakia came with the insurrection by partisans during the months of August, September and October 1944. Most of the Jews still at liberty left their place of work and those who had been grouped left their camps and joined the partisans, so putting themselves on the side of the enemy of the Slovak State.  
"In the fighting against the partisans, the German army became involved and since, for security reasons, it did not wish to leave enemy elements, real or hypothetical, in its rear, it deported not only many Jews but also a great number of Slovaks, military and civilian. The Slovak Government has protested but so far has not succeeded in obtaining the return of all these persons from Germany.  
"Finally, it must be admitted that when the Jewish problem was being resolved in Slovakia, some of the action taken was delicate on a personal level and the Slovak Government was sincerely anxious to prevent or mitigate action taken in certain cases. But it must be borne in mind that we are at war and faced ever more relentlessly with

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1 Georges Dunand to the ICRC, 4 December 1944.  
2 Max Huber to President Tiso, 15 December 1944.

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problems of a social or political nature in international and national relations."

The ICRC delegate, in the audience granted by the Head of State, had also proposed that the Slovak Government should obtain consent from the German authorities for Jewish children who could still be found to be placed together in a home under the protection of the ICRC. On 24 January 1944, Dunand had to report a negative reply:

"The Slovak Government forwarded my request of 2 January to the German Embassy. I was twice received by the Embassy’s Counsellor, Dr. Endrös, whose negative arguments did not differ from those I have frequently reported. During the second visit he informed me that the security services in Bratislava refused to make the slightest concession and were determined to liquidate completely the Jewish problem in Slovakia. Nevertheless, your delegate’s request has been forwarded to Berlin for a decision.

"I shall remind the Embassy of this matter in a few days’ time, but the conclusions to be drawn from this refusal and this procedure are obvious."

The delegate had managed to visit a few camps and make contacts enabling him to give some assistance to persons in danger. But he could not make official representations in favour of the Jews without running the risk of their being discovered by the Gestapo or the Hlinka Guard. The situation was rapidly deteriorating. The Jews previously held in the camp at Marianka, which the delegate found almost empty, had been transferred to Sered, under German administration, and were being steadily deported to Germany. Those who had taken refuge in the forests after the insurrection were driven by cold and snow to return to the valleys, where they fell into the hands of the German troops.

Georges Dunand wrote:

"A temporary solution for Jews, the only one possible, although extremely precarious and in the long term imposing great hardship, is to hide and constantly to change their hiding-place. This requires money to pay the entrance fee and the rent for the ‘bunker’ (often a cellar or the ruins of a bombed house), not to mention food, which they have to buy after dark and on the black market."²

Aware of the grave dangers threatening them and realizing that no attempts to help them would have rapid results—in general, it was the authorities in Berlin, in other words the Reich Security Services,

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¹ President Tiso to Max Huber, 10 January 1945, excerpts.
² Georges Dunand to the ICRC, 24 January 1944.
which made the decisions—Georges Dunand had no alternative but to make contact with the network organized by the Jews and to give them the relief supplies which the “Joint” provided to the ICRC.

In this way, the activities of the Bratislava delegate took on an exceptional character. He visited, protected and supplied the “bunkers”—apartments, cellars or attics made available to hunted Jewish families—to which he had access. He distributed letters of protection and managed to save a number of Jews from being arrested and deported.

All this would have been impossible without the support of other bodies, especially the Catholic religious communities and the consular representatives.1

The Slovak Red Cross had visited several camps and done its best to bring maximum relief, but its scope for action remained very restricted and by the end of 1944 had been reduced to almost nothing:

“The Slovak Red Cross is not permitted to help the Jews. Previously it could correspond with the central Jewish organization in Bratislava (Ustredna Zidov), now dissolved. There is no longer a recognized Jewish organization.”2

Notwithstanding these obstacles, several members of the Slovak Red Cross Management Committee kept in touch with the ICRC delegate and gave him considerable help.3

In Croatia the situation was no better. A large proportion of the Jewish population had been collected into labour camps or concentration camps, or deported to Upper Silesia. The ICRC meanwhile had sent a representative to Zagreb, Julio Schmidlin, who repeatedly made representations in favour of Jewish communities, as he did also for prisoners of war and partisans. He remained in touch with the Jewish community in Zagreb, which regularly received aid from the “Joint”, and he provided them with funds, food, clothing and medicines. In July 1944 he visited the labour camps. Finally, he intervened to secure the release of leaders of the Zagreb Jewish community and the restoration of its relief stores when these had been confiscated by the occupation authorities.

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1 Many Jews and war victims were effectively protected through the help provided by the Swiss Consul-General Max Graessli and his assistant and eventual successor Hans Keller.
2 Georges Dunand to the ICRC, 6 January 1945.
3 See Georges Dunand, Ne perdez pas leur trace, Editions de la Baconnière, Neuchâtel, 1950.
The fifth case is that of Jews in countries allied to the Axis Powers, with their own independent governments but, as the war continued, more and more subjected to German political and military domination.

In Italy the Jewish aid organizations, especially Delasem, had been capable in the first years of the war of bringing some relief to needy Jews and Jewish refugees and internees. After the fall of the Fascist regime the German forces took over the administration and many Jews were arrested or deported. The head of the ICRC delegation in Rome, Dr. de Salis, was able nevertheless to go on transferring funds for relief, and sometimes succeeded in helping detained Jews. When the armistice for the Italian front was signed and the Neo-Fascist Government set up, no further ICRC activity was possible in northern Italy. In the south, the Jews had been released.

Those in Rumania were likewise closely affected by the course of political and military events. The large resident Jewish population had been swelled by the addition of refugees—not all of them Jews—from the provinces ceded to neighbouring countries: Bessarabia and Northern Bukovina, Transylvania and Southern Dobrudja. The persecution of the Jews had reached a peak in 1940, from the time the extremist Iron Guard party entered the Government in September to the attempted coup d’etat in January 1941, and again after war had been declared on the USSR and Jews and Communists were arrested. Rumanian Jews, banned from administrative posts, their businesses nationalized, suffered great economic hardship and had been grouped into ghettos. Some Jewish communities had also been deported to the Ukraine as the German and Rumanian forces advanced into the Soviet Union, and had been resettled in camps or ghettos, with considerable loss of life. Edouard Chapuisat, a member of the International Committee, in May 1943 visited ghettos established at Tiraspol and Odessa, but was unable to visit the labour camps or the workers living outside them, whose conditions were much harsher.

During 1943, the ICRC delegate in Bucarest, Karl Kolb, was able to improve the assistance given to needy Jews, by means of goods bought locally and relief from the “Joint” and other Jewish aid organizations. Distribution was carried out by the Rumanian Red Cross and representatives of the Jewish communities. The ICRC delegate likewise took action in other areas, in particular the repatriation of Jews who had been sent to Transnistria.

On 23 August 1944 Rumania announced the end of hostilities with the USSR, the end of the state of war with the USA and Great Britain.
and the closure of all concentration camps. On 4 September the discriminatory laws were abolished. But there was great poverty throughout the population and material assistance continued to be provided well after the end of hostilities.

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Following the mission of Colonel Chapuisat and David de Traz in Central and Eastern Europe, the ICRC considered it necessary to establish a permanent delegation in Hungary. Once the Hungarian Government had assented, the Committee appointed Jean de Bavier, who reached Budapest on 29 October 1943.

In Hungary at that time there were camps of prisoners of war and civilian internees of various kinds. In them were American and British airmen, Frenchmen who had escaped from Germany (considered as civilians), Yugoslav internees, Polish troops and civilians—most of whom had sought refuge in Hungary when Poland was invaded by the USSR in 1940—Italians formerly belonging to the Royal forces, also considered to be civilians, Russian workers who had escaped from Germany, one camp full of Russian prisoners of war, and camps containing Hungarian and other Jews.

The ICRC delegate received permission to visit most categories of POWs and internees, including the Italian ex-soldiers (in Germany and the occupied territories the ICRC never received such permission) and the Russian workers who had got out of Germany.\(^1\) He does not appear to have had the opportunity to visit the one camp of Russian POWs in Hungary, before its occupants were sent to Germany.

For the Jewish population the ICRC delegate undertook relief work which as time went on gradually became a large-scale operation.

The Jews in Hungary were at that time not in the same danger as those in the territories of the Greater Reich, and as they were later when the Gestapo took charge directly of their elimination. The delegate's mission was primarily one of assistance. The ICRC wrote to him:

"These activities can be carried out only with the greatest discretion and should be limited to welfare work essentially for the purpose

\(^1\) French POWs who escaped from Germany were considered as civilian internees in a neutral country.
of bringing relief. No opening is to be provided for possible public protests or debates.”  

In addition, the ICRC still considered at this time that the internment of Jews of Hungarian nationality was a strictly internal matter, exclusively the responsibility of the Hungarian authorities, so that the ICRC had no call to act. Nevertheless, Jean de Bavier visited not only the camps of Jewish foreign or stateless internees but also, at the end of February 1944, a camp of interned Hungarian Jews.

He was also anxious to know what would happen to the Jews in Hungary if Germany intervened:

“... the fate of 800,000 Hungarian Jews living in Hungary. In view of what has happened in Germany and the occupied territories, it appears urgent for you to notify me in what way they might be protected so as to minimize the evils awaiting them.”

His concern was not without grounds. On 17 March, Regent Horthy was summoned to the Führer’s general headquarters and on 19 March the German forces invaded Hungary, imposing a new Government and a new policy. After that Jews, refugees and internees were unable to escape persecution. Under the supervision of the Gestapo, many hundreds of thousands of Jews were deported, mostly to Auschwitz, where the majority of them died. Those who were not deported or executed were subjected to the discrimination laws: dispossessed of their property, restricted in their employment, herded into ghettos.

News of the persecution soon reached other countries. On 26 June 1944, the World Jewish Congress announced the deportation and execution of the Jews of Hungary and declared: “The 800,000 Jews of Hungary, the largest remaining Jewish community in Europe, is now in the most imminent peril.” King Gustav of Sweden sent a telegram on 4 July to Admiral Horthy, summoning him in the name of humanity to use his influence to save the Hungarian Jews from further persecution. Max Huber wrote to the Regent on 5 July asking him to intervene to end the harsh measures taken in relation to the Jews:

“In the name of the International Committee of the Red Cross I would like to request Your Highness to give instructions enabling

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1 ICRC to de Bavier, 30 December 1943.
2 ICRC to de Bavier, 31 January 1944.
3 J. de Bavier to the ICRC, 18 February 1944.
4 See Gerald Reitlinger, op. cit., Ch. 16.
us to reply to these rumours and accusations. At the same time, we would like to beg the Royal Hungarian Government, in the name of the principles which the International Committee has always safeguarded and of the great humanitarian tradition of your country, to do everything possible to prevent the slightest chance of anything which could give rise to such monstrous rumours.”

To this request, Regent Horthy could only reply that he too was no longer in a position to intervene:

“Unfortunately it is not in my power to prevent inhuman acts, which no-one condemns more severely than my people, chivalrous in thought and feeling. I have given orders to the Hungarian Government to take charge of the settlement of the Jewish question in Budapest. It is to be hoped that this statement will not cause grave complications.”

During this time, the ICRC delegate Friedrich Born, who took up his post in Budapest in May 1944, was making urgent representations in favour of Jews and of prisoners of war. With the help of the delegate Weyermann, he created a large service comprising as many as 250 Hungarian helpers working in many areas: protection of Jews, assistance, transport of goods, protection of children, aid to Polish internees, assistance to British and American POWs and Yugoslav, French and Italian internees, visit to a camp of Russian POWs. A doctors’ committee was also created under the auspices of the ICRC delegation, which placed hospitals and clinics under its protection. Notices were posted in camps and houses where Jews were interned, conferring ICRC protection on them. The ICRC also acted as intermediary between the Allied States and Budapest concerning Jewish emigration to Palestine, which had been halted in March.

But the coup d’etat of 15 October 1944 put an end to the few concessions allowed by the authorities. Following the proposal for an armistice broadcast by Regent Horthy, the extremist Arrow Cross party took power and the Regent was deported the same day to Germany. The ICRC delegate described the situation:

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1 Regent Horthy to President Max Huber, 12 August 1944.
2 There were 3,000 Polish military internees in Hungary in 1944, with an equal number of interned civilians. The ICRC delegate wrote, “The Hungarian Government shows for the Polish refugees sympathy of a kind to make their fate more tolerable”. As a result of the German forces entering Hungary, the situation of the Polish internees and of Polish colonies in the country sharply deteriorated, and many Poles were deported. Born, requested by the Hungarian Government to take care of Polish interests in Hungary, created in his delegation a Polish section responsible in particular for sending funds to Poles and procuring official papers for them.
“A wave of arrests struck the whole country and the capital. On the basis of lists drawn up long before, all leading business and political figures were thrown into prison for later deportation to Germany. This was the fate of all those who had opposed the aspirations and ambitions of the current rulers or who had in some way or other offended them.”¹

The changeover was also the signal for increased persecution of the Jews, who were deported, concentrated in ghettos, massacred, requisitioned for forced labour. The ICRC delegate did what he could to help those in danger. He protested against the brutal treatment of Jews, obtained a decree from the Ministry of the Interior forbidding looting, gave asylum to members of the Jewish Senate in Budapest and on 29 October he obtained the right of extra-territoriality for the buildings occupied by the ICRC delegation. He organized food supplies to the ghetto, health examinations and accommodation for children, worked with the Swedish Legation and the Swiss Consulate in their protection activities and took part in the operation led by the bishop of Győr to take food to the columns of deported Jews with no resources, heading for the Austrian frontier.²

“The party representatives decided cursorily whether the men were capable of walking or not. Only obvious invalids or the paralysed were recognized as incapable, or those who arrived at the brickworks already in a state of collapse. After one to three days’ wait, the columns of march formed up and headed west. During this waiting period the people concerned received no food apart from that given by the International Committee of the Red Cross. The courageous behaviour of the ‘transport group’ attached to the delegation at that time saved the lives of thousands. The delegation’s doctors also repeatedly visited this camp of sorrows, handing out medicines and helping wherever it was feasible. Some inhabitants of the camp were sleeping out in the open in the damp and the cold, and deaths were fairly numerous, some being caused by the guards. Information was received at the time that on the way to the frontier there were about 7 deaths a day in each group. If the police held an inquiry, the accused was ‘a person unknown’ and the victim was said to have been ‘killed while attempting to escape’.

“The number of persons taken away from the brickworks at Altofeuer between 9 and 19 November totalled about 25,000, ap-

² The Swiss Consul, Charles Lutz, played an essential role in the protection of Jews in Hungary.
proximately 70% of them women. In the same period about 15,000 more persons from the Kommandantur of the Budapest fortress were marched off in the same way... The last groups, numbering about 7,000 men, managed to return to Budapest, thanks to the help of the delegation’s transport group.”¹

Bulgarian Jews were not subjected to the violence and deportation suffered by their fellow Jews in the other Balkan countries. Nevertheless they were the object of discriminatory measures, obliged to wear the yellow star and to leave the capital, deprived of their property. The Government, moreover, did not oppose their emigration; but it was difficult for them to leave the country, especially since the German forces occupied Eastern Thrace, along the Turkish frontier, and would not allow them to pass through. What hit them hardest was economic hardship. The ICRC, represented in Sofia from January 1944 by Major Henry, could not get the authorities to accept assistance from the American Joint Distribution Committee, their view being that the Jewish population was treated in the same way as other Bulgarians and that relief consignments would cause protests and difficulties in distribution. This attitude seems to have changed in May 1944 when the Bagrianov Government was formed in an attempt to break free of German pressure and to move closer to the Allies. But before the ICRC’s efforts could succeed the racial laws were abolished on 28 August and the cease-fire was announced on 9 September.² On that date, the revolutionary Patriotic Front movement took power, and thenceforward the ICRC and the Joint Relief Commission were able to send several consignments of relief to Bulgaria in addition to other Central European and Balkan States, in liaison with the authorities, the National Red Cross Societies and the major post-war relief agencies.

9. The concentration camps

In the battle it has been waging since its foundation to protect the victims of war, the ICRC has two principal means of action: the humanitarian Conventions, and its right to take initiative. The first enables it to draw the attention of States to the legal standards in force, while the second allows it, indeed encourages it, to innovate in

² Bulgaria had declared war on Great Britain and the United States but not on the USSR, which declared war on Bulgaria on 5 September 1944.
areas not covered by the Conventions and, by the precedents thus created, contribute to their incorporation into actual law.

However, initiative taken by the International Committee has no binding force and is at times considered as interference in a State's internal affairs. That is presumably why the Committee prefers to advance by stages and, by consolidating one well-defined territory before moving on to others in which its competence has not yet been acknowledged, to avoid compromising what it has gained. If a coloured map were to be drawn, military fashion, showing the victories the ICRC has achieved or promoted in the field of humanitarian law, the first part to be coloured would be that of protection for the wounded and sick in armed forces in the field. Soon after that would come protection of the wounded, sick and shipwrecked in war at sea, followed by that of prisoners of war. A vaguely outlined zone, the subject of conference resolutions, would represent protection of the victims of non-international conflicts. A further category would have been, in 1939, civilians of enemy nationality, had not the outbreak of the Second World War delayed the conclusion of a convention which would have protected them.

Notwithstanding the absence of such a convention, the ICRC obtained agreement from the belligerents at the start of the war to extend to civilian internees the rules for the treatment of prisoners of war which could be applied to them, so that our imaginary map would have included all non-combatants, and persons no longer combatant but held in captivity.

Yet over the years the situation had changed. The criteria specifying the persons protected by the Conventions—membership of the armed forces, nationality of a belligerent country—had become blurred. Some people were no longer protected by their own governments, which prosecuted and persecuted them because of their ideology, opinions, religion or race. Whole nations were suddenly deprived of nationhood by annexation, occupation or the installation of puppet governments. Hostages, deportees and those detained for security reasons were left helpless at the mercy of the detaining State; the humanitarian Conventions were made inoperative by a preconceived system which, on the pretext of State security, placed such persons out of their reach in a zone devoid of law. Even reciprocity, the final resort in the absence of Conventions, lost its force in relations between individual and State. The expression "concentration camp", which up to the Second World War had been used to describe any internment camp, then took on the sinister meaning of extermination camp.
Faced with these new circumstances unaffected by traditional law, the ICRC appeared helpless. Before the war began it had tried to gain access to concentration camps and, as we have described, it succeeded three times in 1935 and once in 1938. But the experience was not conclusive. The visits were allowed out of courtesy and in conditions which limited their efficacy. In addition, most of the internees at that time were nationals detained by their own government. The ICRC therefore encountered the double barrier of national sovereignty and State security, a barrier which no government ever raised completely for the Committee.

Although unable to get inside the concentration camps, the ICRC could at least attempt to remove from them the categories of internees already protected under one of the international Conventions or a multilateral agreement: prisoners of war deprived of their status (for example, former combatants in the Spanish civil war captured in France); former POWs of annexed States; officers who had been released and re-arrested (such as the Dutch, Polish, Czech and Serbian officers); civilians interned by way of reprisals; the families, wives and children of suspected persons. In short, what it tried to do, again by stages, was to have removed from the camps every group which could be saved from the arbitrary power of the detaining authority, and so achieve its final aim of affording all detainees at least a minimum of protection. The Committee could also, without openly flouting the detaining authorities' requirements, reach the detainees in other ways: through requests for news, by forwarding correspondence and by sending relief. These patient methods had in their favour the fact that they gradually opened up new areas of protection and progressed without compromising the old. However, they required time, they led the ICRC to keep silent concerning its efforts to ameliorate the condition of the deportees, and so failed to win the sympathy of the general public, which often took silence for indifference and patience for inaction.

In reporting its activities in favour of detainees in the concentration camps, the ICRC distinguishes four phases of action. The first, from the start of the war to the spring of 1940, was marked by the Committee's general efforts to get the belligerent Powers to agree to the temporary adoption of the Tokyo Draft. The second, from 1940 to January 1943, corresponded to the occupation of most of Europe by the Axis Powers. In the third phase, from February 1943 to January 1945, the ICRC attempted to mitigate the sufferings of the

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1 See pp. 291, 292.
detainees by undertaking practical and local activities. The fourth phase, from February 1945 to the end of the war in Europe “was distinguished by major concessions granted by the German Government during the last three months of the war, particularly through agreements concluded in Germany by the President of the International Committee of the Red Cross. Under those agreements, concentration camps were opened for the first time to the Committee’s delegates”.¹

In the first phase the ICRC did all it could to ensure some protection for civilian internees. As we have said, it did this by referring to the Tokyo Draft or by obtaining for them, taking into account their civilian status, the protection of the Geneva Convention of 27 July 1929. Its proposals were favourably received by the belligerent Powers, at least in relation to civilians of enemy nationality within their territory. The same was not true, however, for civilians of enemy nationality in occupied territory. Nevertheless, the German Government gave assurances on this subject which seemed encouraging. It stated its willingness to discuss the conclusion of a Convention for the protection of civilians, on the basis of the Tokyo Draft, adding that civilian detainees were treated in the same way as prisoners of war, that visits to the internment camps, correspondence and relief consignments would be authorized, that civilian internees were in establishments under army control and that lists of their names were held in the same agency as that for POWs. The German authorities also proposed that civilians who wished to do so might return to their own countries provided there was a reciprocal arrangement.²

These arrangements, however, applied only to civilian internees of enemy nationality under army control. And what of those in the hands of the police? Or those who, because their country had been annexed or subjected to a General Government, had lost their nationality? During an examination of this question, Mrs. Frick-Cramer proposed that a member of the Committee should be made responsible for studying whether representations in favour of internees in the concentration camps—for example, the teachers and university staff arrested in Cracow—were feasible and appropriate, particularly in relation to material relief:

² This oral reply from the Reich Ministry of External Affairs to the letter from the ICRC, dated 2 September 1939, was forwarded by the ICRC delegation in Berlin on 28 September 1939.
“The International Committee has never abandoned its claim to be competent to work for political prisoners when they need material help. But obviously the matter is a delicate one and the negotiators must be given complete freedom of action.”

