Indonesia

THE REPATRIATION OF THE SURVIVORS OF THE
ARU NAVAL ENGAGEMENT

After having been detained for nearly two months by the Netherlands authorities of New Guinea, the 52 Indonesian survivors of the naval engagement of January 15 in the waters of the Aru islands have now been repatriated (see page 7 our press release No 759b). An aircraft chartered by the Indonesian Red Cross fetched them at Singapore, to which place they had been accompanied from New Guinea by Mr. André Durand, delegate general of the International Committee of the Red Cross for Asia. After their arrival in Djakarta, the Central Committee of the Indonesian Red Cross telegraphed to the ICRC in Geneva, expressing its compliments to it "for the ICRC delegate's successful mission".

A further survivor, wounded during the course of the engagement, is still undergoing treatment at the central hospital at Hollandia in New Guinea. He will be repatriated as soon as his condition permits.

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UNO expresses its thanks

This repatriation operation, as is known, took place after the Acting Secretary-General of the United Nations asked for the support of the International Committee of the Red Cross. The matter having been successfully completed, Mr. Thant sent the following telegram to Mr. Léopold Boissier, President of the ICRC:

"Having received the good news that the transfer of the Indonesian prisoners had been successfully accomplished, I wish to express both to you and to your personnel, my very great gratitude for the competent manner in which this mission was carried out. I consider that the operation constitutes a definite landmark in the history of the co-operation between our two organizations. I would greatly appreciate it, if you would kindly transmit the following message from myself to Mr. Durand: "Wish to express my
deep gratitude to you for your effective and tireless efforts resulting in the transfer of the Indonesian prisoners carried out with such success on March eleventh".- "U Thant, Acting-Secretary-General".

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A delegate of the ICRC at Djakarta

Mr. Pierre Vibert, delegate of the International Committee of the Red Cross, has just left Geneva for Djakarta, in order to continue the mission which he had already carried out there from October to December 1961. He will again concern himself with the question of the payment of pensions and allowances allocated by the Netherlands Government to some of its nationals established in Indonesia. The Indonesian Government had decided to entrust arrangements for these payments to the Indonesian Red Cross, to which the ICRC transmits funds sent from the Netherlands.

Mr. Vibert will also have to deal with the repatriation of Netherlands nationals wishing to proceed to their country of origin.

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Algeria

ICRC AID TO THE RESETTLED POPULATION

The International Committee of the Red Cross has transmitted further relief supplies destined for the resettled population in Algeria. These included, in particular, 50 tons of powdered milk offered by the Netherlands Government at the suggestion of the Netherlands Red Cross, and of 10 tons of powdered milk out of surplus supplies of the Swiss Confederation. These two consignments together represent a value exceeding 100,000 Swiss francs.

Relief supplied up to the present by the ICRC to the resettled population in Algeria has reached a total value of about 1,531,000 Swiss francs. This was distributed by the French Red Cross, often in the presence of an ICRC delegate.

Thanks to an arrangement which has been made between the ICRC and the Swiss Confederation, it will be possible to despatch, until the end of 1962, periodic consignments to resettled groups of Algerians and thus to provide them with all the powdered milk which they may require. To these will be added other consignments, especially of melted cheese which seems to be much appreciated by the Algerians.

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Congo

THE ICRC VISITS EUROPEAN MILITARY PERSONNEL WHO HAVE SERVED IN THE KATANGA FORCES

The delegate of the International Committee of the Red Cross, Mr. Jean de Preux, visited four European military prisoners held by United Nations troops after having served in the Katanga forces. These four men were detained at Fort Garnier at Limete near the Congolese capital. Steps taken on their behalf by the delegate resulted in their transfer to another internment camp at N'Djili where considerable improvements have been made to their conditions of detention.

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THE ACTIVITY OF THE ICRC DELEGATE IN NORTH KATANGA

Mr. G.C. Senn, delegate, has continued his activity in North Katanga, where he has attempted to bring the aid of the International Committee of the Red Cross to the victims of the events. Since there were certain disquieting rumours circulating about the situation in Albertville, he went to that town where in fact calm reigned. Accompanied by the UNO civilian representative and by the administrator of the territory, he visited the prison which held 33 detainees, although there is room in its cells for 230. Indeed, several days previously, all the detainees, against whom no definite charges could be upheld, were released.

The delegate also visited a group of about thirty women and forty children who had just arrived by air from Manono, where they had placed themselves under the protection of the UNO forces, when the hostilities had broken out between the National Congolese Army and the Katanga forces. In co-operation with UNO, which had assured their supplying and protection, Mr. Senn made arrangements for these women and children to be evacuated by air to Elisabethville where they would be offered the possibility of rejoining their husbands and returning to their native villages in South Katanga.

Furthermore, following up a request from ecclesiastical quarters concerning the precarious situation of a certain number of missionaries in the Kongolo area, Mr. Senn made representations with UNOC at Elisabethville for their evacuation.

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Mr. Senn Receives a Distinction

In accordance with a decision approved by H. M. the King of Sweden, the Silver Medal of the Swedish Red Cross will be bestowed on Mr. G. C. Senn, delegate of the International Committee of the Red Cross in Katanga. This distinction thus expresses Sweden's gratitude to the delegate whose efforts resulted in the release on January 15, 1962, of the eleven Swedish military personnel of UNO held by the Katanga forces.

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Central Africa

ICRC Study Mission

The study mission of the International Committee of the Red Cross in Central Africa consisting of Mr. S. Gonard, Vice-President and Mr. Georges Hoffmann, delegate, left Dar-es-Salaam, capital of Tanganyika for Zanzibar, then for Mombasa, the principal port in Kenya. It then went to Entebbe in Uganda. It was everywhere warmly welcome by the local Red Cross organizations, as well as by the civil and military authorities. The two ICRC representatives will subsequently visit Ruanda-Urundi and the ex-Belgian Congo. They are expected to arrive in Leopoldville on March 20.

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The Indo-Portuguese Conflict

Visit to Internment Camps in Goa and Mozambique

As we have already mentioned, the ICRC has made a further round of visits to Portuguese prisoners and internees in Goa. Accompanied by the deputy Secretary-General of the Indian Red Cross, Mr. Jolly, the delegate of the ICRC, Mr. Jacques Ruff, visited members of the Portuguese armed forces captured in Goa, Damao and Diu, all interned in Goa in the Vasco de Gama and Ponda camps and in the fort of Aguada. There are over 4,000 prisoners and internees.

The Portuguese Red Cross in Lisbon has requested the ICRC in Geneva to have medicaments sent to Portuguese held in Goa. The necessary steps are being taken in this connection which are likely to prove successful in the near future.

Furthermore, in Mozambique, Mr. Robert Guinand, ICRC delegate, has terminated his visits to places of internment in which about
2,000 Indian nationals are being held by the Portuguese authorities. He has visited nine internment camps located in various districts in that territory. At Lourenço Marques and at Beira, the International Committee's representative was accompanied by delegates of the Portuguese Red Cross.

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Spain

CLOSING OF THE ICRC DELEGATION IN MADRID

The International Committee of the Red Cross has just closed down its delegation in Madrid. Having reached the age limit, its delegate, Mr. Eric Arbenz has been appointed honorary delegate.

Mr. Arbenz has rendered valuable service to the Red Cross cause, especially during the Spanish Civil War. With great devotion he had come to the assistance of numerous victims, thus gaining their profound gratitude. He subsequently carried out a multiple number of humanitarian tasks, in close co-operation with the Spanish Red Cross.

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Between the USSR and Greece

TRANSMISSION OF RELIEF

The Alliance of Red Cross and Red Crescent Societies of the USSR has informed the International Committee of the Red Cross in Geneva of its intention to despatch relief parcels to detainees and political exiles in Greece. The ICRC has consulted the Greek Red Cross about this matter, which has agreed to the distribution of relief to the most needy amongst the detainees and exiles. Steps are at present progressing satisfactorily and the Greek Red Cross has agreed to make these distributions itself. These relief supplies, in the transmission of which the ICRC will have acted as an intermediary, will comprise 200 parcels whose contents are as yet unknown.

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In Geneva

THE FIRM OF VOLKSWAGEN OFFERS ITS 5,000,000th CAR TO THE ICRC

The motor manufacturing firm of Volkswagen at Wolfsburg (German Federal Republic) has just made a gift to the International Committee of the Red Cross of its five millionth car to leave its factory. On March 14, at the entrance of the 32nd Geneva Motor Show, due to open on the following day, the vehicle was presented by Mr. Budde, head of the Volkswagen Press Services at Wolfsburg, to Mr. François de Reynold, head of the ICRC liaison Service, in the presence of Mr. Hans Staneck, director of the firm of Amag, representing Volkswagen in Switzerland, and of Mr. Haechler, director of publicity at Amag.