Following the German offensive in May 1940, the situation changed rapidly. Norway and Denmark, Holland, Belgium, Luxembourg and part of France, then Yugoslavia and Greece—in addition to Poland and Czechoslovakia—were occupied by the German forces. So, even for civilian internees, there was no longer any question of reciprocity and no possibility of exchanging civilians between the countries concerned. Furthermore, the position of civilians arrested in occupied territories—for which provision had been included in Section III of the Tokyo Draft—had not been clearly defined. It was to be feared, justifiably, that they might be summarily arrested or deported.

In this period the ICRC had no information about concentration camps other than what it had gathered before the war. Its attention, and that of the belligerent nations, had been focussed chiefly on the conditions of prisoners of war and civilian internees. Yet in August 1940 two of its delegates, Dr. Descoeudres and Dr. Marti, had occasion to visit the camp at Buchenwald. They went there, in fact, to see Dutch civilians interned there—most of them of Indonesian origin—and housed in huts within the enclosure, although they themselves were not deportees. The delegates had been permitted to make a “technical” visit to inspect the concentration camp installations, without the right to talk to the detainees; and their report demonstrates once again how inconclusive are visits made under such restrictions. They did note the striking contrast between the camp installations—up-to-date and spotlessly clean—and the automatism, the dazed and apathetic behaviour of the inmates, and the rigidity and apparent terror with which the least order was obeyed. “As we left the camp and the comfort of the officers’ mess and quarters, built entirely by this unpaid labour force”, wrote Dr. Descoeudres, “we were mulling over some very strange thoughts in our minds.”

This visit gave the ICRC the opportunity to re-examine its position concerning the concentration camps. On 5 August 1940 it had written to the Auswärtiges Amt proposing that an agreement be concluded between the belligerents “for the repatriation of certain groups of civilians, primarily those of enemy nationality detained for motives other than national security”. This proposal, therefore, did not

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1 Her note to President Huber, 22 February 1940.
extend to persons held for reasons of security. But the ICRC had also discovered that Mauthausen camp contained Spaniards formerly held in prisoner-of-war camps, and it had asked for an explanation.\(^1\)

The Committee had asked the German authorities for these internees to be allowed to write to their families and receive parcels, and for deaths among them to be notified. In August 1941 it was informed that the Spaniards, considered as political detainees, were in fact in Mauthausen, but that the camp was a concentration camp and therefore the sending of parcels and the exchange of letters was prohibited. Further representations to the German Red Cross came to nothing; the National Society intimated to the ICRC that it was no longer in a position, for technical reasons and owing to the increase in its work, to give replies concerning the *Schutzhaftlinge* (persons in preventive detention) and asked the Committee to suspend all such inquiries for the duration of the war except in very special cases, when it would do everything possible.

This episode illustrates the ICRC’s lack of resources in this respect. The Committee was trying to prevent persons protected under the Conventions from being arbitrarily deprived of their rights but, as its President Max Huber pointed out, there was no question of extending the treatment given to civilian internees, itself based on that for prisoners of war, to yet another, third category of persons:

> “But a very grave fact in the Committee’s view is the transfer of prisoners of war or internees to a lower category, since it would be possible in this way to deprive a certain category of prisoners of the rights recognized as being due to them.”\(^2\)

On 19 September the matter was again debated; Miss Ferrière said:

> “We had many inquiries concerning German Jews and particularly civilians of enemy nationality (British, Dutch, Belgian, etc.) who found they were considered as civilian internees and who were transferred to the category of political detainees, which meant that they were cut off from the rest of the world. The principle of interning foreign nationals as political detainees was inadmissible and we should request exception to be made in relation to such persons.”\(^3\)

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1 They were Spanish Republicans who had been interned in France at the end of the war in Spain, then incorporated into labour corps and attached to French army engineering units to build fortifications. Several thousand of them had been captured at Dunkirk in June 1940. At first they were split up between Stalag VIII C (Sagan, Upper Silesia) and the camp at Mauthausen. In September 1940 the Spanish POWs from Stalag VIII C were assembled by the Gestapo and sent to Trier and other Stalags then, in successive convoys, to Mauthausen and Gusen.

2 Co-ordination Commission, 16 September 1941.

3 Co-ordination Commission, 19 September 1941.
The ICRC then decided to approach the head of external relations of the German Red Cross, Mr. Hartmann, who was in Geneva on 26 September 1941 and to write to the Auswärtiges Amt. But the German Red Cross was by now completely by-passed. Moreover, concentration-camp detainees did not come under the Ministry of Foreign Affairs but the Ministry of the Interior, which in fact meant the Gestapo. Again and again, therefore, the ICRC ran into the same obstacles. The Ministry of Foreign Affairs declared its willingness to study how the interned members of a family could be kept together and, with regard to the British civilians, stated that “it had always been concerned to mitigate as far as possible the internment regulations by not separating mothers from their infants or fathers from their sons”.\(^1\) But the Ministry was referring to civilian internees within the meaning of the Conventions, and not to deportees. As for the German Red Cross, it informed the International Committee that the authorities refused to give it any information concerning non-Aryans who might have been evacuated from the occupied territories, and asked the ICRC not to send it inquiries it was unable to deal with. In future, it stated, it would be in a position to make inquiries only on non-Aryans of foreign nationality within the territory of the Reich.\(^2\)

What the ICRC did not know at that time was that the gates of the concentration camps had been deliberately shut for all time on the deportees, or at least certain categories among them. Hitler’s decree of 7 December 1941, known as the Nacht und Nebel Erlass (“Night and Fog Decree”), laid down very severe punishments for those accused of crimes against the state and forbade any information to be given concerning the fate of persons arrested:

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Secret

The Leader and Supreme Commander of the Army

Directives

for the prosecution of those guilty of crimes
against the Reich or the occupying Power
in the occupied territories
7 December 1941
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\(^1\) Auswärtiges Amt to the ICRC, 12 March 1942.
\(^2\) German Red Cross to ICRC, 29 April 1942.
In the occupied territories, from the beginning of the campaign against Russia, Communist elements and other anti-German groups have redoubled their acts of violence against the Reich and the occupying Power. The extent and gravity of their activities make it necessary, for deterrent purposes, to take the most rigorous measures against the guilty parties. First and foremost, the following directives should be observed:

I

Within the occupied territories, crimes committed by non-German civilians against the Reich or the occupying Power and of a nature to endanger its security or fighting ability should in principle carry the death penalty.

II

The crimes mentioned in Section I shall not in principle be judged within the occupied territories unless it appears probable that the death penalty will be carried out, at least on the ringleaders, and that the judicial procedure and implementation of the sentence can be carried out with great rapidity. Otherwise those accused, at least the principal accused, shall be transferred to Germany.

III

Accused persons transferred to Germany shall not be subject to trial according to wartime procedures unless military interests so require.

Inquiries from German and foreign services concerning the accused should be told that the latter are under arrest and that the state of the legal procedure does not allow any further communication to be made.

IV

Commanders in the occupied territories and legal personnel, within the limits of their competence, are personally responsible for the implementation of the present decree.

V

The Chief of the Army General Staff shall determine in which of the occupied territories the present decree should be enforced. He is
authorized to give explanations, to issue orders for execution and additional instructions. The Reich Minister of Justice shall make implementation orders arising out of his office.

By order
Commander in Chief of the Army
KEITEL

In the implementation order of 12 December 1941, Marshal Keitel listed the crimes envisaged under Section I of the Directives of 7 December, ordered the legal procedure and the application of the death penalty to be as rapid as possible (in principle, one week after capture) and re-emphasized the importance of secrecy: “The Führer’s viewpoint is that if these offences are punished with imprisonment, even with hard labour for life, this will be looked upon as a sign of weakness. Efficient intimidation can only be achieved either by capital punishment or by measures by which the relatives of the criminal and the population do not know his fate. Transfer to Germany serves this purpose.”

These decisions did not apply to all concentration-camp detainees, who were divided into various categories; but the contagion of evil, the fear of showing what the order of 12 December described as “a sign of weakness”, incited those in charge to refuse to give any information whatever.

Nevertheless, the ICRC continued to send requests for information to the German authorities, hoping that a crack would appear in the wall of silence. On 20 May 1942 it wrote asking the Ministry of Foreign Affairs to send lists of names of the civilian internees from the camps at Drancy, Compiègne and in North Africa who had been deported to Germany, to add their places of detention and addresses to which parcels could be sent and to state whether they were allowed to send and receive letters. The request remained unanswered.

The German Red Cross was then approached once more on the subject of hostages and the deportation of Dutch civilians in 1942. President Max Huber wrote on 1 June to Dr. Grawitz, Acting President of the German Red Cross, a long memorandum in which, while

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1 Attempts on the lives of persons; espionage; sabotage; Communist activities; crimes likely to cause disturbances; activities in favour of the enemy, such as the secret conveyance of individuals, attempts to join the ranks of an enemy army, support for the members of an enemy army (parachutists, etc.) or the carrying of unauthorized weapons.
discussing the particular case of the internees in the camp at s’Her-
togenbosch, he referred to the more general matter of the treatment
of hostages:

"We have learnt from various newspapers that many persons have
recently been taken as hostages in the Netherlands; furthermore, it
would appear that the transfer of Dutch hostages interned in s’Her-
togenbosch Camp, where they are living in relatively tolerable condi­
tions, to another camp (St Michiels) is under consideration.

“The International Committee of the Red Cross cannot remain in­
different to this news. I do not propose to deal here with the general
humanitarian aspect of this problem. We are convinced that the Ger­
man authorities do not lightly resort to such serious measures, and
that they decide to do so only when the gravity of the offences or the
attacks against the Wehrmacht call for the severest punishment. I
would only refer here to the document known as the Tokyo Draft
(XVth International Conference of the Red Cross, 1934), and in par­
ticular to the following passage:

“In the event of it appearing, in an exceptional case, indispensable
for an occupying Power to take hostages, the latter shall always be
reated humanely. Under no pretext shall they be put to death or
mitted to corporal punishments.”

“This paragraph in the Tokyo Draft—which admittedly has not
entered into force—is based on Article 50 of the Hague Regulations
respecting the laws and customs of war, prohibiting the infliction of
general penalties upon the population of occupied territory on ac­
count of the acts of individuals for which the population cannot be
regarded as responsible.”

In addition, Max Huber stressed that such measures might “ag­
grave the general situation, and (...) have unfavourable repercus­
sions on German citizens abroad”:

“You are aware of the large number of ICRC delegations in
almost every country in the world and of the heavy expenses which
we can meet only with the greatest difficulty. Our desire is that our
worldwide organization may continue to serve your countrymen in
enemy countries, but I cannot conceal from you my fear that our ef­
forts may be seriously jeopardized if the results obtained so far are
not reflected within the German Reich in the sense indicated above.
(...)"

“I am sure that, as in the past, you will demonstrate your
 customary understanding of our very special position between
belligerents, a position which largely depends on the application of
the principle of reciprocity.”

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In his reply, the Acting President of the German Red Cross, while assuring the ICRC President that he shared the thoughts and concern underlying the Committee's role as intermediary and moderator in relation to the incidents in Holland, emphasized that retaliatory measures against German civilian internees would be contrary to the intended purpose:

"Your apprehensions seem to me to be entirely justified, even though the consequences you fear are not likely to affect our own nationals adversely.

"Although my own findings regarding the questions with which we are concerned do not allow me, at the present moment, to reply in a manner satisfactory to all, I nevertheless share your hope that any deterioration in the situation of my countrymen, now or later, will be avoided, as such measures always lead to reprisals, and all the more so as a distinction must, after all, be made between the requirements with which the German authorities are confronted in occupied territories such as the Netherlands and the attitude towards civilian internees for whom the agreements provide a specific system of treatment."

He concluded by declining the proposal to approach the competent authorities: "We are grateful to the International Committee of the Red Cross for every improvement, however slight, which its untiring efforts have procured for detainees. You will therefore understand how deeply I regret that, precisely in this matter, I cannot offer any effective mediation by the German Red Cross with regard to the incidents referred to in your letter. Please be convinced that only the most compelling military requirements could have made the competent authorities act as they did, and that for the moment it is impossible to invoke even certain principles which lie close to our hearts." ¹

¹ Dr. Grawitz to President Max Huber, 7 July 1942 (original German). This ICRC effort, unfortunately, was doomed to failure from the outset. Only after the war was it known that Dr. Grawitz, in fact, was head of the SS and police doctors (Reichsarzt-SS und Polizei), with the rank of Gruppenführer. In this capacity, he incurred grave responsibilities in the conduct of pseudo-medical experiments on concentration-camp detainees. As he committed suicide before the Soviet Army entered Berlin, he was not one of those charged and committed for trial at Nuremberg. The documents presented at these trials and published in the proceedings revealed Grawitz's role in these experiments. (See in particular Trial of Major War Criminals, Proceedings of the International Military Tribunal sitting at Nuremberg, London, 1946-1951; Trials of War Criminals before the Nuremberg Military Tribunals, Nuremberg, October 1946-April 1949, Vol. I ("The Medical Case"; Wissenschaft ohne Menschlichkeit (later changed to Medizin ohne Menschlichkeit), Dokumente des Nürnberger Arzteprozesses, published and annotated by A. Mitscherlich and F. Mielke, Verlag Lambert Schneider, Heidelberg, 1949.)
The ICRC’s inquiries thus continued to meet with rejections. Informed by the Polish Red Cross of several thousand Polish reserve officers who were to be treated “as prisoners of war and at the same time as hostages”, the ICRC instructed its delegation to make representations to the OKW. The POW Bureau of the OKW replied that it had no knowledge that officers of the Polish reserve had been arrested and interned in camps as prisoners of war; it added that such arrests might well have been made by the Gestapo, in which case the Poles could in no way be considered as prisoners of war.

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It therefore seemed that none of the usual bodies to which the ICRC was accustomed to address its inquiries—the POW Bureau of the OKW, the Ministry of Foreign Affairs, the National Red Cross Society—was in a position to intervene effectively with the Reich central security office, which was absolute master in relation to deportation. The answers received by the ICRC delegation in Berlin on the subject were negative or dilatory. The world of the deportees remained closed to any form of inquiry or action.

Commenting on this phase of its activities, the ICRC reported:

“Its means at its disposal to carry out investigations were scant; its concern not to jeopardize its activities under the Conventions, and its principle always to act openly, prevented it from having recourse to underground methods of inquiry. In addition, experience soon showed that it had to give up its official overtures which were causing some irritation by encroaching on a field where it did not have the backing of any international law. To belabour a sore point was to incur the risk that doors which were open to its delegates would be closed. It can well be imagined that the situation was extremely complicated, delicate, and fraught with difficulties.”

Nevertheless, perhaps hoping to discover a point of least resistance, the ICRC continued to knock on the same doors. But on 20 August 1942 the German Red Cross confirmed its inability to give information on non-Aryan detainees in any country occupied by the Wehrmacht, adding that the competent authorities refused to provide information on the other civilians detained in those territories. On 24 August, attempting as always to extend its protective action by constant efforts to wear down opposition, the ICRC sent to the Ger-

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man Consul in Geneva four notes relating to various categories of internees or prisoners with insufficient or no protection:
— prisoners of war and civilian internees in occupied countries with no Protecting Power;
— the Spanish prisoners of war interned in Mauthausen;
— prisoners of war in military or civilian prisons;
— the Dutch officers who had been released and then re-interned in Stalag 371 at Stanislau.¹

Finally, on 24 September, the ICRC instructed its Berlin delegation to make further approaches to the Ministry of Foreign Affairs, requesting information on the place of residence of persons “placed under arrest, imprisoned or deported outside the country”, permission to establish a system of correspondence on printed forms, and the right to send relief to the persons concerned and to visit them. The delegation reported to the ICRC on 22 December 1942 the refusal of the Auswärtiges Amt. The Ministry found it impossible to reply to inquiries concerning the deportees. The most the ICRC could obtain were a few concessions, whether genuine or merely formal, in favour of certain groups of detainees: it was informed that some Frenchmen interned by error in the Mauthausen camp had been sent to POW camps. But referring to the Spanish prisoners in Mauthausen the Berlin delegation wrote that there was every reason to think “that its representations in their favour will not be successful”.² The delegation also told the ICRC that, according to the OKW, the Norwegian officers placed in preventive detention on 12 January 1942, after the British attack in Trondheim fjord, were treated as prisoners of war; that the OKW knew nothing about the internment of Belgian airmen and army officers in Belgium; that the 2,020 Dutchmen held in Stanislau, although arrested by the police, were still under the protection of the 1929 Convention; that the Yugoslavs in preventive detention were treated as POWs, while the Poles arrested by the Gestapo were not considered as such.

So even if the ICRC occasionally managed to save small groups from deportation, there still remained a hard core of concentration-camp inmates who were shut off from all attempts to assist them and whom the ICRC had no way of reaching.

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¹ Now Ivano-Frankovsk in the USSR.
² Dr. Marti to the ICRC, 21 November 1942.
At this time, therefore—early in 1943—the ICRC realized that direct methods, drawing upon official information, would never bring aid to the deportees. It then embarked on another course of action consisting of sending relief in such a way as might produce the information it needed. This was the third phase of its activities.

The process was far from easy. To send parcels, it was first of all necessary to have goods or funds available; after that, there had to be an address; to continue the relief, reception had to be acknowledged. However, the ICRC received no lists of detainees in concentration camps. The Allies lifted the blockade only for goods sent to prisoners of war, civilian internees and some sections of the civilian population provided the ICRC supervised distribution and to the neutral States provided such goods were not re-exported. With no means of checking, no lists, no receipts, the ICRC would have to rely solely on the limited resources available in Europe, until special gifts made it possible greatly to increase consignments to the camps.

From 1942 onwards, certain deportees had been allowed to receive parcels from relatives, but the authorization had not extended to aid from the ICRC. It was not until the beginning of 1943 that the ICRC learned from its delegation in Berlin that the Reich Ministry of Foreign Affairs was permitting the dispatch of individual parcels, by the ICRC or the National Red Cross Societies, to deportees whose names and addresses were known by these bodies.

But the names and addresses were precisely what were lacking. The International Committee had been able to gather a few details on the basis of various documents: requests from families, information extracted from camp commanders, lists supplied by released or escaped detainees. In addition, the Norwegian Red Cross had sent the Committee, in April 1943, a list of 250 Norwegian POWs to whom parcels had been sent in the name of their Government, through the Swedish Red Cross. In all, the ICRC had a few thousand names, though not all the addresses were verified; and some of the persons listed might have died. The Committee then decided to use another procedure. Rather than trying to collect information in order to send relief, it could send relief in order to acquire information. And so, to keep track of the distribution of the parcels, and to comply with the conditions laid down by the blockading Powers—it attached to each parcel a receipt form which the addressee was to return to the ICRC.

The first trial consignment went off in July 1943. To the ICRC’s surprise, a number of receipts came back signed by the addressee. Jean de Schwarzenberg, specially responsible for questions relating
to the concentration camps, drew the relevant conclusions in an internal note dated 11 August 1943:

"We made a test of the system, which succeeded beyond our hopes. Thanks to our approaches to various authorities in Germany, we received more than 30 receipts for 50 parcels dispatched, a high percentage, the more so as the addresses we had were fairly old and might no longer have been valid.

"This success makes it possible for us to approach the authorities in London and Washington, suggesting they authorize the regular distribution of standard parcels from overseas and agree to be satisfied with checking the receipts, since it seems impossible to obtain any other form of verification from the German authorities."

Meanwhile, without waiting for food supplies to be guaranteed, the ICRC went on sending the parcels. Frequently the receipts returned bore not only the signature of the addressee but the names of several fellow-captives. So each relief consignment brought an "echo"—and new addresses to Geneva. It was a kind of welfare radar for piercing the darkness of the camps and discovering lost men and women. A special service was created to expand these operations, the Concentration Camp Parcel Service (called Service CCC), attached early in 1944 to the Special Assistance Division.¹ During the summer of 1944 the ICRC added the dispatch of collective consignments, in spite of the fact that verification of their receipt was less effective than for the individual parcels and that it had not received official consent from the German authorities to send this type of relief. During the year the Committee was given goods by the War Refugee Board and soon afterwards from many Jewish aid organizations, among them the American Joint Distribution Committee and the World Jewish Congress. The total number of parcels sent by the ICRC to civilian detainees and deportees in the German concentration camps was 1,631,000, representing 6,836 tonnes of goods; of these parcels, 1,112,000 were dispatched between November 1944 and May 1945.²

To prove these consignments had been distributed, the ICRC had only the receipts which were returned and, on rare occasions, the testimony of deportees. By waiving its control requirements for this exceptional operation, the Committee knew that a considerable pro-

¹ The Special Assistance Division (DAS) was responsible for aid to civilian detainees and deportees in the concentration camps, in labour detachments (Arbeitskommando) and in the ghettos turned into closed camps in Germany and the occupied countries.

portion of the relief supplies were lost. Some, especially in the collective consignments, were not distributed but kept by the camp authorities. Moreover, the parcels distributed had often been opened and emptied of part of their contents at each level of the hierarchy it passed through on its way to the addressee. At least the International Committee received reports from deportees showing that the food which did arrive at its destination was of inestimable value, sometimes saving them from starvation or disease. Another beneficial aspect was the acquisition of several tens of thousands of names and addresses of deportees—56,000 by 1 March 1945, 105,300 by the end of the war.

But these operations, however effective they may have been, made no breach in the fortress of the concentration camps. During 1943 and 1944 the situation had greatly worsened. Accounts by released or escaped detainees revealed systematic methods of extermination almost impossible to imagine: ill-treatment to the point of torture, under-nourishment, gas chambers, cremation ovens, pseudo-medical experiments on deportees. Yet when the camps were opened after the fall of the Third Reich it was found that these accounts had in no way exaggerated.

In 1944, although they had no access to the camps, the ICRC delegates tried to make contact with the commandants. They were received by the commandants of Ravensbrück, Oranienburg, Dachau, Natzweiler, Buchenwald and Flossenbürg and were able to discuss matters relating to the dispatch of parcels and the signature of receipts by the deportees; but they could go no further. From time to time they acquired a list of names, but had to show the greatest caution in forwarding such unauthorized information for fear of jeopardizing the delivery of the parcels.