The car was then driven to ICRC headquarters at the Avenue de la Paix. Mr. Léopold Boissier, President of the International Committee and members of the directing staff welcomed the representatives of the German firm. Mr. Boissier thanked them warmly for this generous gift, which will render the ICRC valuable service.

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At the Central Tracing Agency

THE ARCHIVES OF THE 1914-1918 WAR STILL RETAIN ALL THEIR USEFULNESS

The Central Tracing Agency preserves its archives and car-indexes of the First World War with the greatest care. It is not a question of their being museum pieces which are kept for their historic interest, but on the contrary are documentary material of great practical usefulness, consulted almost daily.

In fact the Central Agency still receives on an average some 500 inquiries each year referring to the 1914-1918 war. For example, the "Deutsche Dienststelle West" has written to it to obtain, on behalf of former prisoners of war, certificates of captivity or statements establishing proof that their present disabilities are due to ailments which they suffered during their captivity, or of wounds received during fighting preceding their capture.

The attestations which the Central Agency is in a position to provide, in so far as it possesses the necessary information, can enable the persons concerned to draw a larger old-age pension.
In the same way, former German interned civilians, having for the most part belonged to the merchant marine, submit requests for certificates of internment or hospitalization.

The Agency's documentation, however, on interned civilians is more limited.

If requests from Germany are proportionally the most numerous, the Central Agency also deals with cases of former prisoners of war or civilian internees of the 1914-1918 war, originating from other countries, and which are submitted to it in particular by the Ministry of Ex-Servicemen in Paris, the Ministry of Pensions in London, the Yugoslav Red Cross, etc.

Due to the time which has passed since the First World War and to destruction during the conflict of 1940/45, the documentation which the Central Agency possesses is of the utmost value. Individual documents in fact were often lost during the war or destroyed in bombardments. Furthermore, in many countries, the official archives relative to former prisoners of war of the first war were also destroyed.

Therefore, in certain cases, the Central Agency remains for ex-servicemen, the only possibility of substantiating their statements and also of improving their material situation to some extent in their old age.

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Press Release

THE INTERNATIONAL COMMITTEE OF THE RED CROSS

THE REPATRIATION OF INDONESIAN PRISONERS IN NEW GUINEA

No 759, March 12, 1962

Mr. André Durand, delegate General of the International Committee of the Red Cross for Asia, arrived on Sunday, March 11 at Singapore from New Guinea, accompanying 52 members of the Indonesian armed forces captured during the naval engagement of January 15 last, and released by the Netherlands authorities.

The prisoners, who disembarked from the KLM Super Constellation on charter by the United Nations, were welcomed by a team of the Indonesian Red Cross, led by Dr. Sukmadi, member of that Society's Central Committee. They then immediately went on board an Indonesian aircraft of the Garuda Airline, which flew them back to Djakarta.

The repatriation operation for which the Acting Secretary-General of the United Nations had asked the ICRC for its support has thus been effected.
Mr. Durand, who had left Tokyo and arrived in New Guinea on February 11 for that purpose, had previously been able to visit the camp in which the prisoners were interned. He also visited three wounded prisoners undergoing treatment in the central hospital at Hollandia. One of these, who could not be moved at the time of the repatriation, has remained there.

The representative of the International Committee has in addition been authorized to visit a certain number of detained Indonesian civilians.

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(4) Continuation of the model course by Mr. Henri Coursier on the Geneva Conventions

BETWEEN TWO GREAT WARS

The Agency did not cease its activities with the ending of hostilities, but continued its existence until 1923, whilst the Tracing Service, which had been founded in 1919, continued to work with the Nansen Office, which had been established in co-operation with the International Committee on behalf of refugees.

When peace came, the first preoccupation was to preserve the immense benefits accruing from such a fund of goodwill and technical experience which had been shown in the service of humanity. One was however living under the blissful illusion that there would be no more war ("the war to end all wars!"). Moreover, the victorious nations had so often proclaimed that they were outlawing war and their leaders were so completely imbued with pacific ideals, believing so strongly in the efficacy of treaties, that it was really thought for a time that the League of Nations was ushering in a new era and that war, which up to now had been one of the main preoccupations of the Red Cross and in respect of which the Geneva Convention had actually been signed, would have no further meaning in the new world. Would it not therefore be better to direct the action of the Red Cross towards peace-time tasks instead of conditioning it for war?

The fact that the Red Cross was now turning its attention to humanitarian assistance in peace-time, however, in no way prevented the International Committee from continuing to interest itself in the development of the Geneva Laws. In 1918, it had protested to the belligerents in the name of humanity against the use of gas in battle; it was reassuring to note that the League of Nations adopted on June 17, 1925 the Geneva Protocol relating to the prohibition of the employment of asphyxiating, toxic or similar gases and of bacteriological methods in warfare.

The action of the International Committee had been so effective for prisoners of war, that these experiences needed to be recorded for the
future. Accordingly, following the methods which had been so successful when the First Geneva Convention had been drawn up, (This had been revised in 1906 so as to take, the experiences of the Russo-Japanese war into account), it established a Draft International Convention, which to a large extent completed the Hague Convention and resulted in formulating the status of prisoners of war. This draft was approved by the Powers meeting, as in 1864, in Geneva at the request of the Swiss Government, who transformed it into an international convention: "The Geneva Convention of July 27, 1929 relative to the treatment of prisoners of war". (On the same day the Geneva Convention "for the amelioration of the condition of the wounded and sick in armed forces in the field" was similarly adopted. This Convention completing that of 1864, was revised in 1906.)

During the course of the conference, Senator Ciraolo brought up the question of the protection of civilians in war-time (See Actes de la Conférence, p. 80). The matter moreover had been brought up at the XIth and XIIth International Conferences of the Red Cross held in Geneva in 1923 and 1925 respectively. Observing that aerial warfare increased dangers even for non-combatants, he proposed that a study should be made of this problem. In the following year the International Committee convened an Expert Committee, which would obtain technical advice, but since this matter had in the meanwhile been placed on the agenda of the Disarmament Conference, it decided to postpone the study of this problem. It did, however, however, seize upon the question of the treatment of interned civilians. From the strictly humane point of view, there is a considerable amount of similarity with that of prisoners of war. The International Committee formulated a draft rule which was approved by the XVth International Conference of the Red Cross (Tokyo 1934) and which was to have been presented to a Diplomatic Conference in 1940, but this unfortunately never took place, war having broken out in the meanwhile. Something, however, at least remained of the "Tokyo Draft", since the International Committee managed to obtain from the belligerents the application of the draft clauses relating to enemy civilians, who were held on territory belonging to the "Parties to the conflict". The result was that more than 150,000 people were able to benefit from the same treatment as prisoners of war, which entailed an infinitely preferable alternative to treatment as detained civilians in occupied territory or to being driven by the enemy to forced labour.
Algeria

THE ICRC AND THE CEASE-FIRE IN ALGERIA

Since the beginning of the fighting the International Committee of the Red Cross has tried to give help and protection to all victims, such as detainees or prisoners, regrouped populations in the interior of Algeria and, during the first phase of their exile, refugees in Tunisia and Morocco.

Now that the cease-fire has been announced, the ICRC is ready for any emergency. It is in any case singled out in the text of the Evian Agreement on the cease-fire. Article 11 of this treaty, which schedules release within twenty days of the cease-fire, of prisoners of both sides taken in combat stipulates amongst other things:

"The two parties will inform the International Committee of the Red Cross where their prisoners are and of all measures taken for their release".

The French authorities have already communicated certain information to the ICRC regarding Algerians captured while armed, whom they are detaining and certain of whom are already being released. The ICRC has asked the GPRA for information on Frenchmen detained by the ALN and likely release procedure.

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Aid to the regrouped populations

The ICRC is continuing its action on behalf of the regrouped populations largely through the French Red Cross and its mobile teams. It has just sent two delegates to Algeria, Mr. J. -J. Muralti and Mr. J. de Heller, who will help Mr. R. Vust, delegate resident in Algiers. Their mission is of a technical nature, consisting of taking part in distributions and and evaluating current needs and needs likely to arise from regrouped persons returning to their homes.
The United States Government has informed the ICRC of its intention to send it important relief supplies in kind for regrouped persons. These will be surplus foodstuffs consisting of white flour, Indian meal, rice, barley, beans, powdered milk and possibly oil and sugar. The quantities and the value have not yet been announced.