All the time it was extending its activities for sending relief and making searches in the camps, the ICRC continued to send requests to the German authorities. The situation was ripe for a new approach: the Allied landings in Europe and the Soviet advance on the eastern front meant that the argument of reciprocity could again be used. On 2 October 1944, the ICRC sent a note to Foreign Minister Ribbentrop requesting consent, immediately and as a minimum, without discrimination based on nationality or place of internment, to the following facilities for the benefit of deportees: authorization to visit, in Germany and in the occupied territories, non-German political detainees; authorization to distribute relief supplies in accordance with needs as ascertained by its delegates; lists with names and addresses of deportees. Soon afterwards, the Committee
reported its action to the British and American Consuls in Geneva and, attempting to obtain a kind of reciprocity in advance, asked them to grant the same facilities "for any German subjects in their power or subsequently detained by them as political detainees—whatever judicial proceedings might be instituted against such persons." On 9 December, the President of the ICRC proposed to the Reich Minister of Foreign Affairs that plenipotentiary representatives of the Governments concerned should meet in Geneva and, without engaging in direct talks, come to an agreement, through the mediation of the ICRC, on a temporary *modus vivendi* relating to everything concerning civilians in enemy hands, not only the treatment of detainees but also the repatriation of some categories: women and children, the sick and the elderly, and those whose detention no longer appeared to be justified.

It might be wondered whether these repeated representations to bodies not directly responsible for the camps would have any better chance of success in 1945 than four years earlier. It seems to have been the case, since the first reply, on 1 February, granted some of the requests which the ICRC had made on 2 October and 9 December 1944. By that date, the hierarchy of Reich authorities was doubtless beginning to disintegrate. The higher echelons, the OKW, the Auswärtiges Amt, the Gestapo, which had usually acted in rivalry rather than in collaboration, tried to avoid responsibility and to give assurances that they had never attempted to offer when their power was not under threat. The reply sent by the German Government to President Huber's letter of 2 October 1944 informed the ICRC that those in preventive detention were authorized to correspond with their families on Red Cross forms and to receive individual or collective relief parcels; and that in the event of prosecution in the courts they would be informed of the charges. The German Government also told the ICRC that it was studying the repatriation of detainees, but maintained a firm refusal concerning visits to the camps:

"For imperative reasons of national security, visits to camps and other places where detainees are held are unfortunately not possible."

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1 Memorandum from the ICRC to the Consuls of Great Britain and the United States of America in Geneva, 16 October 1944.
We have already stated that President Huber did not wish to remain in office beyond 1944. In 1940, when his health was already failing, he expressed the wish that his successor should be his colleague and friend Carl Burckhardt, who had resumed work with the ICRC at the beginning of the war and who had moreover been Deputy President since 1942.

As a representative of the humanist tradition of Basle, which sees the Rhine as a link between nations and not as a barrier between nationalisms, Professor Carl Burckhardt was well qualified to represent the ICRC at a time when the imminent end of the war in Europe was likely to raise a number of problems of an essentially political nature. The Committee endorsed Max Huber’s choice by appointing Carl Burckhardt to the Presidency from 1 January 1945. The new President at once took up further negotiations with the authorities of the Third Reich.

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By this time the German railway system was virtually unusable, or being used primarily for military purposes. Food and fuel were running short. To succeed in the operation it was about to be asked to perform, that of feeding and evacuating the detainees, the ICRC would require exceptional resources. It turned to the British and American authorities for help:

"Delegation can and has been able to check arrivals of evacuees of all categories but unable forward foodstuffs, dressings and medicaments stored at Lübeck to the north and in Switzerland to the south. Accordingly imperative to immediately despatch relief supplies by the several hundred lorries available to International Committee of the Red Cross provided with petrol and other necessary equipment, and to prevent air raids on the secondary railway line designated by International Committee of the Red Cross. We are employing all possible means available but faced with magnitude of problem beg you to help us in our task as indicated."¹

Some trucks had already been provided to the ICRC by the American Government and the Canadian Red Cross and were used chiefly for conveying to Switzerland the relief supplies unloaded in Lisbon and the Mediterranean ports. But once the German

¹ President Burckhardt to the Consuls of Great Britain and the United States of America in Geneva, 16 February 1945.
authorities gave permission for ICRC transport to enter the country, the Committee had to procure many other vehicles and make sure they were supplied with fuel, tyres and spare parts. At the beginning of 1945, several hundred trucks were loaned to the ICRC by the US Army, the American Red Cross, the Young Men’s Christian Association, the French and Swiss authorities and private bodies.¹

On 7 March the first convoy of 25 trucks crossed the German frontier carrying 120 tonnes of food and 20,000 litres of fuel for the ICRC supply centre in Lübeck. The trucks could go to meet and supply columns of prisoners trudging along the roads—5,000 from the camp at Lansdorf making for Bayreuth; 6,000 who had left Teschen going in the direction of Auschwitz—and pick up the sick and wounded.

Two days earlier the ICRC had been informed that in response to its request of 2 October 1944 the Reich Government was willing to repatriate French children, women and old people who had been deported to Germany provided that German civilians in France were sent back to Germany; that practical proposals would be sent shortly to the ICRC concerning the numbers of French nationals and the methods of repatriation.² Several of the ICRC’s requests, therefore, were being granted, but the situation was changing so fast that there was a risk they would no longer be relevant. The German authorities were evacuating the concentration camps and POW camps as the opposing forces advanced. In lines stretching for dozens of miles along the roads, which were repeatedly bombed, the deportees, emaciated, without food, harassed, toiled or fell beside the road where they were often dispatched by the guards.

In his reply to the German Government, President Burckhardt, while acknowledging that these concessions represented a marked improvement in the status of political detainees, asked for explanations and made further requests. In particular, he asked that detainees should complete identity cards, that the ICRC be informed of the location of the camps and the numbers held in each, that in the event of trials the detainees should be given minimum guarantees similar to those given to prisoners of war, and that the ICRC be empowered to make individual inquiries. The Committee repeated its request to visit the camps. It proposed to begin as soon as possible to

¹ A total of 474 vehicles and 137 trailers were used by the ICRC; they were driven by Swiss or by men recruited from among prisoners of war in Switzerland, mainly Canadians.

² Note from the German Consulate in Geneva to the ICRC, 5 March 1945.
repatriate French and Belgian women and children and subsequently the old and sick. Finally, it repeated its request to be placed in touch with someone of importance officially mandated to take part in the suggested talks in Geneva. The traditional methods at that point proved of only limited effect. The changed situation required and permitted a completely new approach. The Soviet army had crossed the Oder, taken Budapest and was moving on Vienna. The Allied forces had reached the left bank of the Rhine. The military defeat of the Axis seemed inevitable. There was every justification for fearing that the leaders of the Nazi administration would probably destroy at the last moment the structures which had survived the war. But it was no less likely that, faced with the collapse of the system, some at least would consent to concessions which up to then they had obstinately refused. It was therefore both vital and urgent to meet the top echelon of the Nazi administration, men with enough freedom of action to be able to negotiate and enough authority to impose their decisions. Neither the Auswärtiges Amt nor the OKW had such freedom; the only services in this category were the Reich Security Services, headed by SS-Reichsführer Heinrich Himmler, Obergruppenführer Kaltenbrunner, his deputy, and Brigadeführer Schellenberg, head of external security services. The ICRC decided to approach Himmler first, since his responsibilities seemed the widest, a view endorsed by the Swedish Consul in Paris, Raoul Nordling, who had made contact with the SS-Reichsführer in January 1945. President Burckhardt therefore wrote to Himmler on 19 February asking to see him. However, in January Himmler had been appointed Commander-in-Chief on the Vistula Front, and he informed the ICRC President that his military duties prevented him from attending such a meeting, to which he proposed to send Kaltenbrunner instead.

On the day Burckhardt wrote to Himmler, the SS chief was receiving Count Bernadotte in the military hospital at Hohenlychen, 120 kilometres north-east of Berlin. The Vice-President of the Swedish Red Cross was himself engaged in negotiations with the Nazi leaders on the subject of the detainees. He persuaded them to place all concentration-camp detainees of Scandinavian origin in a single camp and to allow them to be repatriated; and he arranged for the repatriation of French women detainees. The ICRC was duly notified of this by its representative in Stockholm, Georges Hoffmann.

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1 Kaltenbrunner to Carl Burckhardt, 2 March 1945.
At this point, on 20 February, the Federal Council appointed Carl Burckhardt to the post of Envoy Extraordinary and Minister Plenipotentiary of Switzerland in France. This was a particularly important mission to mark the official establishment of relations, at that level, with the Provisional Government of the French Republic. But the appointment meant that the new Minister would have to resign, at least for the duration of his mandate, from the Presidency of the ICRC. The past President, Max Huber, who had himself resigned only a few weeks before, agreed to put his services once more at the Committee’s disposal; and on 24 February he was made Honorary President, “with the duties of acting President”, while Carl Burckhardt was thenceforward referred to as the “President on leave”, as Gustave Ador had been in 1918 when he had been elected to the Federal Council.

However, with the new Minister due to take up his post in Paris on 20 March, it was feared that in the short period remaining he would be unable to bring the negotiations with Kaltenbrunner to a successful conclusion. He therefore proposed to postpone his move to Paris until the negotiations had produced results. General de Gaulle, aware of the need to give priority to this matter, personally made known his consent.1

Meantime, arrangements for the interview with Kaltenbrunner had made considerable progress. It was finally agreed that the meeting would take place on 12 March at Feldkirch, an Austrian village near the Liechtenstein border, Kaltenbrunner to travel by special train, while an official car would be sent to the border for President Burckhardt and his assistant, Hans Bachmann, at that time Assistant General Secretary of the ICRC.

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The interview at Feldkirch between President Burckhardt and SS-Obergruppenführer Kaltenbrunner was of vital importance for the ICRC’s subsequent activities in favour of political deportees. It was

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1 “Mr. Pradervand has informed me of the results obtained by the International Red Cross in negotiating a possible exchange of women, children and old people. “I would like to tell you how much we appreciate here the efforts which you in your high office are making in this delicate matter. Greatly as we look forward to seeing you soon in Paris as the Minister Plenipotentiary of the Federal Government, I hope that you can and will be able before that to reach a successful conclusion to the undertaking of the International Red Cross concerning the exchange.” (General de Gaulle to President Burckhardt, 6 March 1945.)
not the first time that the ICRC President had met Nazi leaders: he had met Heydrich in 1935 during the first attempt to arrange visits to concentration camps, then when he was the League of Nations High Commissioner in Danzig he had twice met Chancellor Hitler. The authority he had acquired in European diplomatic circles and his recent appointment as Swiss Minister in Paris served him particularly well in the task he had undertaken. Kaltenbrunner was probably not empowered to make a decision; but it is clear that he must have been delegated by his superior in the hierarchy, Heinrich Himmler, for he would not have risked negotiating unless he were able to obtain agreement to the results.

President Burckhardt presented Kaltenbrunner with a series of requests chiefly relating to the situation of political detainees and deportees. These were aimed at ending the complete domination exercised by the Security Services over these categories of persons and allowing the ICRC to extend its protection to them. The requests comprised the following points:

— the exchange of deported French women, children and old people for German civilians interned in France;
— the exchange of civilian deportees and internees of other nationalities;
— the hospitalization in Switzerland of women and young people from the army of Warsaw;
— the evacuation of Jews to Switzerland or possibly their assembly in specific camps where they would be placed under ICRC protection;
— the regrouping of deportees according to their nationality, to make it easier to supply them with food and arrange for their evacuation;
— the right for all deportees to send and receive letters and to receive parcels, as already granted in principle to French and Belgian deportees;
— compilation of lists of deportees;
— finally, the authorization to visit the concentration camps and to appoint permanent delegates to them.

To the general requests concerning assistance to detainees and deportees Kaltenbrunner made no official objections, agreeing to submit them without delay to SS-Reichsführer Himmler. He emphasized, however, that for the supply and evacuation operations the transport would have to be provided by the ICRC, also that a number of the matters came under the Auswärtiges Amt.

The request to appoint ICRC delegates to the concentration camps was first countered by a major objection: the detainees, said Kalten-
brunner, were working in war industries, many in secret sectors affecting national security. Nevertheless, he agreed to give his personal consent to President Burckhardt’s proposal on condition that the ICRC delegates, once they had taken up their posts, remained there until the end of the war and the closure of the camps. They would be able to talk to the members of the ICRC Berlin delegation when they visited the camps, but only in the presence of a German official.

These results achieved, it was desirable to speed up their implementation and to obtain the agreement of the Auswärtiges Amt. President Burckhardt immediately sent to Minister Berber, Councillor to the German Legation in Berne—who had been instrumental in making the practical arrangements for the meeting in Feldkirch—a report of the negotiations with Kaltenbrunner, emphasizing the role the Minister could play in the circumstances:

“We must now examine how to obtain official permission as soon as possible to go to Ravensbrück, first of all with 30 trucks (containing food, medicines and blankets)... and take out, to begin with, at least 300 women as far as the Swiss frontier. After that, the transport should function continuously.

“At the same time, German civilians in France should begin their journey home. The POWs can leave, as promised by the French Minister at Annemasse on Thursday 8 March. This double event cannot occur too soon. You know how I envisage the political repercussions of such prompt and spontaneous implementation of the plan. I need not tell you how much I rely on your intervention in this matter.”

During this time, the members of the ICRC delegation in Berlin, with first-hand knowledge of the capital’s desperate situation and the harrowing march of prisoners and deportees along the roads of Germany, were not idle. On 16 March, Dr. Marti met Schellenberg and was able to obtain confirmation of several of the concessions granted by the Security Services, though without going into detail, since he did not know of the conditions agreed at Feldkirch.

But actual implementation was still delayed, notwithstanding the fact that every day counted. Himmler again saw Count Bernadotte, on 2 April, at Hohenlychen, and gave him further assurances that the deportees could be evacuated, while trying to send, through his mediation, proposals for negotiations with the British Commonwealth and United States. Schellenberg in turn tried to take the stage:

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1 Carl Burckhardt to Minister Berber, 14 March 1945.
he sent a message by Colonel Masson, head of the Swiss Intelligence Service, suggesting that he meet President Burckhardt.¹ This suggestion was not adopted but, at Burckhardt’s request, Hans Bachmann had a meeting on 3 April with Captain von Eggen, Schellenberg’s representative, in the presence of Colonel Masson, to inform him of, and to obtain his support for the application of, the agreements reached between Burckhardt and Kaltenbrunner.

At the same moment, Count Bernadotte was continuing negotiations with Himmler and Schellenberg, resulting in the release of Scandinavian deportees and French women detainees.

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The ICRC now prepared to send its delegates to the concentration camps, but with the complex network of responsibilities and the chaotic state of communications in Germany progress was too slow. The camp commandants had not been informed of Kaltenbrunner’s decisions, or possibly they did not accept their legitimacy. It was not until 19 April that Kaltenbrunner, according to his evidence, received full authority to act in accordance with his talks with President Burckhardt on the subject of foreign civilian internees and visits to the camps.² At last, on 24 April, Hans Bachmann and Dr. Hans Meyer, an ICRC delegate, had another interview with Kaltenbrunner at Innsbruck during which practical measures were discussed for evacuating deportees and supplying food to the camps. It was admittedly very near the end of the war, but at that time there was good reason to suppose that resistance groups would form in the stronghold of Bavaria and that hard fighting was still to come.

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In the course of a conversation in early April at the Ministry of Foreign Affairs, the ICRC delegation in Berlin met a number of leading figures, including one of Kaltenbrunner’s aides, and arrangements were agreed for the repatriation of 300 women held in Ravensbrück. The voluntary internment of a delegate in each con-

² Statement by Kaltenbrunner at the Nuremberg trials, Vol. XI, p. 311.
centration camp was further postponed, the aide stating that he would have to discuss the matter with Kaltenbrunner himself.

In fact, the Obergruppenführer had written to President Burckhardt on 29 March, confirming some of the points discussed at Feldkirch and proposing, *inter alia*, that if the overall repatriation of the internees proved impossible, French and Belgian internees could be exchanged for an equal number of Germans. He reported the favourable outcome of the Berlin delegation’s talks on food supplies for internees and said that the hospitalization of Poles captured after the Warsaw uprising could be considered if the UK and USA were prepared to release German women. Concerning the transfer of Jewish civilian internees to Switzerland he felt that “the question of reciprocity should not be raised... but there might be some indication of what the German Reich might expect in return”. In conclusion, Kaltenbrunner suggested that the ICRC should ask its delegation in Berlin to get in touch immediately with the Ministry of Foreign Affairs. To save time, he sent copies of his letter direct to the Berlin delegation and to the Ministry.

Basing its operations on these results, the ICRC increased relief by sending columns of trucks through the whole of Germany, accompanied by escorting delegates whose mandate was to bring back the deportees who were being repatriated. The ICRC also increased its delegation in Germany and instructed its delegates to try to get inside the concentration camps and to remain there until the camps were liberated.

The first repatriation consequent on these agreements was that of 300 women deportees from Ravensbrück. Dr. Hans Meyer, in charge of the operation, had arrived there on 30 March but was obliged to spend several days in negotiations and obtaining authorization from the central administration of the SS before being allowed to enter the camp. The first convoy left Ravensbrück on 5 April and reached Switzerland in the evening of 9 April.

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But the essential objective was to gain entry to the camps, for every day brought worsening conditions for the deportees, either threatened with annihilation or with evacuation in appalling conditions. Some camps and labour detachments had indeed already been liberated by the advancing Allies, and all the camps in Poland, including the extermination camp at Treblinka, had been liberated at
the beginning of April by the Soviet forces. In the west the Allied forces reached Bergen-Belsen on 15 April. But seven large camps remained under Gestapo control: Neuengamme, Ravensbrück and Oranienburg-Sachsenhausen in the north, Buchenwald-Dora in the centre and Dachau, Landsberg and Mauthausen-Gusen in the south, with the addition of Theresienstadt, the ghetto-city in the Protectorate of Bohemia-Moravia.

The ICRC had adapted its operational structure to meet the situation by maintaining a delegation in Wannsee, near Berlin, with instructions to remain there until the Soviet forces arrived. Another delegation was located in the castle of Wagenitz, north-west of the capital and the main delegation, headed by Dr. Marti, had been sent south, to Uffing in Upper Bavaria. The convoys of trucks left St-Margrethen in Switzerland, crossed the frontier, which was still open, and radiated over the territory still in German hands. Stores of medicines and food had been constituted at Uffing, Moosburg, Wagenitz and Lübeck in the north. The trucks moving along the dangerous roads and frequently attacked by Allied aircraft, fulfilled a triple function: to take food to the camps, to bring food to the columns of deportees on the march, and to evacuate women and children, the sick and the wounded. In April, and up to the surrender of Germany in May, 5,500 deportees were taken to Switzerland and France or to Lübeck for transfer to Sweden.1

Meanwhile, the ICRC delegates were still trying to get into the camps and prisons. In Berlin, the delegation had been informed on 12 April that by order of the Gestapo all identity papers and files concerning detainees in the camps and those of political detainees in the prisons had been destroyed. Visiting the Kaiserdamm prison in Berlin on 13 April to distribute ICRC aid, the delegate Emil Boesch observed the detainees’ disquiet regarding these measures. Immediately the delegation made urgent representations to Ministerialrat Dr. Franke, Ministry of Justice and to Obergruppenführer Müller, head of the Reich Security Service. Writing to confirm the discussions, Dr. Lehner, head of the ICRC delegation in Berlin, asked for detainees in the prisons to be allowed the benefit of the agreements reached between President Carl Burckhardt and Kaltenbrunner:

"During our talk, we deemed it our duty to inform you of the anxiety prevailing among this category of detainee, owing mainly to the insecurity produced by the defence measures adopted in the

1 After the surrender, the ICRC conveyed a further 5,200 deportees (approximately) to Switzerland.
capital. Moreover, files and identity papers are said to have been destroyed during the past few days, and this has given rise to a fear that secret orders may have been issued whereby the subordinate organs of the judiciary have been vested with far-reaching executive powers.

"We welcome your categorical statement that there will be no reprisals of any kind and that no summary trials will be held which might cause irreparable harm."

Such action definitely had its effect. Delegates taking food parcels to the prison on the Alexanderplatz and the prison camp at Triftweg Friedrichsfelde on 17 April learned that since 15 April large numbers of prisoners had been released. However, hearing also that some detainees had been executed the same day in the prison on Grosse Hamburgerstrasse, the delegation again approached the central SS headquarters and the Justice Ministry. The last detainees, the delegation thought, were probably released on 22 April when the capital was almost completely surrounded.

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In the second half of April the delegates redoubled their appeals to the authorities still functioning in Berlin and the camps, with fresh efforts every day. But those in charge very often rejected them.  

On 18 April the delegate Jean Briquet, who had travelled from Geneva, arrived at Dachau to arrange for the arrival of a supply convoy. He found accommodation for himself and space to park the trucks but at that time he was not authorized to enter the camp or to talk to the detainees' representatives. On 22 April, after days of unsuccessful efforts, he returned to the trucks, waiting at Moosburg.

On 20 April, in Berlin, Dr. Lehner had tried again to get agreement from Müller to observe the commitment made by Kaltenbrunner and hand over the camps at Oranienburg and Ravensbrück to the ICRC delegates. However, Müller objected that such a decision was outside his competence and that he would first have to consult Himmler. He nevertheless agreed to place under ICRC protection a transit camp for Jews and a Jewish hospital, both in Berlin.

1 Dr. Lehner to Gruppenführer Müller, 16 April 1945. (Original German.)
2 Details of all the approaches and the texts of reports from the ICRC delegates sent to the concentration camps appear in The Work of the ICRC for Civilian Detainees in the German Concentration Camps from 1939 to 1945, ICRC, Geneva, 1975.
By the evening of the same day Dr. Lehner, having received no answer from Müller, instructed a delegate to engage in direct talks with camp commandants. Willy Pfister went to Oranienburg on the morning of 21 April, after an air raid on Berlin, but the commandant, Keindel, rejected the proposal that the camp should be handed over to an ICRC delegate. SS-Reichsführer Himmler, he said, had given instructions for the entire camp, apart from the infirmary, to be evacuated when the enemy approached. Consequently, he gave orders for the immediate evacuation of the detainees, 30,000 to 40,000 men, towards Wittstock.

Willy Pfister witnessed the executions by the SS guards of those who lagged or were sick. He protested vigorously to the head of internal administration in Oranienburg camp and for four days and nights he kept the column of detainees supplied with food as they moved along the road to Wittstock.¹

On 22 April 1945, Dr. Jean M. Rübli and Dr. Mayor reached Mauthausen at the head of a convoy of trucks, to bring food to the camp and repatriate the detainees. But the commandant Ziereis had not received the order to open the camp to ICRC delegates. He nevertheless gave instructions for 817 French, Belgian and Dutch deportees (750 women and 67 men) to be placed on board the ICRC trucks.

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While all this was happening, other delegates were continuing their attempts to enter other camps. On 23 April, Charles Steffen presented himself at the gates of the camp at Mauthausen carrying parcels of food and prepared to evacuate the deportees. A group of 183 French deportees, whose names had been listed in advance, were placed in the ICRC trucks in the middle of the night. But when the delegate asked to enter the camp, Commandant Ziereis repeated the categoric refusal he had given to Dr. Rübli.

Also on 23 April, a delegate tried to save the inmates of Ravensbrück from the consequences of forced evacuation. Having heard of the circumstances in which Oranienburg camp had been evacuated, Dr. Lehner instructed Albert de Cocatrix to make representations to Obersturmbannführer Hoess, in charge of both the camps, to whom he had sent the following message:

¹ Report by Pfister to the ICRC, April 1945.
"I am convinced that you do not in any way condone such outrages. Unfortunately, I am now unable to reach the SS-Reichsführer or any other responsible person. I therefore appeal to you urgently, in the name of the International Committee of the Red Cross, not to evacuate Ravensbrück camp if the evacuation is to be carried out under such conditions, lest it result in the same suffering.

"I am sending you a qualified delegate and I would ask you to authorize him to enter the Ravensbrück concentration camp and, if need be, to officially hand the camp over to him. In return, he will undertake to provide the camp with food supplies."

Leaving Berlin on the morning of 23 April, Albert de Cocatrix mingled with the endless columns of refugees, deportees and evacuees who at that time were fleeing from the eastern combat zones:

"It was impossible to push through that human stream, so we had to be content to follow it. Everything was on that road. Wehrmacht trucks and cars—even artillery pieces—mingled with covered wagons, strange reminders of the "Pioneers of the West" in the last century, slowly plodding along so close to each other that the column had to stop at regular intervals. And in the midst of it all were men and women refugees of all ages, especially many children, most of them dragging along all manner of vehicles (push-carts, prams, bicycles, barrows, etc.) with their meagre belongings and often useless items. That human herd was not at all reminiscent of the evacuation operations carried out in January, when the Russians had reached the Oder. At that time, the evacuation had been organized and methodical.

"But what a difference now! No longer were there any organized convoys: only utter confusion and no leadership. People lived from day to day. The fugitives slept wherever they happened to be and ate whatever food they had been able to take with them or find on the way. Sometimes a dying horse or ox would collapse by the wayside, and then there would be a stampede for the quarry. Only the weak would hold back."

The delegate arrived in Ravensbrück in the evening and was at once received by the camp commandant, Sturmbannführer Suhrens, to whom he explained his plan: the camp would not be evacuated, but handed over to the delegate, who would administer it until arrival of the Soviet forces. But the camp commandant refused these

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1 Report from de Cocatrix to the ICRC.
proposals, stating that he had received precise instructions from Himmler to evacuate the camp. Moreover, the evacuation was already under way: the “eastern” women (Russians, Ukrainians, Rumanians, Serbs, etc.) were to be sent towards Malchow, in stages of 25 to 40 kilometres a day, while the “western” women (French, Belgian, Dutch, Nordic, etc.) would be taken away either by train, Swedish Red Cross coaches or the ICRC trucks bringing food supplies from Lübeck. In fact a number of deportees were evacuated that very day, Nordic nationals in the Swedish Red Cross coaches and other “westerners” in the ICRC relief convoy under the orders of the escorting delegate Naegeli. But when asked to evacuate the “easterners” by train or truck, Commandant Suhrens refused.

During his visit to Ravensbrück, Albert de Cocatrix met the commandant of Oranienburg, Standartenführer Keindel. He protested against the execution of deportees witnessed by Dr. Pfister on the Oranienburg road and explicitly demanded that measures be taken to stop them.

On his way back to Wagenitz he also passed the columns of deportees who were being evacuated to Wittstock. He distributed relief parcels to several of the groups he met and requested SS officers to give food to the deportees, some of whom had not eaten for three days.

There were not enough ICRC delegates for them to be able to organize a systematic assistance operation at a time when there was no transport and local administration was collapsing, but at least their improvised distributions of food to the files of marchers helped to save many lives. This was not only because they distributed food directly to them, but because their appearance had a double psychological effect, indicating to the guards that they were under observation and to the deportees that ICRC representatives could now protect them.¹

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In the delegation at Wagenitz, Dr. Heinrich Landolt was in charge of reception and redistribution of relief sent from the warehouse in Lübeck. Detainees on the move were now joined by evacuated POWs. On 24 April Dr. Landolt gave shelter and food to 130 British prisoners of war from Berlin. Later he organized food supplies for

¹ According to de Cocatrix, in his report to the ICRC.
the files of deportees on the road in the area of Schwerin, and in Schwerin itself he arranged for the prisoners in Stalag II A to be handed over to the American troops.

While the operations for supplying food and repatriating the deportees went ahead, the same was not true for the installation of delegates in the camps. Yet this part of the Burckhardt-Kaltenbrunner agreement was of crucial importance. If the ICRC was to prevent evacuation of the camps it had to be in a position to take charge of the camp administration, prevent destruction and ensure that they were handed over peacefully to the approaching Allied forces. But the camp commandants argued that they had received instructions from Himmler and categorically refused to agree to the delegates' requests.

Changes in the military situation, however, made possible an important last-minute action by the ICRC. On 24 April the encirclement of Berlin by the Soviet forces was completed and two days later the American and Russian vanguard troops joined up at Torgau on the Elbe. The territory defended by the Wehrmacht was cut in two and the Führer's headquarters in the capital left isolated. Transmission of orders became unreliable, and camp commandants could no longer refer to Himmler or Schellenberg, who were in the northern zone, or even to Kaltenbrunner, who was near Linz. Seizing the opportunity, the ICRC delegates took the place of the inaccessible authorities and succeeded in enforcing their decisions.

On 26 April the delegate Robert Hort, accompanied by R. Moynier, went to the camp at Turkheim. He found that the majority of detainees, about 15,000 (Jews of various nationalities) had been transferred to Dachau, apart from 500 who remained at Turkheim. Although he was not able to prevent fighting from taking place, in the night of 26 to 27 April, in the camp itself where he was staying, he at least ensured that the gates were opened and the detainees freed. Most of them took refuge in the nearby forest, while Hort, with the assistance of the Americans, evacuated the wounded to an army hospital in the neighbourhood.

The next day, 28 April, the delegate Victor Maurer presented himself at the commandant's office of the Dachau concentration camp. At first the commandant, having received no order from Kaltenbrunner, refused to allow him to enter. But Maurer was able to distribute, in the yard, the parcels he had brought.

During the night of 28-29 April the fighting approached Dachau, and by the next morning most of the soldiers and staff had fled the camp, and a white flag flew from one of the watchtowers. Victor
Maurer then settled with one of the remaining officers the conditions for the surrender of the camp. After that he crossed the front line and obtained agreement from the US army to take over the camp without fighting.

Protection was still needed for Mauthausen. Commandant Ziereis, as we have seen, had already twice refused the ICRC delegates entry to the camp, on 21 and 23 April. Now there was reason to fear that the order to blow up the camp and the underground aircraft factories at Gusen, with all the deportees, would be carried out.

On 27 April, the delegate Louis Haefliger was instructed to return to Mauthausen and try to get into the camp. He arrived there next day at the head of a column of 19 trucks. Despite the opposition of the camp commandant he succeeded, after three days of difficult negotiations, in breaking the ban and entering the camp. On 3 May he sent for the commandant of the two camps at Gusen and persuaded Commandant Ziereis to cancel the order he had given to blow up the underground factories. Finally, he too crossed the fighting line and went to meet the Americans, having first arranged for the camps of Mauthausen and Gusen I and II to be handed over to the US troops without resistance and with no destruction.¹

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The ICRC delegation in Berlin was likewise anxious to protect the Jews in the ghetto city of Theresienstadt (Terezin) and to place a delegate there whose mission would be to get inside the Kleine Festung ("small citadel"), a prison near the city, which was the real concentration camp. At the end of March, the President of the ICRC Delegations Commission, Frédéric Siordet, was on mission to Uffing, Berlin, Prague and Vienna and travelled to Theresienstadt accompanied by the delegate Paul Dunant. But the commandant, arguing that he had received no instructions from Kaltenbrunner, refused to allow them to visit the city. Siordet then asked Dunant to continue negotiations in Prague with Minister of State Frank.

On 6 April, after further approaches, permission was granted for Dr. Lehner, head of the Berlin delegation, and Paul Dunant to visit the city. (The single previous visit by the ICRC dated back to 23 June 1944.) There they met the SS-Oberführer Eichmann, and the head of

¹ For details of the ICRC delegates’ role in the concentration camps, see Drago Arsenijevic, Otages volontaires des SS, Editions France-Empire, Paris, 1974.
the Protectorate's Security Services, Weinmann, who told them that no Jews would thenceforward be deported from Theresienstadt.¹ The delegates had not been allowed to visit the concentration camp proper, the Kleine Festung. Their request for a delegate to take up residence in the ghetto was once more forwarded to Kaltenbrunner but received no reply that day. Paul Dunant again visited Theresienstadt on 21 April and 30 April 1945. Finally, on 2 May, still without authorization, he set up his office in the town hall of the city and, symbolically at least, took charge of administering the ghetto. Official confirmation reached him on 5 May. Next day the Council of Elders notified the population:

“The International Committee of the Red Cross has placed Theresienstadt under its protection. The Committee's delegate, Mr. Paul Dunant, has been appointed commandant of Theresienstadt. He has entrusted the administration of the Autonomous Community to the former Council members whose signatures appear below.

“In Theresienstadt you are safe. The war is not over! Those who leave the city expose themselves to all the dangers of war!

“Theresienstadt has taken care of the martyrs in the Citadel, which has added to the work necessary to prepare for evacuation. This work is continuing! Anyone refusing to work will not be registered for transport...”

The Small Citadel had in fact been opened on 3 May. It held 5,000 detainees in space intended for 500. One thousand of them were gravely ill with typhus. The ICRC delegate obtained agreement from Minister of State Frank and from Weinmann for evacuation of the Citadel. Before the Germans left the ghetto, the sick were taken to hospital in the city by an organization of Czech doctors headed by Dr. Râsha. Dunant wrote:

“All went off without a hitch; I never once had to intervene between the Czech patriot doctors and the SS. All the detainees were evacuated on 8 May.”

On that date, the ICRC delegate handed over administration of the camp to a representative of the Czech Government, who took charge of the release and repatriation of the internees.

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¹ According to their statements, 10,000 Jews had been deported to concentration camps, chiefly Auschwitz, six months earlier. The former Judenälteste (oldest member of the Jewish community), Dr. Epstein, had been among them.
So the ICRC’s efforts had succeeded in part during the last months of the war. This was not because the Security Services and other Reich authorities had changed their minds, it was rather that the military situation had changed to such an extent that the men in charge granted certain concessions and that the ICRC, aware that breaches were opening in the stubborn resistance it had encountered until then, departed from its traditional methods and even considered exerting some forms of pressure.

Even so, the Committee did not go so far as resorting to public protest. And for this it has been sharply criticized; for public opinion generally thinks that when such grave events occur it is entitled to be at least informed. It should of course be remembered that the ICRC—whose delegates were not allowed to visit the camps—did not possess any “inside information”. The particulars it obtained came from released or escaped deportees and from reports and newspaper articles sent by bodies which gathered such testimony. So there was nothing to tell the public which it did not already know. But the bodies concerned, being themselves engaged in polemics of a political character against the Third Reich, felt that the ICRC, owing to its specifically neutral nature and the authority it commanded, would have had more effect than their own protests. The International Committee, however, does not believe that protests are effective and, in fact, since it is often the last resort of victims of injustice, it fears that protests may bring its efforts to nothing.

Of the two conflicting positions it is difficult to decide which is right. It is probably correct to suppose that the leaders of the Third Reich, in the last years of the war, having passed the point of no return, would not have hesitated to take the most serious decisions—in particular to consider rejecting the Geneva Conventions—to shed any obligation not directly useful in fighting the war. It may also be said that protest arises from a genuine feeling of indignation and that if this is suppressed all feeling may eventually dry up. But at a distance from the event it is always possible to suppose that other decisions would have brought better results. The ICRC, drawing on its own experience, has explained the attitude it took, as follows:

“The International Committee could therefore use only arguments of patient persuasion and moral force, since it does not possess all the powers which tend to be attributed to it. Moreover, it has been able on many occasions to note that public protest, demanded by general opinion, has unfortunately been unproductive and even likely to compromise the useful work which the Red Cross is capable of performing. The International Committee therefore considers that
its primary duty is to give practical and efficient help wherever it is able to do so.

"For this reason, in its efforts to bring assistance to the detainees in the concentration camps, the Committee acted in accordance with the circumstances and closely followed the evolution of the political situation. In so doing, it did not fail to seize every opportunity and profit from every possibility offered to obtain tangible results which, however slight in comparison with the evils to be remedied, it is perhaps the only body to have achieved. It was in this way that little by little it prepared the negotiations which, in the last phase of hostilities, opened the gates of some concentration camps to ICRC delegates and their relief trucks."

This study would not be complete without an outline of the activities undertaken after the end of the war by various United Nations agencies and later by the ICRC to bring some assistance to concentration-camp victims and displaced persons.

After the camps were liberated, the medical treatment and repatriation of former detainees were taken in charge by the Allied military authorities. The ICRC repatriated 5,200 persons from Mauthausen, Dachau, Theresienstadt and the assembly centres set up by the occupation authorities, bringing to a total of 10,750 the number of deportees it repatriated by its own means.

But there was a mass of searching and tracing to be done. Most identity documents, lists of deportees, records of deaths, had been destroyed or temporarily hidden and the ICRC, by roundabout methods, had managed to collect only about one hundred thousand names of detainees in the concentration camps. The detainees' families had suffered the same ordeals and had generally been split up or had disappeared without trace. It was therefore necessary to make a census, not only of the concentration-camp detainees but also of displaced persons and internees and to identify the dead.

As early as 1943, the Allied authorities had created in London the Committee on Displaced Populations of the Allied Post-War Requirement Bureau, to study the consequences of the huge displacements of population caused by the war and especially those resulting from persecution. The following years, SHAEF\(^1\) started a census of displaced persons and established an identity index card for each of them. In March 1945, with the help of UNRRA\(^2\), SHAEF created a tracing organization with the purpose of assembling and

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1 Supreme Headquarters Allied Expeditionary Forces.
2 United Nations Relief and Rehabilitation Administration.
conserving all documentation on persons detained in the concentration camps. After SHAEF was dismantled, a Documentation Centre and a Central Tracing Bureau were set up and UNRRA took over direction on 17 September 1945.

Over the next ten years the Tracing Bureau was administered successively by UNRRA (from 1945 to 1947), the International Refugees Organization (from 1947 to 1951) and the Allied High Commission in Germany (from 1951 to 1955). During that period, the Bureau had been installed at Arolsen, Waldeck Province, in the Federal Republic of Germany; and on 1 January 1948 it changed its title to the International Tracing Service (ITS). When the occupation of the Federal Republic came to an end, management and administration of the ITS was entrusted to the ICRC.¹

The International Tracing Service has assembled the largest accessible collection of archives on the period of the concentration camps. This allows it to provide former deportees and displaced persons and their relatives with the information and certificates they need, to reply to inquiries from governments and bodies concerned and to compile the detailed catalogue of the concentration camps.

10. The end of the war in Europe

From the summer of 1944 until the unconditional surrender of Germany the occupied countries were liberated one by one and fighting ceased in the States allied to the Axis Powers. It was not, indeed, the return of peace, and several of the liberated countries took up the struggle alongside the Allies. But at least they were freed of the rigours of the occupation, the threat of arrest and deportation, the haunting fear of strategic bombing. Even before the guns were silent, they could think of rebuilding.

As a general rule, the ICRC requires its delegates to remain at their posts in the face of advancing armies, so as to ensure continuity in assistance and at times help to remedy the absence of administrative authorities, even take their place, during the period when there is no government in power, before a new administration is established. They are willing, moreover, to offer their services to the new government. ICRC delegates, not being the accredited agents of any State,

¹ The director of the ITS from 1955 to 1970 was Nicolas Burckhardt and from 1970 to 1977, Albert de Cocatrix, both of them former ICRC delegates. The present director is Philippe Zuger.
can pursue their mission despite political changes as long as they remain officially approved, as was the case in the countries liberated by the Allied forces. In the territories liberated by the Soviet forces, the situation varied from one country to another: some delegations' activities were suspended while others—of which examples will be described—were continued for a certain time or resumed after a break. In this way there was a gradual transition from wartime to postwar activities, the two sometimes being carried on simultaneously. In fact, to the ICRC, there is no difference in principle between the two: an armistice modifies the relationship between States, but it does not immediately change the need for assistance. For example, at the end of 1944, the ICRC began relief operations which went on after Germany had capitulated.

Keeping delegations at their posts posed different problems on the western front, where the ICRC was represented with both adversaries, and on the eastern front, where it was represented only on the Axis side. When a delegation passed from one side of the front to the other—or more accurately, when the front moved beyond the place where the delegations were located—there was a risk involved. In most cases the delegates were able to keep their activities going while establishing relations with the new governments which succeeded the occupation authorities. It is of some interest to analyse the principal aspects of this situation.

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After the Normandy landings of 6 June 1944 the American, British and French forces, repulsing the Wehrmacht counter-attacks, liberated Normandy and Brittany and by the beginning of August had reached the Loire and the Seine. On 15 August, Allied forces landed in Provence and advanced up the Rhone valley to try to encircle the German army in south-west France. During this period the work of the ICRC delegation in Paris changed considerably. Many prisoners of war and internees were evacuated to unknown destinations; camps located in liberated areas which the Allies considered as part of the front were no longer accessible to the delegates; and relief convoys were at times brought to a halt by the Allied advance. In the Rhone valley, the ICRC's supply trains had stopped running.

On Saturday, 19 August, while General Leclerc's division was making a spearhead drive for Paris, the resistance forces in the capital started a general insurrection.
The ICRC already had a representative in Algiers with the French Provisional Government. However, it was not certain whether the head of the delegations in North Africa, Jean-Pierre Pradervand, would be able to reach Paris quickly, nor was it possible to forecast the course of events. While the fighting went on in the capital, therefore, Dr. Jacques de Morsier, head of the Paris delegation, made contact on 21 August with Professor Pasteur Vallery-Radot, Secretary-General for Health in the Provisional Government, who told him that Mr. de Bourbon-Busset would be acting as temporary President of the Administrative and Management Council of the French Red Cross and confirmed the Government’s intentions with respect to the humanitarian Conventions and their application:

“Naturally the Provisional Government of the Republic will respect the Red Cross Conventions and the agreements concluded with the International Red Cross.

“I request that Dr. de Morsier remain accredited to the Provisional Government of the Republic as Delegate of the International Red Cross.

“The health service accepts responsibility for the German wounded it has received and promises to keep them in hospitals, where they are being cared for and protected.

Secretary-General for Health
PASTEUR VALLERY-RADOT
Paris, 21 August 1944.”

During the week that the insurrection lasted, and until the tanks of Leclerc’s army and the American First Army arrived in the capital, there was reason to fear that General von Choltitz, commandant of the military region of Paris, would carry out the orders he had received from the Reichschancellor to destroy the city. The Swedish Consul-General, Raoul Nordling, is known to have played a vital role in saving the city and preventing reprisals. On 17 August, he had succeeded in obtaining the German military authorities’ agreement to hand over to him the direction and supervision of, and responsibility for, all political detainees in the prisons, camps and hospitals of the Paris region and in “all other places of detention and all evacuation trains without exception, whatever their destinations, for at that time the Gestapo staff, who were retreating from Paris, had begun to evacuate the prisons and camps where the detainees were held. The second clause of the agreement provided for an exchange of prisoners in a ratio of five German military prisoners for one political detainee, following a procedure to be settled later, “with the help of
the International Red Cross". This latter provision was never im-
plemented.\(^1\)

The action of the Swedish Consul-General ensured protection or
release for a large number of political detainees in the prisons men-
tioned in the agreement. At Fresne, however, some of the detainees
were in the process of evacuation; and at Compiègne the camp
authorities refused to comply with the terms of the agreement.

In liaison with the Swedish and Swiss consuls, Dr. de Morsier also
made arrangements for the protection of hospitals. His account il-
brates one aspect of his multiple activities in the confusion of the
first few days of the insurrection:

"Nevertheless, I was able to provide complete protection for about
a hundred seriously wounded Germans left behind by the army in
Paris, in the Hôpital de la Pitié. They are being cared for alongside
the slightly and seriously wounded of the Allied forces, who number
about 300. It is difficult to give exact figures, as they are constantly
changing. For example, as those discharged after treatment were
unable to leave Paris, the French Red Cross brought back 66 British
wounded who, although able to travel, could not go on foot. For the
moment they are in the French Red Cross hospital at Croix-Saint-
Simon.