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** New tasks **

The ICRC is closely following the development of the fighting which has broken out in Algiers and Oran.

ICRC delegate Roger Vust, accompanied by local representatives of the French Red Cross, has called on the Prefect of Police of Algiers. He has requested that doctors be allowed to circulate more freely, that a greater number of pharmacies remain open, and that the military detachment installed in a clinic be withdrawn. The French Red Cross teams were then and there given permission to distribute milk to children.

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Laos

** I CRC ACTION IN LAOS TO CONTINUE FOR SOME MONTHS **

The International Committee of the Red Cross, which recently considered terminating its activity in Laos, has finally decided to continue till June 1962 its relief mission, begun in August 1961 on behalf of the victims of events. It has taken this decision because of the size and urgency of the needs, which have been confirmed by a fresh request from the Vientiane Government. The beneficiaries of this action are for the most part refugees from combat areas or danger zones who have flocked to the principal settlements along the Mekong valley.

The ICRC is working in strict co-operation with the Lao Red Cross, and particularly with the women's groups and provincial committees using gifts sent by the ICRC. Since December, this National Society has, amongst other things, been carrying out thrice daily distributions by a women's group to 400 hospitalized wounded and has delegated another group to look after about 5,000 disaster victims comprising some 750 families. The Society has
also given aid to 12,412 refugees, distributing large quantities of food, clothing and other goods to them. It has handed over cases of blood plasma to the hospitals of Saravane, Vientiane, Savannakhet, Attopeu, Pakse, Luang-Prabang and Thakhak. Distributions have also been made in various internment camps and prisons.

The ICRC also intends to renew its relief supplies to the Lao Red Cross in the Northern part of the country, which is under the Xieng-Khouang Government.

In order to continue its activities in Laos, the ICRC has decided to raise a further sum of 75,000 francs from its relief funds, bringing its total contributions to 276,000 francs. In addition to this the ICRC has received since August 1961, contributions from National Red Cross Societies of the following countries for its action in Laos: Australia, Austria, Belgium, Burma, Canada, France, Great Britain, India, Japan, Liechtenstein, Luxembourg, the Netherlands, New Zealand, Norway, Pakistan, Philippines, Poland, Switzerland, Thailand, and the United States. These contributions have been in kind. To this should be added other gifts from various sources, in particular £ 5,000 given by the Oxford Committee for Famine Relief.

Relief supplies from the ICRC to Laos during the last eight months total over half a million Swiss francs.

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Indo-Portuguese conflict

THE ACTIVITY OF THE CENTRAL TRACING AGENCY ON BEHALF OF PORTUGUESE PRISONERS

On his return from his mission in Goa, where he visited Portuguese military personnel interned in the Vasco de Gama and Ponda camps and in the Fort of Aguada, Mr. Jacques Ruff, ICRC delegate, brought back to Geneva 4,348 capture cards for the card-index of the Central Tracing Agency, as well as 2,896 messages addressed by the prisoners to their families in Portugal. The Central Agency immediately transmitted these messages to the Portuguese Red Cross.

In this connection it should be recalled that, as soon as the conflict had broken out in Goa, the Central Agency concerned itself in establishing liaison between the prisoners and their relatives. Postal communications between Goa and Portugal being at that time interrupted, it enabled family messages to reach the Portuguese prisoners through the Indian Red Cross at the end of December. These messages, drawn up on forms, were then returned to Geneva, bearing on their reverse side, the reply of the person concerned.
The news thus given by the prisoners was immediately communicated to the respective families through the channel of the Portuguese Red Cross.

In March, the Indian Red Cross sent a further despatch of 587 messages to the Central Agency.

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Cuba

AN APPEAL BY THE ICRC TO Mr. FIDEL CASTRO

For several months past the International Committee of the Red Cross has had an ever-increasing number of requests made to it to intervene on behalf of political and military detainees in the hands of the Government of Cuba. Recently the ICRC has received numerous appeals connected with the trial, arranged for March 29, of military personnel captured in April 1961 after the landing on the Giron beach.