"Germans wounded in the battle for Paris daily swell the numbers
of those already in the Pitié, so any casualty figures would be conjec-
ture. At Beaujon, there should have been no more than four seriously
wounded patients, but when I visited there yesterday I found there
were 28. Thanks to the warehouse in Paris, I have supplied all these
hospitals with parcels of food and I have appointed the German
chaplain in Paris, Father Stock, who has taken up residence in the
Pitié hospital, as the German soldiers' representative. For the
British, the representatives are the same as before.

"I obtained consent from the Public Assistance authorities of
Paris for the buildings housing war wounded to be placed under the
control of the medical services of the French Army, as indicated by
the notice I have had affixed to the hospital gates.

"Mr. René Naville, director of the Consulate, in the name of
Switzerland, Protecting Power,\(^2\) has signed an agreement with the

\(^1\) Agreement concluded between Consul-General Nordling and the Militärbefehls-
haber in Frankreich (Military commander in France), represented by Major Huhm, as
approved by the Wehrmachtbefehlshaber in Paris (Army commander in Paris),
17 August 1944. Copy sent to the ICRC on 22 August 1944.

\(^2\) Switzerland was entrusted with British and American interests vis-à-vis the Ger-
man Government.

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German authorities and the French Government for the German guards in the British POW camp at St-Denis and the American POW camp at Clermont to remain at their posts until the arrival of the American forces and to be considered neutral, that is, not to be taken prisoner when the US troops arrive and to be exchanged as rapidly as possible.\(^1\)

While taking food supplies to POW camps, sometimes on the far side of the front line, the delegation was also helping to supply the capital. On 24 August, the delegate Ernest Robert took the head of a convoy of 80 trucks, painted white and carrying the colours of the City of Paris, going to Melun to bring back a load of 200 tonnes of flour. To make this expedition, the ICRC delegation had had to obtain agreement from General von Choltitz and from representatives of the Provisional Government (still in hiding); and it had informed the American army by radio to make sure that the convoy, which would have to pass through the combat zone, would not be bombed.

Paris was liberated on 25 August and the next day the Government of General de Gaulle was installed in the capital. Thenceforward the ICRC delegation took responsibility for protecting German prisoners of war in the liberated areas, while the protection of Allied POWs in the zones still under occupation became the responsibility of the Berlin delegation. It will be seen later that the duties of the Paris delegation, far from diminishing after the armistice, expanded to an extent it had not known during the war. Taking up the duties normally falling to a Protecting Power, it continued its activities until the spring of 1951.

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Meanwhile, as the Allied forces, recovering from the German counter-offensive in the Ardennes, were approaching the frontiers of Germany, large *Wehrmacht* garrisons and units of the German Navy were holding out on the French coast, from the North Sea to the mouth of the Gironde, in what were called the Atlantic pockets: Dunkirk, Lorient, Saint-Nazaire, La Rochelle and Oléron, Royan and Le Verdon. The pockets contained not only German forces but tens of thousands of civilians who had not been evacuated in the

\(^1\) Dr. de Morsier to the ICRC, 22 August 1944. It proved impossible to neutralize the camps at St-Denis and Clermont, as these places had become combat zones. A banner put up at the St-Denis camp read: "This camp is under the protection of the Swiss Consulate and the International Red Cross".
autumn of 1944 and camps of Allied POWs. They could no longer be supplied by land or sea. Confined within the areas under siege and endangered by the Allied bombing and shelling, the civilian population was undergoing a severe ordeal.

At the request of the Provisional Government and with the consent of the Allied and German army commands—which had maintained intermittent contact—the ICRC then undertook an operation to supply food to the civilian population and the sick and wounded in the pockets of Dunkirk, Lorient and St-Nazaire. A delegate who had been sent from Geneva, Claude Pilloud, succeeded in getting through the lines under escort and entering the pockets. Between January and May 1945 he was able to organize a service of relief trains carrying food and medicines, to supervise the distribution, arrange evacuation of civilians and, at Dunkirk, an exchange of prisoners of war. Lorient was supplied from the sea by a ship provided by the German authorities, marked with the ICRC emblems and crewed by Frenchmen. The agreement concluded between the Command of the Allied forces besieging Lorient and the German Command at Lorient stated:

“The distribution of all goods and supervision of such distribution shall be in the hands of delegates of the International Committee of the Red Cross, who shall be competent to give all necessary instructions. These delegates shall be authorized to enter the territory freely or to leave it when they wish, either in the supply ship or in the German vessel from Etel.”

At La Rochelle, supplies were organized by a Swedish Committee representing the Swedish Red Cross and headed by Rolf Nordling, brother of the Swedish Consul General in Paris.

The pockets of Verdun, Royan—both heavily bombed—and the island of Oléron were captured at the end of April. The garrisons of La Rochelle, St-Nazaire, Lorient and Dunkirk laid down their arms on 8 May 1945, the date of the capitulation of the Third Reich.

German garrisons remained in the Channel Isles of Jersey, Guernsey and Sark. Occupied by the German forces in June 1940, the islands were supplied from time to time during the war by consignments from the Joint Relief Commission. When the Normandy landings took place, they were not liberated, but were cut off from all supplies. After several months of isolation the local population, reduced to the meagre resources of their islands, were in a critical

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situation. Delicate negotiations, conducted simultaneously with the German occupation authorities and the British blockading authorities, resulted in permission for goods to be sent from Lisbon by the ship *Vega*, escorted on its five voyages by ICRC delegates.

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Relief was also provided by the ICRC in Belgium and Holland towards the end of the war, when these countries were the scene of fierce fighting.

Relief for Belgium during the first years of the war had been centralized in Lisbon by the Co-ordinating Committee for Food Supplies to Belgium, then sent in special supply trains or by sea through the agency of the Joint Relief Commission and distributed by the Joint Committee for Relief Distribution in Belgium. When the German authorities refused to allow the Lisbon Co-ordinating Committee, a body administered by the Belgian Government in exile, to be directly involved in sending relief, the ICRC requested and obtained permission to establish a delegation in Brussels which would help to supervise distribution of the goods. The ICRC delegation was in Brussels when it was liberated in September 1944. After that, the Joint Relief Commission continued to send relief consignments, while the Belgian Government took over the food supply operations.

The Netherlands too had received relief consignments from the Joint Relief Commission by train and ship. But the ICRC had no permanent delegation in the country. The situation of the civilian population deteriorated badly in the autumn of 1944, as the Allied armies advanced, the German army having flooded huge tracts of land, jeopardizing the crops. The difficulties seemed insurmountable: transport by sea prevented by the blockade, roads and railways destroyed, no ICRC delegates on the spot to supervise distribution. Nevertheless, the ICRC succeeded in obtaining an easing of the blockade as an exception, and it had the arrival and distribution of goods supervised by delegates from the delegation in Berlin and by Swiss nationals resident in Holland. When the country was liberated the relief was distributed by the Netherlands Red Cross, assisted by one ICRC delegate who was then located in The Hague.

We saw that in Greece the Managing Commission and the ICRC delegation went on functioning for some time after the liberation of Athens by the British Commonwealth forces. The relief operations and visits to camps and prisons continued after the armistice, owing
to the devastation resulting from the fighting, also because of the civil war.

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On the eastern front, the spring of 1944 was marked by the general offensive of the Soviet forces. In a few months, the Red Army divisions rolled up the German resistance from the Baltic to the Black Sea and by August had reached the frontiers of East Prussia, the suburbs of Warsaw, the Vistula river and, on the southern front, the Dniester and Odessa. Though the German armed forces were capable of mounting effective counter-attacks, it was likely that the combined pressure of the Allied forces, now operating on three fronts, would gradually free the occupied territories.

The transition from wartime to liberation occurred in very different ways in the various capitals where the ICRC was represented: Bucarest, Budapest, Belgrade, Zagreb, Sofia, Bratislava, Vienna, Prague and Berlin. The delegates, often cut off from any communication with Geneva, improvised their operations at the end.

In Bucarest there remained Karl Kolb and Wladimir de Steiger. An account has been given of their activities to assist the Jews of Rumania, which they carried on right up to the last days of the war. The delegation also took care of British and American POWs, Italian internees, relief supplies to the civilian population and purchases for the Joint Commission. In April and May 1944, the air raids by the American Army Air Force had greatly hampered its work. On 23 August, King Michael ordered the arrest of Conducator Antonesco and his prime minister and next day he gave the order for Rumanian troops to lay down their arms. The capital and several other areas were bombed by German aircraft. On 25 August 1944, the new Government declared war on Germany. The Rumanian army then fought alongside the Red Army, which liberated Bucarest on 30 August.

After contacting the Soviet authorities and the new Rumanian Government, the delegates were allowed to resume some of their activities: visits to a few POW camps, distribution of relief from the “Joint”, aid to needy persons and to hospitals, and settling affairs for the Joint Relief Commission. The delegation ceased its activities at the beginning of 1946.

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1 Under the Groza Government, visits to the camps had not been allowed.
Events took a different course in Hungary. After Regent Horthy’s failure to obtain an armistice, on 15 August 1944, the Arrow Cross party had taken power. In the liberated areas, the provisional government had declared war on Germany in December 1944, but the Wehrmacht, firmly established in Budapest, had received orders to fight to the end. The German forces, supported by the Arrow Cross party, planned to make Hungary a defence bulwark against the Red Army, which by November 1944 was at the frontier. From October, the delegate Friedrich Born had been making every effort to ensure protection of the civilian population against the effects of a siege, which appeared imminent. He placed an underground hospital under ICRC protection and had notices with the Red Cross emblem displayed on hospitals and clinics; he helped supply food to the ghetto and liberally gave out 30,000 letters of protection to officials and workers. The underground hospital, with bombs falling all round it, was without water or food and the patients, like the other inhabitants of the capital, were reduced to eating the meat of horses killed in the streets. But in the final battles it was not touched, thanks to the protective emblem.

The attack on Budapest had begun on 17 January with occupation of the left bank of the Danube by the Soviet forces. Pest, heavily bombed, was completely retaken by 12 February.

During the siege, the delegation’s stocks of goods and its offices had been destroyed. Files, valuables and equipment had all been lost in the fire. The capital, which was still in the front line, remained under military administration. Friedrich Born spent several weeks re-equipping the delegation and establishing relations with the authorities now in charge. But he was obliged to terminate his mission on 31 March, at the request of the Soviet authorities.

The delegation nevertheless remained open. The assistant delegate Weyermann had gone to the provisional Hungarian Government at Debrecen before the fall of Budapest and obtained approval for the delegation. He, and after him Julio Schmidlin, continued ICRC activities, chiefly in supplying relief and visiting internment camps, until the delegation closed its doors in July 1946.

In the Balkan peninsula, the Red Army’s advance went on through the autumn of 1944. Bulgaria, which had declared war on Britain and the United States but not on the USSR, attempted in August 1944 to withdraw from the conflict and to disarm the German troops stationed in its territory. It declared its strict neutrality on 5 September, but notwithstanding this the Soviet Union declared war on Bulgaria the same day. The general uprising organized by the Patriotic Front
had broken out on 2 September and one week later, on 9 September, the resistance forces occupied the government offices in Sofia. The entry of the Soviet forces took place without opposition. The ICRC delegate, Major René Henry, who had been at his post in Sofia since January 1944, had been able to visit American and British prisoners of war in Bulgarian hands.

As in the other Balkan and Central European countries, essential goods—food, clothing, medicines—were in short supply. Tens of thousands of people had left Sofia, which was largely destroyed. From the end of 1944, and particularly during 1945 and 1946, the Joint Relief Commission sent the Bulgarian Red Cross, by sea and in special trains, the relief supplies received from the major aid agencies: the South African, British and American Red Cross Societies, l’Union d’Œuvres de Secours aux Enfants, le Don Suisse, and the American Joint Distribution Committee. The delegation was closed down in June 1945, and the rest of the ICRC’s activities were carried on by temporary missions.

Also during the autumn, the Soviet forces, crossing the frontiers of Bulgaria and Rumania, entered eastern Yugoslavia. With the collaboration of Marshal Tito’s forces they took Belgrade on 20 October. The ICRC’s representative in the capital, Rudolf Voegeli, had in practice the status of liaison officer, his duties being to inform the ICRC of relief needs and to supervise the stocks of goods. Distribution was supervised by the National Society or, in the case of certain consignments, Voegeli himself. After the Yugoslav and Soviet forces had entered Belgrade he made contact with the new governmental authorities and the Yugoslav Red Cross and obtained unofficial recognition of the Geneva Conventions by Marshal Tito’s Government. The Joint Relief Commission sent consignments of vaccines to the Yugoslav authorities in December 1944, and January 1945 saw the arrival in Belgrade of Professor Hermann Mooser of Zurich, a specialist in epidemic control, sent by the ICRC, and a mission from the Centrale sanitaire suisse, led by its President, Dr. Hans von Fischer.¹

The delegate in Zagreb, Julio Schmidlin, whose work to assist Jewish communities we have described,² had been carrying out relief operations for the civilian population, particularly children, since 1943, chiefly thanks to the consignments of relief from the Joint

¹ The first mission of the Centrale, headed by Dr. Biedermann, was already in Belgrade. The ICRC delegation kept in working contact with the two missions.
² See above, p. 567.
Relief Commission and various National Societies. After the liberation of Serbia, fighting continued in Croatia where the Wehrmacht had regrouped its forces. The partisans were conducting military operations on an increasing scale and gradually extending the area of the liberated zones, until the recapture of Zagreb on 7 May 1945. During this period the delegation's activities were gravely hampered by the fighting and the widespread destruction. Nevertheless it managed to bring relief to the liberated territories. After the surrender of Germany and the re-establishment of Yugoslavia, the ICRC's centre of activity was transferred to Belgrade and the Zagreb delegation was closed at the beginning of 1946. The Joint Relief Commission had also undertaken a relief operation to help the Muslim population from western Yugoslavia which had taken refuge from persecution in Bosnia-Herzegovina. The Egyptian Government and the Egyptian Red Crescent offered aid to the refugees, but the turn of events delayed its dispatch, and its use was finally negotiated directly between Cairo and Belgrade.

On the Central European front the Soviet forces advanced relentlessly. After Bucharest, Budapest, Sofia and Belgrade, they were about to take Bratislava. An account has already been given of the work performed by Georges Dunand, the ICRC delegate there, to assist the Jewish communities in Slovakia and foreign nationals who were being persecuted. At the beginning of 1945, the German military authorities had made Bratislava a fortified city and had appointed a Festungskommandant (Stronghold Commander) in charge. It was feared that the population would be ordered to leave. Taking as his example the action of Freidrich Born in Budapest, Dunand took steps to ensure that the necessary minimum of doctors, nurses, firefighters and social workers remained in Bratislava. He was supported in his efforts by the First Burgomaster of the Slovak capital and received the agreement of the Festungskommandant.

After a short visit to Geneva he returned to Bratislava on 27 March. In his absence, the persons who acted as intermediaries in contacting Jewish families, and his own Jewish secretary—although she had “Aryan” papers—were arrested by the Gestapo. The Jewish central association had been dissolved, but secretly re-formed. Dunand reported: “The Slovak authorities are well disposed, but the Gestapo and the Hlinka Guard are in control”.

The Slovak Red Cross, which gave efficient help to the delegation, had withdrawn to Piestany, about a hundred kilometres from

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1 See above, pp. 564-567.
Bratislava. The *Volksdeutsche* (residents of Slovak-German nationality) had been made to leave the city, but the rest of the population had at least not been forcibly evacuated. At the last minute Georges Dunand even managed to organize a convoy to take Jewish refugees to Switzerland.

On 3 April President Benès installed the Government of the Czech Republic at Kosice. On 4 April Soviet forces entered Bratislava. Georges Dunand obtained the Soviet commander’s permission to continue his activities and then travelled to the Czech Government at Kosice. He was received by Prime Minister Fierlinger and by Madame Benès, Honorary President of the Czechoslovakian Red Cross and was at once given the approval of the Government returned from exile.

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It was not until 4 December 1944 that the ICRC installed a delegation in Vienna—until then Austria had been covered by the Berlin delegation. The Committee was represented in the Austrian capital first by Luc Thudicum, then Colonel de Meyer, René Bovey and, from December 1945, Walter Fülemann. During the few weeks preceding the entry of the Soviet forces into Vienna on 15 April 1945, the ICRC delegate was able to provide the Jewish communities with relief obtained mainly from Bratislava and to organize communal soup kitchens. After the liberation, hundreds of thousands of persons sought refuge in Austria: Hungarian refugees, members of German minorities from the Sudetenland, Hungary and Yugoslavia, residents of South Tyrol, displaced persons, former POWs and concentration-camp inmates. Agricultural production was very limited and stocks of food non-existent. The division of the country into four occupation zones complicated the relief programmes. In addition to the Vienna delegation, the ICRC established delegations in Innsbruck, Klagenfurt, Salzburg, Linz, Buchs and Bregenz. The Vienna delegation had started an emergency service for aid to maternity homes, children’s homes, TB sufferers and repatriated deportees. Gradually the consignments sent by the Joint Relief Commission resumed and greatly expanded by the end of 1945. The goods sent came mainly from *le Don Suisse*, the British and American Red Cross Societies, the Quakers, the Aid to Austria Committee, the American Joint Distribution Committee, Caritas, *l’Union d’Œuvres de Secours aux Enfants*, the Save the Children Fund International
Union and the “Gifts from Ireland” and “Gifts from Norway” organizations. The distributions, made by the Ministry of Social Welfare, were supervised by the ICRC delegations in the four occupation zones.  

The delegate Paul Dunant had taken up his post in Prague in April 1945, when the Soviet forces, advancing along the Danube after the capture of Bratislava and over-running the German resistance in Upper Silesia, were making a pincer movement around Bohemia-Moravia.

Anxious to protect the civilian population of Prague against the dangers of the fighting which would mark the final assault, Paul Dunant proposed to the German military authorities that the city should be turned into a hospital zone and declared an open city. Minister of State Frank, Gauleiter of Bohemia-Moravia, at first rejected this plan, stating that the capital would be defended “stone by stone”, then conceded that, apart from military buildings, everything in historic Prague would be spared. Dunant wrote: “I hope that the next few days will improve the outlook still more”. Indeed, it appeared that the Gauleiter did not oppose Dunant’s departure to Geneva to discuss how the plan could be implemented.

But Minister Frank had in mind other plans of a very different kind. He provided the ICRC delegate with a special aircraft and asked him if, after having contacted the ICRC, he would deliver an urgent message to the Federal Political Department. Dunant landed at Dübendorf airfield in the night of 25/26 April.

In his message, Minister Frank wished the Allies to be notified that he was willing to order the German army in the Protectorate to attack the Soviet forces in such a way as to allow the US army to occupy Bohemia-Moravia without any fighting. He asked for British and American leaders to be approached on the subject.

Neither the Federal Council nor the ICRC could dream of acting as intermediary in negotiations of a political and military nature. The head of the Swiss Political Department, Max Petitpierre, and ICRC President Carl Burckhardt agreed that they would not respond in any way to this approach and would not report it. In addition, President Burckhardt took the precaution of shielding himself against any possible erroneous allegations on the subject by sending for one of

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1 In 1945 and 1946, the Joint Relief Commission sent to Austria 23,015 tonnes of relief, to the value of 34,696,086 Swiss francs.

2 Paul Dunant to the ICRC, 19 April 1945.
his staff, Jean Pictet, later ICRC Vice-President, and burning the document in his presence.

Meanwhile, the success of the Allies led to the insurrection in Prague which broke out on 5 May, with house windows and even trams suddenly adorned with national flags. But the Wehrmacht hit back, and the capital was the scene of bloody clashes. When street fighting was at its height there was no possibility of protecting the wounded or extinguishing the fires. For five days the ICRC delegate, Willy Montandon, replacing Paul Dunant who had gone to the ghetto city of Theresienstadt, tried with the help of the local Red Cross and the Czech staff of the delegation to assist the wounded and protect civilians, repeatedly contacting the German command for the purpose. He also acted as intermediary between representatives of the Czech National Council and the offices of Minister of State Frank, in the hope of neutralizing the capital to some extent or at least arranging partial truces.

On 6 May a delegation from the Czech National Council headed by Dr. Kotrly met representatives of the Minister of State, in the offices of the ICRC delegation and in the presence of delegates, to discuss the conditions for recognizing the authority of the National Council and making Prague an open city. The German representative put forward as a condition “that the measures taken would not hamper the German struggle against Bolshevism and that everything would be done to make the struggle possible”. Dr. Kotrly rejected this demand, stating: “We consider the Russians as our allies. Our Government’s conception is what guides our decision”. The negotiations having failed, the ICRC delegate made great efforts, with some success, to obtain agreement to a two-hour truce in the afternoon of 7 May to allow the combatants to recover the dead and wounded. The same day, at 10.30 p.m., he obtained a further order from Minister Frank for a truce of 24 hours beginning at midnight on 7 May.

But then the time had passed to think about local cease-fires. At that moment, in fact, Admiral Doenitz had ordered the unconditional surrender of all the German armed forces. The delegation of the Czech National Council therefore gave the ICRC delegation, in the morning of 8 May, a message for General Toussaint, the German military commander in Prague, ordering him to report at 10 a.m. in order to bring hostilities to an end.

After the re-establishment of the Czechoslovakian Republic, the ICRC kept a delegation in Prague carrying on its activities—relief, visits to camps—until 1948.

* * *
The final act in the long tragedy began in early 1945 as Germany saw its own territory invaded, from the east and from the west. From the eastern marches, Bessarabia, Poland, the Ukraine, streams of refugees and evacuees poured into the country, on foot, in carts, in open trucks, with no protection against the bitter winter of 1944-45. The POW camps also, when not encircled, were moved in the same conditions towards the centre and south of Germany. All categories mingled together—prisoners of war and civilian internees, forced labourers and volunteer workers, detainees and deportees—and the German civilian population were alike suffering from lack of food, clothing, fuel and care, while the major cities, the roads and the rail junctions were more heavily bombed than ever before.