Following these requests, the ICRC sent a telegram to Mr. Fidel Castro, President of the Cuban Government, referring to the forthcoming trial on March 29 which stated in particular: "We presume that the provisions of article 3 of the Geneva Conventions ratified by the Cuban Government will be fully applied. We would recall our previous offer of our services to you, which we now renew with the hope that, in accordance with custom, these prisoners will be able to be visited by a delegate of the ICRC for purposes of strictly humanitarian assistance".

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Congo

REPRESENTATIONS MADE ON BEHALF OF Mr. GIZENGA

The International Committee of the Red Cross which, since the beginning of the disturbances in the Congo, has tried to protect persons deprived of their freedom for political reasons, has also been giving its attention to the position of Antoine Gizenga, the well-known leader who succeeded Lumumba and who is at present detained by the Congolese Central Government. Although the ICRC delegate has not yet been given permission to visit Mr. Gizenga, he has made enquiries about him, and has been assured that Mr. Gizenga is in good health and that his internment conditions are satisfactory.
On the basis of this information, the ICRC has replied to the Red Cross Societies of the USSR, Bulgaria and Czechoslovakia, which had expressed their anxiety over the Congolese leader's fate. The ICRC intends to continue its enquiries to make certain that detention conditions conform to humanitarian requirements.

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THE GENEVA CONVENTIONS IN THE AFRICAN LANGUAGES

The International Committee of the Red Cross has just produced in the most widespread languages of the Congo a "Brief Summary of the Geneva Conventions for the use of members of the armed forces and the general public". These languages are Lingala, Swahili, Tchiluba and Kikongo. The translation of this publication has been made by Congolese students at the University of Geneva. The ICRC has sent a certain number of these pamphlets to the Acting Secretary-General of the United Nations for distribution in the Congo through UNOC. Furthermore, the delegates of the ICRC, Mr. J. de Preux at Léopoldville, and Mr. G.C. Senn at Elisabethville, will disseminate this summary as widely as possible in agreement with the authorities concerned.

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Problem of Humanitarian Law

THE NEW AFRICAN STATES AND THE GENEVA CONVENTIONS

Since the Geneva Conventions were signed on August 12, 1949, the International Committee of the Red Cross has endeavoured to make these texts universal since they constitute the basis of humanitarian law. Recently, it has put the emphasis on their dissemination in Africa because, in the critical phase which this continent is going through, it seems particularly desirable that all African states feel themselves bound by these treaties.

However, a problem arises when the country concerned has previously been under Colonial administration: Is the State which has recently acceded to independence bound by the international acts of the Power which was previously exercising sovereignty over its territory?

Certain treaties of a political nature, such as alliances, obviously lose their validity in the newly independent State, but other conventions
of public or general interest can remain valid. In the ICRC's view, this is the case with the Geneva Conventions to which the governments have acceded in the interest of all people placed under their sovereignty. If these people accede to independence, they will be at a disadvantage if the Geneva Conventions are no longer applicable to them. The latter must therefore retain their validity.

Participation of newly independent States in the Geneva Conventions can therefore be admitted as implied by virtue of the signature of the former Colonial Power. It is considered advisable, however, that they officially confirm their participation in the Conventions by notifying the administering State, that is to say the Federal Council at Berne. This is a question neither of accession nor of ratification, but of confirmation of participation or of declaration of continuity.

There has been some uncertainty as to how this notification could best be made, but the formula has now been agreed upon. Thus, the President of Tongo, Mr. Sylvanus Olympio, in his letter of January 6, 1962, to the Federal Council, declared: "The four Geneva Conventions of August 12, 1949, for the protection of the victims of war are applicable in law to the territory of the Republic of Togo by virtue of their ratification by France on June 28, 1951. The Government of the Togolese Republic wishes however to confirm by the present communication its participation in these four Conventions".

Besides Togo, the following States have explicitly confirmed their participation in the Conventions: Congo (Leopoldville), the Ivory Coast, Dahomey, Upper Volta and Nigeria. In addition, the following nine African States (in chronological order) have acceded to the Conventions or have ratified them: Union of South Africa (1952), Egypt (1952), Liberia (1954), Libya (1956), Morocco (1956), Tunisia (1957), Sudan (1957) Ghana (1958), the Provisional Government for the Algerian Republic (1960). This last accession, however, has aroused misgivings on the part of certain States.