The ICRC delegation in Berlin in February 1945 comprised 14 delegates. The central delegation was located at Berlin-Wannsee, with sub-delegations at Wagenitz, 50 km north-west of the capital, at Uffing, in Bavaria, and, as we have seen, in Vienna, to decentralize the programme of camp visits and relief operations. The numbers were small in relation to the needs. Communications, moreover, were virtually non-existent because of the destruction and Allied air raids. All serviceable German rolling stock was chiefly reserved for military purposes. The destruction of railway junctions meant that trains had to make lengthy detours. Consignments from Switzerland took five or six weeks to arrive in Berlin. Negotiations with the authorities also took longer and longer. Most of the administrative services had left the capital; and talks were frequently interrupted by alerts or ended in the bomb shelters.

At the same time the delegation’s responsibilities had grown very greatly. French and Belgian prisoners of war no longer had any Protecting Power, the Scapini and T'Serclaes missions having ceased their activities for POWs, and the ICRC delegation therefore had to take their place. In addition there were the Italian “military internees”¹ and civilian workers, totalling more than 600,000, the Rumanian, Bulgarian, Yugoslav and Polish prisoners of war taken on the eastern front or deported from evacuated regions, and volunteer workers. Then, the work of distributing parcels in the concentration camps and visiting the command quarters of those camps where entry to the camps themselves was not yet allowed required lengthy representations and difficult journeys. It was nearer to relief operations after a natural disaster than to traditional ICRC activities.

¹ See pp. 434-436.
Meantime, for lack of transport, stocks of goods piled up in the ports of Toulon and Marseilles and even in the warehouses in Switzerland, while the camps in Germany had no supplies. The ICRC having obtained 247 French, 711 Belgian and a few dozen German rail trucks, with, in February 1945, two trains of 50 trucks from the Swiss railways, complete Red Cross trains of 20 to 25 trucks each were made up, painted white and bearing the Red Cross emblems. These were sent to the depot at Ratisbon, from where road convoys were sent to the camps at Wurtemberg and Baden and towards the north. They then drove to meet the columns of POWs evacuated from Silesia and Saxony, or to supply Stalag VII A at Mosburg, near Munich, where about 100,000 Allied POWs were concentrated, or the camps in the Vorarlberg and the Tyrol where Allied POWs and civilians evacuated from Italy and Upper and Lower Austria were pouring in. The International Committee then set up transit centres and stores of supplies at Kreuzlingen, Ravensburg and Lübeck. So, in the last months of the war, it took on the dimensions of a self-contained organization for protection and assistance, with ships sailing under its flag, trains and road convoys bearing its sign, travelling huge distances, while its delegates not only carried on their habitual duties but added emergency activities, supplying moving columns, and entering camps where previously they had been denied access. At the same time the International Committee was making provision for the possibility—by no means excluded—that the last reserves of the Wehrmacht and the Waffen-SS would form a core of resistance in the Bavarian and Austrian Alps. In liaison with the Swiss diplomatic service, the ICRC planned to establish in an area of Upper Austria a group of representatives of the ICRC and the Swiss Legation whose mission would be to remain within the surrounded area and together ensure the continuity of activities of the ICRC and the Protecting Power.

This plan never had to be carried out. On the western front the Allied armies crossed the Rhine at the end of March and, fanning out from the North Sea to Austria, occupied central Germany, Bavaria and the Tyrol. In Italy, the Appenines front had been broken and northern Italy liberated with the help of the partisans. On the eastern front, the Soviet divisions advanced within a month from the Vistula to the Oder, which they crossed on 16 April, and laid siege to Berlin, which surrendered on 2 May. On 7 May Admiral Doenitz, holding supreme power after the death of Hitler, ordered the capitulation of Germany, which took effect on all fronts on 8 May 1945.
In Berlin, six members of the delegation were still at their posts.\(^1\) During April they had redoubled their efforts to help prisoners, internees and detainees of all kinds. We have already described their activities aimed at protecting and causing the release of the detainees in Berlin’s prisons and their work in the concentration camps of Oranienburg and Ravensbrück while these camps were still accessible. The delegation also continued, up to the last days of the war, to take food supplies to the POW camps and labour detachments and had ICRC protective notices affixed to a number of hospitals.

By 24 April the Soviet armies had completed the encirclement of Berlin. Flattened by thousands of tons of shells and bombs and darkened by a suffocating cloud of smoke, ash and dust, the capital of the Reich had reached the last few days of resistance. The ICRC delegation’s offices was soon in the combat zone. Dr. Lehner wrote:

"The delegation spent the last week in a shelter a few metres from the office. Since 15 April 1945 it had had no electricity, since 24 April no water and by the 25th it was in the most forward part of the front line, 200 metres from the Russian positions. Air raids, shelling and fire from automatic weapons hardly ever stopped. On 28 April the delegation’s office was partly destroyed by heavy shelling from the Russian guns. The members of the delegation and the persons who were under their protection remained safe and sound. (...)"

"On 2 May 1945 Wannsee was seized by Marshal Koniev’s troops, and a new era began: the Soviet occupation."\(^2\)

The delegates moved to a villa which had remained undamaged, in the Bismarckstrasse in Wannsee, and tried to resume more or less normal activities.

The situation in the capital was desperate. The Berliners had suffered many casualties in the air raids and the fighting and were in danger, in the first chaotic few days, from the occupying troops; they had nowhere to live, nothing to eat and were utterly destitute. Those who had taken refuge in Greater Berlin included 200,000 Allied POWs and 400,000 displaced persons. Hundreds of people—prisoners of war, evacuated deportees—came to the delegation to ask for help. The delegates distributed relief parcels to those most in need and gave out any medicines which had escaped the bombing and looting.

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\(^1\) They were: Dr. Otto Lehner, Albert de Cocatrix, Emil Boesch, delegates; Ursula Rauch, secretary; André Frütschy and Enrico Bado, drivers.

\(^2\) Report of Dr. Lehner to the ICRC, December 1945.
At Lübeck, where the delegate Paul de Blonay had remained, there were still stocks of goods; but the road from Lübeck to Berlin was cut. On 8 May Emil Boesch left the Russian zone and travelled to Geneva to inform the ICRC of the situation.

Colonel-General Berzarin, the Russian military commander in Berlin, received Dr. Lehner on 11 May and gave him a letter of protection for the office of the delegation, which was described as an “American Committee”, apparently the most effective title at that moment. But attempts to resume the work of assistance were unsuccessful. Orders to leave Berlin were received on 23 June and the delegation left by special train, together with many foreigners and diplomats. After spending four months in the camps at Krasnogorsk and Planernaya, near Moscow, the members of the delegation were repatriated on 16 October 1945.¹ Later, as we shall see, the ICRC was able to re-establish a delegation in Berlin and to work with the Soviet authorities to assist the population in the capital and the Soviet zone of occupation.

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However, it was obvious that the end of the fighting would not bring an end to the hardships, and that a long period of chaos and poverty was ahead. The western world counted its dead, sought those who had disappeared and estimated the extent of the destruction which only yesterday had been the pride of the military commissars; and it was stunned by discovery of the concentration camps. The German nation, wounded and divided, waited to know what its fate would be. Thirty million persons had left their homes, ten million had taken refuge in the western zones of occupation and two million members of the German armed forces were undergoing in their turn the experience of captivity. The ICRC, therefore, while continuing its assistance to prisoners of war, extended it to the civilian population, refugees and displaced persons until the governments, the National Red Cross Societies and the major aid agencies were in a position to take over.

The Allied prisoners of war in German hands had been liberated at the fall of the Third Reich, and as a rule SHAEF and the general

¹ The delay in repatriating them and the other Swiss nationals with them was explained to them as being a “counter-measure” to ensure the return to the USSR of Soviet POWs who had escaped from Germany and been interned in Switzerland during the war.
staffs of the Allied armies of occupation took care of them and organized their repatriation. This does not mean that the ICRC abruptly dropped its activities for Allied POWs: many of its services—those dealing with succession and invalidity, for example, and above all the Central POW Agency—carried on their work. The Central Agency continued its searches for missing Allied military personnel, forwarded messages and sought members of dispersed families.

The German prisoners of war could no longer rely on assistance from their government or on that of the Protecting Power, whose mandate had ended. They had no hope of receiving relief from their families, often in greater need than themselves. And public opinion in the detaining countries was not moved by their plight, which it tended to see as fulfilment of a just fate. In addition, the Allied Powers considered that German military personnel who had laid down their arms on or after the surrender date and been interned did not have the status of prisoners of war but belonged to a category specially created for them, “surrendered enemy personnel”.

So the ICRC now had the task of continuing the assistance operations it had conducted during the war, but this time unilaterally. Camp visits, relief consignments, aid to invalids, medical assistance, tracing families—all these wartime activities went on for several years. The International Committee, in fact, considers that any member of the armed forces in captivity, whether captured in combat or disarmed after an act of capitulation, remains protected by the Conventions. It was in this sense that the ICRC addressed the Allied Powers, from August 1945 onwards, not only in favour of German POWs but also of Japanese prisoners who had laid down their arms. But before giving an account of the immediate postwar period we must return to the war in the Pacific, where the fighting in the last year of hostilities was entering its bloodiest phase.

11. The end of the war in the Far East

The year 1944 had accentuated the reversal of positions in the war in the Pacific, a process begun the previous year. The US and Allied forces pursued their offensive in both hemispheres of the great ocean, from the coast of New Guinea to the Aleutians. One by one the Marshall Islands, Biak and the Marianas were the scene of relentless fighting. In the Marianas campaign alone, the Japanese lost 46,000 men, of whom only a very small proportion were taken prisoner. In the Palau Islands, part of the Carolines group, the
Japanese had 13,600 dead and no more than 400 prisoners. These operations led up to the landing at Leyte, the prelude to the reconquest of the Philippines by General MacArthur.

The operations map was indeed reversed, to the detriment of Japan; but its will to resist showed no sign of weakening—on the contrary, it hardened to the utmost. It was in October 1944 that the Japanese air force called on the suicide pilots, the kamikaze. Such determination made it seem probable that the war would still go on for a long time and cost many more lives, the more so in view of the Allies’ decision to continue the struggle until unconditional surrender set aside any possibility of compromise.

We have seen how the ICRC tried to strengthen its delegation in Japan by sending a delegate from its headquarters. Efforts to this end in 1943 had come to nothing, the Japanese Government replying that “the time had not yet come”. Without giving a reason, it finally consented in May 1944. But the dispatch of a mission needed still more time: the selection of delegates, the choice of an itinerary which would not pass through the territory of a State at war with Japan, and the waiting period for transit visas, all delayed the mission’s departure. Dr. Marcel Junod, a veteran of ICRC missions, received his Japanese visa on 23 November 1944 and left Geneva at last on 11 June 1945. He was accompanied by Margherita Straehler, a Swiss born in Yokohama and at that time head of the American service of the Central POW Agency. Arriving in Teheran on 20 June and in Moscow on 4 July, the delegates continued their journey by the Trans-Siberian Railway (the Soviet Government having granted them all facilities for passing through the USSR) and finally reached Manchuria on 1 August.

Taking advantage of their short stay in Manchukuo, they visited two POW camps: on 5 August, that in Hoten and, on 6 August, that in Seihan, where a number of senior officers had been transferred from Formosa, among them General Jonathan M. Wainwright, the defender of Corregidor, General Arthur E. Percival, former commander of the base at Singapore, and General Tjanda van Starkenborgh, former Governor of the Netherlands East Indies.

Few people knew at that time that the research undertaken since the beginning of war into the military uses of nuclear energy had produced results. As early as October 1941, Great Britain and the United States had decided to form a joint commission to combine their efforts. The Allied general staffs knew that German scientists possessed the necessary knowledge to design an atomic weapon and were afraid that they might have the means to do so before themselves.
The Americans and British, however, were better equipped, with research centres beyond the range of enemy observation or bombing, able to draw on the assistance of American, British and French scientists, with the added help of those physicists who had fled from the occupied countries. So within a few years they had taken a very large lead, in research and also in the manufacture of the new weapon. On 16 July 1945 the first experimental bomb exploded in the state of New Mexico.

The war in Europe had then been over for two months. If, therefore, it was decided to use the new weapon, it could only be in the Pacific conflict. During the first few months of 1945 Japan had let the United States know, through the Soviet Government, that it would be willing to examine the conditions for a cease-fire, but had received no definite response. Repeating its representations at the Emperor’s request, the Supreme Council on 10 July requested Prince Konoye to undertake peace negotiations. But events followed fast in the final weeks. The day after the first atomic explosion, the heads of state meeting in Potsdam were told of the results of the experiment. On 26 July the American and British Allies sent Japan a demand for unconditional surrender. Although the nature of the new weapon was not revealed, the joint proclamation nevertheless contained a definite threat:

“The full application of our military power, backed by our resolve, will mean the inevitable and complete destruction of the Japanese armed forces and just as inevitably the utter devastation of the Japanese homeland.”

The text ended by stating that for Japan the alternative to unconditional surrender was “prompt and utter destruction”.

Japan did not reply to this ultimatum. Meanwhile the essential elements of the atomic bomb had already been taken to the island of Tinian. On the evening of 6 August, President Truman broadcast an announcement:

“Sixteen hours ago an American airplane dropped one bomb on Hiroshima, an important Japanese Army base. That bomb had more power than 20,000 tons of TNT. It had more than two thousand times the blast power of the British “Grand Slam” which is the largest bomb ever yet used in the history of warfare. (...) It is an atomic bomb. (...) We are now prepared to obliterate more rapidly and completely every productive enterprise the Japanese have above ground in any city.”

Even after the devastation caused by the bomb, even faced with the threat to the country, the Japanese Supreme Council remained
divided. But on 9 August another bomb was dropped on Nagasaki, confirming the Allied Command’s determination to repeat the use of the atomic weapon. On the same day, the USSR declared war on Japan. Next day, bowing to the desire expressed by the Mikado, the Japanese Government informed Washington that the Empire of the Rising Sun accepted the terms of the Potsdam Declaration, provided it contained no demand which would prejudice the Emperor’s prerogatives as sovereign monarch. On 11 August, the American Government stated that the authority of the Emperor and of the Japanese Government in directing the State would be subjected to the Supreme Commander of the Allied Powers. These conditions were accepted on 14 August and Japan’s capitulation was announced by the Allies at midnight on the same date. The deed of surrender was signed on 2 September, aboard the battleship Missouri anchored in Tokyo Bay, in the presence of General MacArthur, who had been appointed Commander-in-Chief.

The news of the atom bomb explosion stupefied the world. The feeling may have been masked by the idea that the war was ended and that six years of fighting and destruction, of deprivation, threats and massacres had reached a climax in the fiery end of the two Japanese cities. But soon the first reports were received on the effects of the atomic bomb and the first newspaper photographs were published, revealing the scale of devastation. True, the bombing of large cities during the war had been unrestricted: Cologne, Hamburg and Dresden in Germany, Tokyo, Kobe and Osaka in Japan, had been wiped out by ten-ton bombs and incendiaries. But this time the suddenness of the attack, the impossibility of any protection against its effects and the number of victims marked a new level in the mounting sequence of methods of destruction. Of Hiroshima nothing was left but calcined ruins, among which there rose here and there the outline of some building whose metal frame or stone foundations had survived. The shock wave, the heat released by the explosion and the blaze which followed had caused the instant death of 100,000 persons. Tens of thousands of injured with severe burns lay under the rubble or, if they were able, tried to get away from the contaminated ruins. At Nagasaki the bomb had not exploded vertically above the city centre but over an industrial suburb, Urakami; nevertheless, the bomb was more powerful than that dropped on Hiroshima and the devastation was similar. In addition to the 150,000 or so killed in the two cities, others died later from burns, internal haemorrhage and radiation effects. Most of the hospitals had been destroyed or made useless and the work of medical and relief teams and civil-defence
workers was hampered by fires and the piles of rubble. Even so, the rescuers did their best to gather the injured into improvised clinics. In Hiroshima, the Red Cross hospital, a large stone building located 1600 metres from the zero point, had partly withstood the explosion and was one of the centres for treating the injured in the first few hours after the destruction of the city. In front of the reconstructed hospital a monument was erected in 1959 to the memory of the members of the Japanese Red Cross who perished in the explosion. It bears the words specially composed by the President of the ICRC, Leopold Boissier, both as an epitaph for the dead and as a watchword for the future:

"Death took at the same instant the people of this city and those whose mission was to help them, and the work of charity established here by the Red Cross was struck down by a savage weapon of indiscriminate destruction. Yet the conscience of mankind was aroused. Henceforth all men know they must unite to abolish war and create the fraternal world where justice and peace shall reign. To this work the Red Cross will devote its enthusiasm and its faith."

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The use of a weapon of such destructive force, whose effects were not even known, has since been the subject of much fierce debate, and the right to use such a weapon has been vigorously contested. In this account, we have followed the development of airborne weapons, from the first bombs, weighing five kilos each, dropped from aircraft during the Tripolitania War to the launching of the atom bomb equivalent to 20,000 tons of TNT. We have given some of the names, being unable to mention all, of the cities destroyed by these indiscriminate attacks, their inhabitants wiped out by blast or fire. We have also described the efforts of the ICRC to achieve at least a limitation on aerial bombing. We know that in time of peace a number of governments appeared to encourage these efforts and that even as the Second World War broke out the President of the United States asked the belligerents not to resort to "this form of inhuman barbarism". During the war the ICRC had repeatedly summoned the belligerents to spare the civilian population. All these attempts were no more than a paper barricade in the face of the mounting tide of destruction. What in fact had occurred, from 1911 to 1945—and since then—was an irreversible intensification in bombing from the air, appearing to progress through advances in weapons, reprisals and dissuasion like a form of uncontrolled chain reaction. When, in
its memorandum of 13 March 1944, the ICRC revived its project for the creation of hospital and safety zones, dating from 21 October 1938—in order to place some of the wounded and sick, women, children and old people in a safe place in areas set apart for the purpose—it was implicitly acknowledging that its appeals for protection for the whole of the civilian population were no longer going to be heeded. At that moment, the research work aimed at building the atomic bomb was nearing completion. Some of those taking part in the research were said to have wished for it not to be used, or for it to be set off in some uninhabited place, as a demonstration of its force; but nobody listened to them.

The International Committee of the Red Cross was the first international body to demand that steps be taken to regulate the use of atomic weapons. On 5 September 1945, one month after the first bomb was dropped on Hiroshima, it issued an appeal drawing the attention of the Powers to the dangers facing the civilian population as a result of the progress in aviation, the increased effects of air raids, the use of the discoveries in nuclear physics and, apparently without cherishing any illusions that the atom bomb might be banned, proposed that at least its use should be controlled.1

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Dr. Junod arrived in Tokyo on 9 August, the very day on which the second atomic bomb was dropped. The ICRC’s mission was far from over, in fact, the delegates were immediately to devote themselves to their postwar duties. The Allied forces were unable to reach the camps of POWs and civilian internees at once; the Japanese forces in turn were to experience captivity or internment; the country, impoverished and ruined by war, desperately needed relief; moreover there was the need to search for the missing, complete the lists of prisoners, identify the dead and make it possible for the Japanese Red Cross to fulfil its appointed role.

Moreover, it was urgently necessary to determine the damage inflicted by the new weapon and to find out the needs. The delegate Fritz Bühfinger, responsible for arranging the evacuation of the POW camps in the area of Osaka, Kobe and Hiroshima, visited the ruins on 29 and 30 August. He immediately cabled an appeal for help to the Tokyo delegation: “Appalling situation. Eighty per cent of city

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1 See page 635.
flattened, all hospitals destroyed or badly damaged. Have visited two temporary hospitals, conditions indescribable. Effects of bomb mysteriously grave”. He asked for medical supplies, plasma and emergency transfusion equipment for 100,000 patients to be dropped immediately by parachute and for a medical inquiry team to be sent to the city. On reception of this telegram, Dr. Junod got in touch with General MacArthur’s general staff HQ and received 15 tons of medical supplies. On 8 September he too went to Hiroshima, where he visited the emergency hospitals and distributed relief.

* * *

Conditions in the camps of Allied POWs also required urgent action. There were still over 200,000 prisoners of war and civilian internees in Japan and the occupied territories, dispersed in several hundreds of camps and labour detachments from Hokkaido to Borneo and from Singapore to Bangkok. Whatever their logistic capacity, the Allied forces could not occupy these vast areas in a few days, especially as there were still three million Japanese under arms who had to be disarmed. The surrender terms, moreover, did not come into effect until 2 September. There was no question of simply opening the camps and leaving tens of thousands of prisoners, many of them sick, without essential supplies and suffering from malnutrition, to their fate in places where they would not have been able to find food or shelter. In most camps the POWs or internees formed committees to represent their interests, while the Japanese went on running the camps. The ICRC delegates played an important role during this period of transition. Recognized now in the occupied territories, they were able to visit camps they had never seen before, distribute the first relief supplies, act as links with Allied HQ in preparing for the release of the prisoners, and inform the authorities of the most serious cases. Their duties came to an end only when the camps were taken over by the Allied authorities. And they were responsible for repatriation of all those who had been held in the camps.

In the occupied countries of South-East Asia, they were able to visit many POW and internment camps which had never been visited during the conflict and distribute essential relief while awaiting the arrival of Allied troops.

* * *
Finally, the delegate passed directly to protecting Japanese prisoners as soon as the Japanese forces had been disarmed. As in Germany, soldiers who had laid down their arms in application of the surrender terms were not considered by the Allied Supreme Command to be prisoners of war but “surrendered enemy personnel”. On several occasions the ICRC appealed for these men to be given the benefit of the POW Convention. It obtained permission to visit the camps and to send them relief, but it continued to put forward its view, to which it attached great theoretical importance:

“The ICRC cannot remain indifferent to this situation and considers it its duty to call the attention of governments to the dangers that might arise in the future from the existence of such a precedent, which might be invoked by any belligerent State. There can be no doubt whatever that it is in the interest of all States to be assured, in peacetime, that in the event of war their nationals captured by the enemy shall always benefit by the application of the Conventions concluded for the protection of Prisoners of War.”

The British Government, basing its position on legal arguments and practical considerations, did not completely accept the Committee’s viewpoint, but on 20 February 1947 recalled its decision that, “in all cases where it was possible to extend to Surrendered Enemy Personnel, wholly or in part, the benefits of the Convention, it should be done, but this should not be stated to be done in accordance with the Convention, since it would naturally lead to claims to rights under the Convention which could not be conceded”.

The Department of State replied on 17 March 1947:

“It is the policy of this Government that such detainees be given the same status as prisoners of war. You are assured that the Committee’s report is being brought to the attention of the military commanders concerned and that appropriate steps are being taken to insure for all enemy military personnel still in American hands treatment provided for in the Geneva Convention.”

On this basis, the ICRC delegates made over 300 visits to places of internment housing Japanese nationals between the end of the war and 1949, chiefly in Japan and in the territories previously occupied by the Japanese forces, bringing assistance in the form of relief supplies, correspondence and repatriation.

In addition to these traditional functions, the ICRC delegates were called on to deal with many other problems while waiting for the

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1 Letter of the ICRC dated 6 September 1946 to the British Foreign Minister and the US Secretary of State.
Allied military authorities or the consular representatives to take charge of them. Relief was provided for Chinese prisoners of war and civilian internees whom the ICRC had not formerly been allowed to visit, and to foreign nationals or stateless persons in distress. Finally, Dr. Junod took the first steps towards repatriation of the Korean workers in Japan, numbering two million and until then possessing Japanese nationality. But the problem was a complex one and its settlement, delayed by the Korean War of 1950-1953, was to take more than 25 years.

12. Epilogue and outlook

Three weeks after the end of the First World War, the ICRC sent messages to the National Red Cross Societies and to governments welcoming the peace, outlining the tasks then awaiting the Red Cross and proposing the holding of an international conference to examine the problems of the postwar period in the light of experience during the conflict.

In the same spirit, the ICRC wrote to the Central Committees of the National Societies immediately after the Second World War. The circumstances were, in fact, comparable. Although more widespread, longer, more deadly in its effects and more destructive owing to the use of new weapons, the second war, like the first, left devastated battlefields, ruined cities and untilled fields. Fighting men and civilians, earlier united in the trials of war, were now experiencing the ordeals of peace. As we have seen time and again, the end of hostilities does not halt the task of the ICRC.

In April 1945 President Huber had prepared the text of the circular he intended for the National Societies, a sort of manifesto setting out the essentials of the postwar work:

"The war fronts have disappeared; the victorious Powers can go where they like. It may be thought that the specific role of the International Committee of the Red Cross has come to an end, consisting as it does in acting as a neutral intermediary to carry out humanitarian operations between belligerents separated by hostilities. But in fact this role has by no means lost its significance everywhere, especially since that of the Protecting Powers has ended in some countries. As long as there are prisoners of war and occupied territories there will be circumstances in which an institution independent of both victors and vanquished, acting only for
humanitarian purposes and hampered by no political ties, can be of service. Moreover, the Committee’s wealth of experience and network of delegations render it capable of performing useful work in the difficult transition period following the end of hostilities.”

The ICRC then specified the chief areas in which its activities would take place in the years to come. In the first place, and in pursuance of the mission it received in 1863—which it was careful to mention—it intended “to improve the rules of the law of nations safeguarding humanitarian interests in time of war”, meaning that it would promote revision of the Conventions in force and prepare for the conclusion of a Convention to protect civilians of enemy nationality.

The International Committee likewise expressed its disquiet at the difficulties it expected to encounter. It feared that, with the return of peace, governments would tend to neglect the preparation of future humanitarian Conventions and that the destructive power of weapons had become so great that the protective value of the Conventions might well be jeopardized. It wrote:

“It is especially obvious that, with the growth of air power and the greater effects of bombing, the distinctions hitherto made for the benefit of persons who should enjoy special protection—in particular the civilian population as compared with the armed forces—become virtually impossible. The relentless development of methods of combat and so of war itself is further accentuated by the discoveries of atomic physics, resulting in a weapon of war without precedent.

“It would be useless to attempt any prediction concerning the future of this new weapon and even to express the hope of seeing the Powers eschew its use completely. Surely they will wish at least to keep it in reserve, as it were, for a long time and in safety, as a final guarantee against war and a means of maintaining an equitable order. The hope is perhaps not entirely groundless since, during the six-year conflict, there was no recourse to certain toxic and bacteriological methods proscribed by the Powers in 1925. We should remember this of a time which has seen so many violations of law and so many reprisals.”

Pointing out that war had “become the mobilization of all the living forces of the nation against the enemy State, involving the whole population”, the ICRC recalled how the Geneva Conventions proclaimed “the absolute inviolability of an enemy hors de combat and ... the dignity of the human person”, and that the same principles should ensure the safety of the civilian population and the provision
of supplies to certain categories of non-combatants—children, women and old people—in occupied territories:

"The protection of childhood is the last bastion which the Red Cross must defend, if war is not to mean the annihilation of nations."

In conclusion, the ICRC reaffirmed the rule of international and Red Cross law with regard to the new forms of conflict:

"Total war has given rise to new techniques. Does this mean that we must admit that individuals can no longer be legally protected and will henceforth be considered merely as an element of a community at war? This would signify the collapse of the principles underlying international law whose purpose is the physical and spiritual protection of the human person. Even in time of war, a law which is strictly self-centred and military, motivated solely by temporary interests, would never be capable of offering lasting security. If war denies value and dignity to the human person, it will move ineluctably towards total devastation, since the human mind, which exploits the forces of the universe, seems bent on inventing ways to speed the headlong rush to destruction.

"But the Red Cross ideal remains. It embodies the notions of human worth and dignity, far transcending the law of nations and the rules of war. In the profoundest sense, every human community is dependent on this ideal.

"The International Committee of the Red Cross has the honour to draw the attention of National Societies to these grave problems. It considers that the next International Red Cross Conference should state its views on the subject."

The ICRC had thus traced the outline of its future activities. In addition to its traditional activities of assistance to prisoners of war and civilians, it was defining its objectives regarding humanitarian law for the coming thirty years: revision and extension of the Geneva Conventions, preparation of the Protocols additional to the Geneva Conventions of 12 August 1949 relating to the protection of victims of international and non-international armed conflicts and, finally, the Committee's efforts to secure a ban on the use of weapons likely to cause unnecessary suffering or be indiscriminate in their effects.

In 1944, the Nobel Committee of the Norwegian Parliament awarded the Nobel Peace Prize to the ICRC. It was the second time that the International Committee of the Red Cross had received this high honour, awarded to the "person who shall have done the most or the best work for fraternity among nations, for the abolition or
reduction of standing armies and for the holding and promotion of peace congresses”.¹

At the prize-giving ceremony in Oslo on 10 December 1945, ICRC President Max Huber, expanding on thoughts he had expressed in the memorandum of 5 September 1945, emphasized the essential ink which he saw between “constructive peace” and help for the victims of war:

“The purpose of the Red Cross is not solely to succour the victims of war; by so doing, it serves another purpose no less important, that of saving from the torment and darkness of war the idea of human solidarity and of respect for the dignity of every human person, particularly in an age when the alleged necessities of war cause moral values to be relegated to the background.

“No organization intended to guarantee peace among nations can survive unless it is inspired by the idea of active solidarity among human beings, an idea which the Red Cross wishes to safeguard even in humanity’s darkest hours.”

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So it was that the ICRC continued its work for war victims long after the fighting had finished. It was committed to relief operations which it could not complete in a matter of days; it held goods and funds which had been entrusted to it; it was responsible for protecting prisoners of war and civilian internees for whom the end of the conflict had not yet brought liberation. It was therefore obliged for several years more to carry on a number of essential tasks: the relief work arising out of its wartime activities, protection of POWs and internees, humanitarian action in the new conflicts, adaptation of its structure to post-war conditions, and the preparation of new Conventions.

We have seen that by the end of the war the International Committee had become the largest non-governmental body for distributing relief. In the regions hardest hit by the war, Europe, Asia and Africa, it continued to send relief through its delegations, not only for POW and internment camps but also for the needy civilian population.

¹ The Nobel Peace Prize had already been awarded to the ICRC in 1917 and was bestowed a third time in 1963, shared with the League of Red Cross Societies, on the occasion of the centenary of the foundation of the Red Cross movement. It may be recalled that the first Nobel Prize for Peace was awarded in 1901 to Henry Dunant, together with the French philanthropist Frédéric Passy.
As soon as the war in Europe was over, the ICRC had intended to withdraw from the Joint Relief Commission, which would then, under its statutes, have been dissolved. The ICRC considered, in effect, that the end of hostilities would make it possible for the various bodies capable of giving assistance to civilians—the Allied governments, UNRRA, the League of Red Cross Societies and the National Societies—to perform their charitable activities directly. However, after consultation with the League, it appeared that such a decision would be too hasty. The scale of the destruction, the lack of food, the fact that a large proportion of the population in Europe, especially children, was suffering from malnutrition, the continuance of restrictive measures and the breakdown of transport systems, made it essential for the Joint Relief Commission to continue its work until the situation became less critical. The ICRC and the League therefore agreed to postpone the dissolution of the Commission until a more suitable time, and were content to modify its statutes and create a three-man Executive Committee to take charge of its activities. 1 Later, the League’s Board of Governors, meeting in Oxford in July 1946, adopted a resolution to end the work of the Joint Commission within six months. This decision, which entailed another modification in the Commission’s structure, took effect from 31 October 1946. 2

Donations from National Societies were then forwarded by the League Relief Bureau, while a new body was set up in Geneva, the International Centre for Relief for Civil Populations, which took over the staff and offices and, as far as possible, the working conditions of the Joint Relief Commission, with responsibility for receiving and allocating the relief sent for civilians. The ICRC continued to provide its services for all matters concerning relief to civilians, especially whenever a neutral intermediary was necessary.

The International Committee and the League of Red Cross Societies—which kept its headquarters in Geneva after the end of the war—informed each other of the needs of the population in Europe and of the progress of operations, while the ICRC also remained in close contact with the principal private bodies bringing assistance to civilians: the World Alliance of Young Men’s Christian Associations

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1 Statutes of 24 August 1945. The three members appointed to the Executive Committee were: Robert Boehringer, chairman, Pierre Bigar, for the ICRC, and Georges Milson, for the League.

2 The value of the goods despatched by the Joint Relief Commission between 1941 and 1946 totalled 314,251,522 Swiss francs (165,256 tonnes), of which 120,452,437 francs (71,738 tonnes) were sent in 1946.
(YMCA) and the World Young Women’s Christian Association (YWCA), the American Friends Service Committee (Quakers), Caritas, the International Centre for Relief for Civil Populations, the World Council of Churches, the International Union for Child Welfare (IUCW) and l'Union d'Œuvres de Secours aux Enfants. The “cartel” formed by all these bodies launched an appeal in 1947 for help for “victims of the war, whether civilian or military, children or adults”, and in 1948 for aid to “refugees throughout the world, with no distinction of categories”.

This work, however, could only be a supplement to that of various relief bodies which, from then on, were able to purchase and distribute their supplies freely and expand their assistance to people in need. The United Nations Relief and Rehabilitation Agency, founded in 1943, gave considerable help. Above all, in 1947 the Marshall Plan, born of a proposal by General George C. Marshall, undertook the economic reconstruction of Europe with means proportionate to the extent of the needs.

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The ICRC made no claim, therefore, to be a substitute for the Allied authorities or for the National Societies, which were now in a position to undertake peacetime relief operations. On the other hand, the Committee did its best to assist in activities requiring the help of a neutral intermediary, while attempting to obtain for gifts from private organizations the same transport and Customs facilities granted for its own consignments. Its logistic services were at the disposal of donors and, when necessary, its delegations made representations to the authorities and, at times, distributed relief. The ICRC continued these activities until 1948 in war-torn countries whose economic resources had been reduced to zero and which were not yet receiving any official assistance.

The first thing to be done was to bring relief, not only to the resident population but also to the millions of people who had left their homes, either as refugees from other parts of Germany or as displaced persons. But in order to accomplish its work of assistance, the ICRC was obliged to obtain the consent of the general staff of the armies of occupation—American, British, French and Soviet—in the four separate zones in which the Allied had established their administrations, and in Berlin, administered by an Inter-Allied Command formed of representatives of the four Powers. Gradually the
ICRC's efforts achieved their purpose: in autumn 1945 relief supplies were admitted and ICRC delegates were allowed to carry out their duties in the French and British zones; on 5 December, Dr. Auguste Lindt, the ICRC special delegate to Germany for relief matters, was told that the Berlin Inter-Allied Command had accepted the ICRC's offer to send food and medicines to the sick and children in Berlin, and that ICRC representatives would be allowed to attend the distribution of supplies; on 4 February 1946, an agreement in principle enabled the ICRC to send relief supplies to the American zone; and finally, on 13 April, the chief of the general staff of the Soviet military authorities in Germany informed Dr. Lindt of the conditions in which the ICRC's assistance could be extended to the Soviet zone.

In the years that followed, relief operations continued in the various zones of occupation. In 1949, the reconstitution of sections of the German Red Cross in the principal Länder of West Germany caused the ICRC to reserve its relief operations for the Berlin region and East Germany where, under agreements made with the allied authorities, it remained the only international humanitarian institution to carry on its work. In addition, by the end of that year, the economic situation in Berlin and East Germany was slowly improving, though the improvement was not felt at once by those who had suffered most severely from under-nourishment. The ICRC continued its relief work for sick children and those suffering or at risk from tuberculosis until after 1950.

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Immediately after the war, the ICRC also provided assistance to those known as Volksdeutsche (German-speaking minorities in the countries of eastern and south-eastern Europe) and Ostdeutsche (Germans living in Eastern Europe), and generally worked to reunite families separated because of the war or the shifting of frontiers.

The minorities of German origin or language living outside the new frontiers of Germany would be repatriated: this was decided by the four major Powers at the Potsdam Conference in July 1945. Implementation of this decision, which affected eleven or twelve million people, often completely destitute, had some grave consequences, since there was no guarantee of homes for the displaced persons, families were often split up and the division of Germany into four zones of occupation did not make it easy for them to come together.
A telegram sent by the ICRC on 8 September 1945 drew the attention of the Governments of France, Great Britain, the United States and the USSR to the problems bound to arise from such movements of population:

"Not knowing measures taken or decided particularly in countries of departure or arrival, International Committee offers its help if judged opportune and that of its delegations at present in Germany and neighbouring countries in particular to assess needs or distribute relief which would at once be made available to it or which it could obtain itself with the aid of other charitable institutions. International Committee hopes receive all facilities from competent authorities also support for relief operations on the spot."

Even though it received no reply to its offers of service, the ICRC worked to bring relief wherever it was allowed and to the extent of the resources made available. In particular, it did its best to improve conditions in the camps of Volksdeutsche and Ostdeutsche, who had been temporarily interned prior to being expelled. The ICRC delegates also tried to obtain permission to visit these camps as they did for POW camps. In this way delegates were able to visit camps in Czechoslovakia and Poland—where the ICRC opened a delegation in May 1946—and in Rumania. In countries where the ICRC had no delegation or was not authorized to visit the civilian camps, it wrote to the National Red Cross Societies asking them to concern themselves with the conditions of the persons interned.1

In the same context we should also mention an important operation begun by the ICRC in 1947 and carried on for many years after the war, a detailed account of which would go beyond the limits of this volume: the work of reuniting families. While the ICRC had avoided becoming involved in operations for transferring the minorities of German origin or language, which were decided and organized by governments, it nevertheless made every effort to assist in the humanitarian matters which are its province. For these massive transfers of population and circumstances resulting from the war meant that hundreds of thousands of people were separated from their relatives by frontiers virtually impossible to cross. The ICRC then undertook lengthy searches for the purpose of finding and identifying the members of dispersed families and made difficult approaches to various governments and to the administrative

authorities in the occupation zones. The delegates François Ehrenhold and Herbert G. Beckh were placed in charge of this large-scale operation, carried out in close collaboration with the National Red Cross Societies of the countries concerned. It is estimated that the ICRC's contribution to the work of reuniting families—work in which the German Red Cross was particularly active—covered a total of approximately 700,000 people who rejoined their relatives in this way.1

The ICRC also gave help in tracing and repatriating children from eastern and south-eastern European countries, especially Poles and Yugoslavs, who had been separated from their parents by the war. Similarly, it worked in conjunction with the League to promote the repatriation of Greek children separated from their parents as a result of the civil war.

In other respects also, the ICRC's assistance remained indispensable in the post-war years. All we have space to mention here is its work in visiting camps of displaced persons, tracing missing civilians, supplying relief for children, providing travel documents for persons able to emigrate and, in the medical field, helping to fight tuberculosis and epidemics in Germany and Austria, and giving aid to the disabled. In order to help repatriate severely wounded and sick prisoners of war, from eastern Europe and the territories incorporated into Poland, the International Committee signed an agreement with the Soviet authorities for a medical train bearing the ICRC emblem to be used to transport sick and badly injured POWs and women and children.

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In the camps of prisoners of war and those housing refugees and displaced persons, the ICRC continued its visits. It was not to be expected that several million captives would be released in a short period: neither the means of transport nor the economic conditions prevailing in most of the countries devastated by war would have allowed it. But the period of captivity went far beyond what appeared inevitable.

Again and again the ICRC drew the attention of the Allied Powers to the evil effects of prolonged captivity:

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"The visits made to the prisoner-of-war camps by the delegates of the International Committee furnish evidence that the morale of prisoners of war is everywhere becoming increasingly depressed, owing to the uncertainty prevailing as to the duration of their captivity. It is also to be feared that the prolongation of their detention will make it more difficult for these men to re-adapt themselves to a normal way of life. While hostilities continued, they remained in hope that the end of the war would involve their release. They cannot, however, be longer sustained by this hope at the present day, since they are in entire ignorance as to the intentions of the Detaining Powers concerning them."¹

In addition, the captured troops considered as "surrendered enemy personnel" (SEP) did not benefit from all the Convention's provisions. They were visited by the ICRC in all countries controlled by the Western Powers, in the zones of Germany under American, British and French administration, in Poland and Czechoslovakia, in the overseas territories, the Middle East, India and the Far East until the last contingents of captives were released or repatriated.

In fact, the ICRC's activities in this respect were sometimes more extensive than they had been during the conflict. As the only protector of the prisoners, the ICRC was obliged to replace their home State and the Protecting Power, and in some circumstances performed duties of a quasi-consular nature far exceeding the limits of its traditional mandate.

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As the ICRC saw it, the repatriation and release of prisoners of war remained the most urgent obligation. On 28 November 1947, referring to its previous circulars,² it addressed an appeal to the governments and to the Central Committees of National Red Cross Societies, drawing their attention to the fact that, at the end of 1947, there was no longer any military necessity to justify continued captivity:

"Hostilities ceased over two years ago, and the measures taken by the victorious Powers give no grounds to hope that the said prisoners will regain their freedom before January 1, 1949. Captivity in time of

¹ ICRC memorandum of 2 July 1946 to the States party to the Geneva Convention of 1929 who were holding prisoners of war.
² Memoranda of 21 August 1945 and of 2 July 1946.
war seems, therefore, to have lost its primary justification. Today, it is apparently maintained on account of the scarcity of labour in the detaining countries; it therefore becomes a compulsory labour service for ex-servicemen, who are nationals of countries compelled to furnish war reparations.

"In view of this situation the International Committee of the Red Cross considers it a duty to point out how contrary the extension of such a state of affairs would be to the universally recognized principle of the respect of human personality and human rights, which constitutes the foundation on which the Red Cross itself is built."

The action taken by the ICRC had a beneficial effect on the tempo of releases, the living conditions in the camps and the material circumstances of repatriation. By 31 December 1947, the United States, the Netherlands, Belgium and Luxembourg had freed all the prisoners of war they had been holding. By the end of July 1948, all POWs who had been detained in Great Britain had returned home. The repatriation of prisoners in British hands in the Middle East was completed by the end of September 1948, while POWs and SEPs who had been held in Italy by the American or British forces were all repatriated during the second half of 1947.

The ICRC also assisted in repatriating prisoners of war held in Czechoslovakia and Poland. In the Far East, where the ICRC delegates continued to visit the camps and distribute relief, the repatriation of Japanese prisoners detained in the countries of South-East Asia went on during 1947 and 1948. By the end of 1948, or in some cases by the end of 1949, the States bound by the Geneva Convention of 27 July 1929 relating to the treatment of prisoners of war had freed the prisoners in their hands, with the exception of those awaiting trial or serving sentences.

The repatriation of German POWs and those of Germany’s allies who were in Soviet hands went on for several years more. Here the ICRC was unable to intervene, apart from the general appeals which it sent to the Soviet Government as it did to other governments. The International Committee simply corresponded with the Alliance of Red Cross and Red Crescent Societies of the USSR concerning the military personnel missing on the Eastern front or German civilian internees in the Soviet zone.

Throughout this period the ICRC continued to provide protection for prisoners of war and civilian internees in the countries where it had delegations, and was frequently the only source of assistance. In this connection, the ICRC's work for German prisoners in French
hands, described later, is a typical example of assistance operations carried on after the end of hostilities.

Many Germans had fallen into the hands of the French forces during the liberation of France. In addition, from March 1945 onwards, the American army transferred to France several hundred thousand men it had captured. The circumstances of German prisoners in French hands then became critical, for a variety of reasons. One was that the French forces suddenly found themselves in charge of a far greater number of POWs than it would normally have been able to maintain in the country's economic state at that time.¹ There was a grave shortage of installations, food and clothing. Moreover the prisoners were employed as workers split up into thousands of detachments outside the control of the military authorities and in the charge of civilians, most of whom knew nothing of the provisions of the Convention.

During the second half of 1945, the ICRC delegates noted that the situation of German prisoners had markedly deteriorated. About 200,000 POWs unfit for work were in such poor physical condition that it was unlikely they would withstand the rigours of winter.²

When they decided to transfer POWs captured by the American forces to France, the headquarters staff of the European theatre of operations had concluded an agreement with the French Government stipulating that the transferred prisoners would remain subject to the provisions of the Geneva Convention and that the French Government would acknowledge the ICRC delegates as having the same rights as granted under Article 86 of the Convention to representatives of the Protecting Powers. The head of the ICRC delegation then obtained consent for the return to the American forces of 90,000 to 100,000 German POWs suffering from acute physical debility, on the understanding that they would be treated in US military hospitals and then repatriated as soon as they were able to travel. The American Command also provided the delegation with 280 tonnes of medicines, and 3,212 tonnes of food, also soap, clothing and sleeping bags. This emergency action was instrumental in preventing further deterioration of conditions in the camps during the winter of 1945-1946. Even so, the situation remained extremely precarious for the prisoners, whose morale was very low as a result of their prolonged detention in peacetime.

¹ The number of POWs in French hands totalled approximately one million.
² Letter from the delegate Pradervand to General de Gaulle, 26 September 1945.
The ICRC delegation in France therefore took complete charge of the interests of German POWs in French hands. The delegation was the largest of the war: by the end of 1947 it had 112 members. Headed by J. P. Pradervand from January 1945 to January 1946, and after that by William Michel, it was very active in improving conditions for POWs, civilian internees and detainees.

The delegates' action was directed in the first place to improving accommodation, food and clothing, which had long been inadequate. Then came inspection of working conditions in factories, coal mines, dams under construction, forestry, agriculture, public works and many private enterprises. The delegates obtained better safety conditions for prisoners employed in removing mines and defusing bombs, hazardous work which claimed many victims before very strict measures were taken to avoid accidents. In permanent liaison with the detaining authorities, the delegations gave assistance in many ways: in the material conditions of repatriation, representations in favour of medical and nursing personnel, forwarding bequests, supplying general information to POWs. One of the most important aspects of the work of the ICRC delegation in France, and one we will return to later, was to provide, in the absence of a German government and a Protecting Power, legal aid to prisoners of war in connection with penal law prosecutions.

The delegation also had to deal with the problem of prisoners who had been made civilian workers. This change in status came about as the result of a request from the United States for all prisoners of war captured by the US forces and transferred to France to be repatriated by 1 October 1947. The French Government then proposed to release the prisoners where they were and to offer them the opportunity to take jobs as workers.

The proposal was the subject of an agreement between the American and French Governments. The Americans promised to study the plan, provided the ICRC remained responsible for inspecting the conditions of the prisoners-turned-workers.

The problem had been encountered before, during the war, without the ICRC being able to influence it greatly. Nevertheless,

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1 There were 20 delegates, 8 secretaries and technical staff from Geneva, 57 staff recruited in France and 27 POWs working in the delegation's store at St-Denis (William Michel, *Rapport général sur l'activité de la Délégation en France du CICR du 1er octobre 1944 au 31 juillet 1948*).

2 See page 458. The number of mines removed from French soil was 12,997,000.

3 The delegation, from the end of September 1946, periodically published a German-language newsletter entitled *IKRK Nachrichten*, 30,000 copies of which were distributed in all the POW depots and detachments.
without making any statement on the principle of turning POWs into civilian workers, or on the nature of the freedom of choice of persons still in captivity, the ICRC accepted the supervision of the status granted to the ex-POWs, on the understanding that its delegation would continue to exercise a function corresponding to that of a Protecting Power, both for POWs and for civilian workers.1 The French authorities then granted the former POWs the social guarantees received by workers: wages, work contract, benefit of social legislation, right to paid leave and transfer of money to their families, with repatriation at the end of the contract. In a circular dated 1 April 1947, the ICRC delegation in France notified the German prisoners of the situation thus created:

"Repatriation of all POWs as rapidly as possible has always been the aim of the ICRC. However, in view of the decisions of the French Government, we wished, in your interest and because you are deprived of the support of a government, to continue to give you our assistance, not only if you remain prisoners of war but also should you agree to become civilian workers.

“Our delegates will therefore continue their visits to you, before, during and after the time of choice. We shall remain at the service of the civilian workers as well as of the POWs, to receive their requests and complaints and to present them to the French authorities.

“Those of you who, having decided to accept the status of civilian workers, agree to sign a one-year work contract will receive from the French authorities on signature a release certificate resulting in the loss of military status. This means that they will cease to be protected by the 1929 Geneva Convention relating to the treatment of POWs and will benefit from the guarantees granted by French law to foreigners residing in France.

William H. Michel
Head of the ICRC delegations in France”

The Committee likewise made efforts to collect relief, in cash or kind, for the German prisoners—no easy task at a time when the whole strength of the Allied Powers was concentrated on aid for their own nationals, repatriated prisoners and invalids and on the relief campaigns for displaced persons in Europe.

A remarkable gesture of solidarity was made by German and Austrian prisoners in camps in the United States. Their situation,

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1 The number of German prisoners of war who were made civilian workers totalled 125,000.
despite the food rationing imposed on them for a few months after the German capitulation, had always been better than that of their compatriots held captive in Europe. Many of them had been able to save out of the wages they had been paid, and when an appeal was made to their generosity to help German POWs in Europe donations poured in, so that by June 1946, when the last German and Austrian prisoners were leaving the USA, the total sum of their gifts had reached 1,900,834 US dollars. The ICRC used 60 per cent of this sum to help German and Austrian POWs in Europe, the rest being allocated to relief operations for German civilians and to help pay the cost of shipping home the baggage of prisoners returning from the United States.¹

In September 1945, the ICRC had persuaded the American authorities to provide it with large quantities of food and clothing for the German POWs in France, and the transport to distribute them. In this way, the delegations were able to give out 3,669 tonnes of food and 262 tonnes of clothes to the most deprived prisoners during October 1945. Other relief consignments were sent thanks to gifts from groups of Germans living abroad, the relief stocks deposited in Switzerland at the end of the war and the collecting of old German uniforms. The prisoners' families in Germany, moreover, though suffering from severe shortages themselves just after the war, sent individual parcels to the POWs.

Relief was also sent by the ICRC to German prisoners of war in Poland, Czechoslovakia, Yugoslavia and North Africa. Consignments for Yugoslavia and Poland were dispatched in special relief trains of about a dozen trucks containing goods or individual parcels which were distributed by the National Red Cross Societies with the help of ICRC delegations.² For North Africa, the Cairo delegation collected and distributed relief supplies.

* * *

The rules of legal procedure in respect of a prisoner of war were laid down at that time by Articles 60 to 67 of the Geneva Convention of 1929, establishing the minimal rights for a prisoner brought before the courts and covering such matters as defence, translation, the constitution of the court and the right of appeal. The Protecting Power

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² The Belgrade delegation was closed down in the spring of 1947. The delegation in Warsaw continued its work until November 1949 and that in Prague until June 1950.

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was granted extensive rights, and in its absence the ICRC assumed its principal duties relating to legal aid to prisoners of war.

Many prisoners were charged, either with acts during captivity or with war crimes, the latter category including personal crimes and membership of units declared criminal by the International Military Tribunal at Nuremberg—for example, the Waffen-SS, the Security Service, the various branches of the Gestapo and certain military units collectively charged with notorious atrocities (Oradour, Ascq, Tulle).

The role of the legal service of the ICRC was not in any way to defend war criminals but to make sure that isolated individuals held captive for many years, knowing nothing of the language and procedure of the country, without defence advisors of their own nationality, should nevertheless have the benefit of the guarantees granted to them in theory, both by the POW Code and by the trial procedure. As was stated by Jean-Pierre Maunoir, one of the legal experts attached, with Pierre Boissier, to the legal section of the Paris delegation: “The Detaining Power obviously acquires no merit by bringing war crimes to judgement unless it enables the accused to defend themselves effectively”.

The role of the legal section, therefore, was chiefly to make sure that prisoners of war benefited from the provisions of the Geneva Convention intended to protect them and that national laws were applied to them with equity. In this capacity, members of the section attended many hearings of military tribunals and made contact with virtually all the military judges, collected and disseminated the principal legal texts and treaties applicable to the cases being tried, and established a collection of judgements on questions of principle in order to provide defending counsel with judicial precedents to support their case. The section was also instrumental in setting up bureaux in Germany to assist prisoners of war and obtained permission for German lawyers to plead in French courts.

Another aspect of the legal section’s work was meeting the costs of a case or of calling witnesses, an expense which prisoners could not afford since it was impossible to transfer funds from Germany. It offered its help in the event of appeals and retrials, forwarded notices of pardons and petitioned the President of the Republic to reprieve those condemned to death.

2 In application of Article 66 of the POW Code.
The delegation, moreover, worked out a procedure for repatriating to Germany civilians who had been acquitted or against whom charges had been dismissed or those who had served their sentences; it made many prison visits and distributed material relief to improve the conditions of detention.

It is clear that this work of legal assistance was of vital importance in protecting accused prisoners of war at a time when recollection of the worst period of the conflict might well have influenced the rules of procedure. The greatest difficulties in the way of the ICRC's activities arose in connection with the trial procedure for persons accused of war crimes—that is, crimes committed by prisoners before capture and usually of extreme gravity. For example, the question whether POWs being tried for war crimes should be judged "only by the same tribunals and in accordance with the same procedure as in the case of persons belonging to the armed forces of the detaining Power", as prescribed by Article 63 of the 1929 Geneva Convention, gave rise to a number of interpretations, often divergent. In the years immediately following the war, it was usually considered in France that the procedure stipulated in the Geneva Convention did not apply to prisoners accused of war crimes. It was not until July 1950 that the Supreme Court ruled that Article 63 of the 1929 Geneva Convention was applicable to prisoners on trial for acts committed before their captivity.¹

* * *

The activities of the ICRC delegation in France thus seem to have been of major importance, demonstrating as they did how, provided its work was accepted by the authorities, the International Committee could effectively help to improve the circumstances of prisoners of war and civilian internees in exceptional situations. In the same way, the delegations maintained in other European countries and in Asia protected prisoners held captive after the end of hostilities, civilian internees and refugees, and did their utmost to speed up repatriation. In all the countries where the ICRC still had delegations, the delegates went on visiting camps and giving assistance, particularly in Great Britain, Austria, Poland, the Near and Middle East, and for Japanese POWs in Malaya, Burma, China, Indo-China and the Netherlands East Indies. In the occupied zones of Germany

the ICRC was granted fewer facilities, but was nevertheless able to visit the camps of prisoners of war known as SEPs, transit centres, prisoners awaiting trial, hospitals and civilian internment camps.\footnote{Visits to camps of civilian internees were not authorized in the American zone.} One visit—to a hospital camp for POWs at Frankfurt on the Oder—took place in the Soviet zone.

By the end of 1948 almost all the States bound by the Geneva Convention relating to the treatment of prisoners of war had freed the prisoners in their hands, with the exception of those awaiting trial or serving sentences.

In June 1950 the ICRC was allowed to visit Werl Prison, housing the Germans convicted of war crimes by the British occupation authorities; Landsberg Prison, in the American zone, had been visited by ICRC delegates in October 1949 and another visit was made in January 1951. During these years, the delegates in the Far East continued to visit Japanese prisoners, and sometimes accompanied the transports repatriating them.

For the persons brought before the Nuremberg Tribunals\footnote{That is, the International Military Tribunal of Nuremberg and the special tribunals later created to judge persons accused of war crimes in application of Law No. 10 of the Allied Control Commission in Germany.} the work of the ICRC was much more limited. Those accused were not prisoners of war being tried in national courts under the law of the country. The International Military Tribunal of Nuremberg, in particular, exercised its authority by virtue of the Charter annexed to the London Agreement of 18 August 1945, signed by the four major Allied Powers and by nineteen other belligerent States. Those appearing before the Tribunal were the leading Germans accused of crimes against peace, war crimes and crimes against humanity. Under the Charter, the Tribunal established its own rules of procedure. Its judgements had to be justified, but were final and not capable of revision. They were pronounced on 1 October 1946. The ICRC did not consider it was called on to intervene in the procedure of the Tribunal. However, as an exceptional measure, it allowed a number of its members or employees to reply to questionnaires drawn up by the defence and referring to the talks in March 1945 with Kaltenbrunner.\footnote{See \textit{Trial of the Major War Criminals before the International Military Tribunal, Nuremberg, 1949}, Vol. \textit{XL} (English), pp. 306-327.}
The end of the world conflict had meant, for the ICRC, a change in its own structure, which we will describe here only in outline. We saw that Max Huber agreed to resume the Presidency of the International Committee temporarily when Carl Burckhardt was appointed Swiss Minister in Paris; but he did so on two conditions:

"1. That one or two Vice-Presidents be nominated to ensure continuity in the absence of the President;

"2. that the day-to-day administration be carried out exclusively by the General Secretariat, composed of persons working permanently in the offices, and in accordance with the proposals submitted by Mr. Burckhardt to the members of the Committee in the circular of 23 February."

The Committee then designated two Vice-Presidents, Jacques Chenevière and Albert Lombard. In January 1946, Max Huber returned to the second part of his proposal, this time requesting "that the Committee form a managing body within its organization and make a clear distinction between the role of the Committee, which should control and decide the main courses of action, and that of the managing body, which should perform the executive functions and administration of the day-to-day work".¹

This conception marked the starting point of the new organization. The ICRC created a central management department responsible for the four main areas of the Committee’s activities—external activities, legal services, finance and administration, relief—and appointed a General Secretary.²

Since 1939, the International Committee had lost several members. Bernard Bouvier, Giuseppe Motta, Guillaume Favre, Paul Des Gouttes and Georges Audeoud died during the war, Jacques-Barthélemy Micheli in October 1945 and Franz de Planta in 1946. Some members had resigned to take up their professional duties once again. But the gaps had been filled. Those elected during the war were Martin Bodmer, whose activities have already been described, Albert Lombard, a banker and former member of the Grand Conseil of Geneva, and Philippe Etter, a federal councillor. Those who became members of the ICRC after the war were: in 1945, the national councillor Ernest Gloor, a doctor, and Dr. Adolf Vischer, a member of the Basle medical mission to Serbia during the Balkan wars and an ICRC

¹ Meeting of the Committee, 3 January 1946.
² The following appointments were made on 15 February 1946: Roger Gallopin, Jean Pictet and Georges Dunand, director delegates, and Jean Duchosal, General Secretary. Later, Henri Cuchet was appointed as director delegate in charge of the relief division.
delegate during both World Wars; in 1946, Professor Dietrich Schindler, associate member of the Institute of International Law and member of the Permanent Arbitration Tribunal, René van Berchem, doctor of law and grandson of Edouard Naville, who had been Acting ICRC President; Professor Léopold Boissier, Secretary-General of the Interparliamentary Union and son of Colonel Edmond Boissier, a former ICRC Vice-President; Dr. Edmond Grasset, Director of the Institute of Hygiene of the Republic and Canton of Geneva and a professor of Geneva University, ICRC delegate in South Africa during the Second World War, Adolf Lüchinger, doctor of law and member of the Commission and Council of the Swiss “Pro Juventute” foundation, President of the City of Zurich; Paul Carry, professor of law in the University of Geneva and member of the Military Appeals Tribunal; Divisional Colonel Claude Du Pasquier, professor of law in the Universities of Neuchâtel and Geneva. By then, the ICRC comprised twenty members, of whom only nine had been in office before the war.

The President’s chair, however, remained vacant. Max Huber, who had been acting as President, had decided that he would not continue after the end of 1946. Carl Burckhardt, the elected President, was still on leave of absence and obliged by his diplomatic duties to remain in Paris, so that he could not resume his office. The International Committee therefore conferred the functions of the President on the two Vice-Presidents, Dr. Ernest Gloor and Martin Bodmer, who had succeeded Jacques Chenevière and Albert Lombard in 1947. As political circumstances made it impossible for Burckhardt to expect early release from the mission entrusted to him by the Federal Council, he resigned as ICRC President early in 1947, though continuing to be a member of the Committee. In response to the wish of President Max Huber, the ICRC then approached Paul Ruegger, at that time Swiss Minister Plenipotentiary in Great Britain.

He had entered the Political Department of the Swiss Confederation in 1918 as a colleague of Max Huber, having previously been an assistant lecturer in public international law in the University of Geneva. During his diplomatic career, the new President had held posts of increasing responsibility with the Court of International Justice and the League of Nations and represented the Confederation in Rome at a crucial period in history, from 1935 to 1942. Well acquainted with the activities of the ICRC, with which he had worked during the war years, Paul Ruegger took office just when one of the
worst postwar conflicts, in Palestine, was to demand the maximum effort from the ICRC.

Thus, we have followed the ICRC’s activities step by step from the Tripolitania War to the end of the Second World War and its aftermath. During those thirty-five years, we have seen the ICRC in action in fifteen wars, at least nine of which were international. In order, they were: the Tripolitania War (1911), the first Balkan War (1912) and the second Balkan War (1913), the First World War (1914-1918), the Russian Revolution and civil war (1917-1920), the revolution in Hungary (1919), the civil war in Upper Silesia (1921), the Greek-Turkish conflict (1922), the civil war in Ireland (1922), the Rif War (1924), the Sino-Japanese War (1932), the war in the Gran Chaco (1932), the war in Abyssinia (1935), the Spanish Civil War (1936-1939) and the Second World War (1939-1945). The list shows how the wars succeeded each other without a break: no sooner had fighting ceased in one than another conflict appeared to take its place. Only between 1925 and 1931 was there a kind of lull in belligerence, at least in overt belligerence. It was, as we have seen, during just this period that the Powers were attempting to preserve the peace or to mitigate the evils of war through international agreements. But this in no way meant that the world was at peace. Asia remained a prey to sporadic disturbances, while independence movements were springing up in the colonies and mandated territories with, in 1927, the growth of revolutionary troubles in China. The same year saw the start of revolt against colonial power in Indonesia, while in 1929 clashes broke out in India and the mandated part of Palestine; in 1930 there was a general uprising in French Indo-China. None of these disturbances, however, entailed action by the ICRC. According to the attitude at the time, they were internal troubles, and it is unlikely that any colonial or mandatory Power would have been willing to accept action by the International Committee in territory under its control. The only conflict of the colonial type in which the ICRC offered its services during this period was the Rif War—but that could have been described as military operations conducted by belligerents each of which held part of the disputed territory.

Yet it was precisely this type of conflict—wars of independence or liberation—which were to require the intervention of the ICRC from 1945 onwards. The widening of the Committee’s field of action,
which has been discussed in this account, was to continue. Im-
mediately after the First World War, we saw the ICRC move from
declared international wars to civil wars; after the Second, and
before the repatriation of prisoners of war had been completed, it
was in action, and was to be so with increasing frequency, in wars of
independence and liberation. In 1945 war broke out in Vietnam,
bringing thirty years of conflict. The partition of India in 1948
resulted in a long period of violence and troubles. The British man-
date in Palestine ended the same year and there began a conflict
whose repercussions are still not at an end. In all these situations, the
ICRC offered its services and, when they were accepted, conducted
protection operations in circumstances new to it. During the same
period it provided help, chiefly in the form of relief, in the civil wars
in Paraguay and Greece.

Finally, in the sphere of humanitarian law, the immediate post-war
period was characterized by the revision or drafting of what became
the 1949 Geneva Conventions; for the Conventions of 1907 and 1929,
though they had provided a solid basis for the work of the Interna-
tional Committee in many ways, needed their provisions strengthening
and supplementing to cover the changes in warfare and the appear-
ance of new types of conflict and their principles adapting to cases
of armed conflict not international in character. The time had come to
meet the wishes of the 1929 Diplomatic Conference by extending the
protection of the Conventions to civilians. In the last years of the war
the ICRC had already analysed its experience and collected a large
number of documents on the subject. As soon as the war was over, it
held several conferences of experts: in 1946 it convened the
preliminary conference of National Red Cross Societies and in 1947
the Conference of Government Experts. On the basis of the work done
by these meetings, the ICRC presented to the Seventeenth Inter-
national Red Cross Conference in Stockholm in 1948 the drafts of four
new or revised Conventions, the final texts of which were established
by the Diplomatic Conference convened by the Swiss Federal Council
and held in Geneva from 21 April to 12 August 1949. The four Geneva
Conventions of 12 August 1949 were: the Convention for the
Amelioration of the Condition of the Wounded and Sick in Armed
Forces in the Field, the Convention for the Amelioration of the Condi-
tion of Wounded, Sick and Shipwrecked Members of Armed Forces at
Sea, the Convention relative to the Treatment of Prisoners of War,
and the Convention relative to the Protection of Civilian Persons in
Time of War.
These varied activities of the ICRC will not be dealt with in this volume: they mark the entry into a new era, and may be included in a subsequent volume. The International Committee was about to attempt the extension of its work to all types of struggle, any kind of conflict in which the rights of human beings were endangered. Faced with new circumstances, it was obliged to make continual adjustments, drawing on its experience. For, as we have seen in the course of this history, the ICRC cannot be content with a static role. Custodian of the fundamental and unchanging principles of the Red Cross and committed to taking any humanitarian initiative coming within its competence as a neutral and independent institution, it must act as both the guardian of tradition and the stimulus for perpetual renewal.
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1911: in the Tripolitania War, bombs were dropped for the first time from aircraft: 5-kilogram bombs thrown by Italian pilots from the cockpits of their Caproni aircraft.

1945: atomic bombs with a force equivalent to 20,000 tonnes of TNT destroyed the cities of Hiroshima and Nagasaki, ending the Second World War.

In the intervening period a generation grew to adulthood through hard years of conflict, social upheaval, revolution and famine, between the convulsions of two world wars.

The author has given a detailed account of the numerous dramatic events of these thirty-four years — a virtually uninterrupted sequence of civil war, local conflicts, revolutions and international wars. Against the rise of oppression and repression, the development of ever-more inhuman means of waging war and of increasingly ruthless weapons, he sets the ICRC’s tenacious struggle to construct new defences, to protect new categories of victims of war and to conduct the most extensive relief operations of its history. He also describes how the Red Cross movement, tested in the First World War, strengthened its international structure to attain its present form.

As a former delegate-general who joined the ICRC after the Second World War, the author has seen the International Committee’s work at first hand and is thus able to analyse its activities for the victims of war, its role in promoting humanitarian law, the work of its delegates in the field and, in a general way, the Committee’s struggle, in the face of constant aggression, to protect human beings.