There are, therefore, at the moment 15 African States which explicitly recognise their participation in the Conventions. It is hoped that this figure will increase shortly and that all the peoples of Africa, without exception, will be able to benefit from these fundamental humanitarian treaties.

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(5) Continuation of the model course by Mr. Henri Coursier on the Geneva Conventions

THE SECOND WORLD WAR

The Second World War was to put the International Red Cross to an infinitely harder test than the war of 1914-18.
Throughout the six years of conflict, the International Committee intervened almost daily in attempts to improve the treatment of captives, to avoid reprisals, to see that detention centres were set up in healthy and unexposed areas and that prisoners were suitably accommodated, heated, clothed and fed. Its delegates, of whom there were 180, visited camps unceasingly and 10 of them died whilst on mission. At the Prisoners of War Agency in Geneva there were nearly four thousand assistants of whom more than one quarter had offered their services on a voluntary basis; it received up to 40,000 letters and documents daily and was able to maintain contact between prisoners (or interned civilians) and their families. The Agency was also able to establish contact between civilians of the belligerent countries, thanks to the civilian message form of 25 words; more than 10 million of these were censored and transmitted by the International Committee in Geneva.

A vast transport service was organized to forward relief supplies from the prisoners' country of origin. In this way the International Committee transported 33 million parcels of a value of more than three hundred thousand Swiss francs to the military personnel held in Germany alone.

It was only during the last days of the war that the International Committee was able to establish direct contact with civilians detained in concentration camps in Germany; it was at least able to save the lives of thousands of people by supplying fugitives on the roads escaping from these camps. Until then it had been able to obtain the names of several thousands of detainees in the concentration camps to whom they had been able to send food parcels. (See Report of the International Committee of the Red Cross on its activities during the Second World War, Vol. I, p. 614).

The civilian population also benefited from aid given by the International Red Cross. The work which was undertaken between 1940 and 1946 by the "Joint Relief Commission" organized by the International Committee and the League was able to mitigate some of the effects of the blockade, in accordance with the principles which had been formulated at the Brussels Conference in 1930 under the auspices of the League of Nations. (See Report of the International Committee of the Red Cross on its activities during the Second World War, Vol. III, p. 360).

World opinion was profoundly shocked by the plight of so many war victims and when the hostilities came to an end, the Red Cross set itself to submit new draft conventions to the various governments with a view to avoiding a repetition of so much suffering in the future.

(tob e continued)
Geneva, 16 April 1962

Algeria

THE ICRC AND THE "CEASE-FIRE" IN ALGERIA

Article 11 of the Evian Agreements provided for a delay of 20 days from March 19th, during which both parties undertook to set their prisoners free and to inform the International Committee of the Red Cross where their prisoners are stationed and of "all measures taken for their re-lease". This delay has now expired and it is noted that the French authorities have so far informed the ICRC of the location of 3,681 prisoners taken in combat. The French authorities have also informed the ICRC that they will free these prisoners as soon as the authorities entitled to receive them have been established.

On the other hand, no communication has been received from the provisional Algerian Government regarding the prisoners detained by the ALN, despite reiterated demands made by the ICRC.

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After the "cease-fire"-The situation of Europeans arrested in Algeria

The permanent delegate of the ICRC in Algeria has received many requests about the fate of Algerians of European origin arrested or interned as a result of events subsequent to the "cease-fire". The ICRC has approached the French authorities in order to obtain that this new category of prisoners should benefit from the help of the Red Cross, according to the custom prevailing in such cases.

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Reproduction of texts is authorized
Aid to the regrouped populations

The two delegates of the ICRC, who arrived in Algeria at the end of March, working in close co-operation with the French Red Cross, have inspected distributions of relief in regroupment centres. Among other areas they have visited Tablat and the southern part of the Oran province.

In view of the importance of the needs of these populations, the permanent delegate of the ICRC in Algeria, Mr. Roger Vust, and one of the field delegates, Mr. J. J. Muralti, have got in touch with the new authorities in Algeria in order to work out, in agreement with them and with the French Red Cross, a programme of distribution which will enable regrouped populations to return gradually to their villages. Mr. Muralti has been recalled to Geneva temporarily in order to help speeding up the preparation of the ICRC relief plans. The United States Government has offered the ICRC important quantities of surplus food. Also, the ICRC and the League of Red Cross Societies are preparing a special appeal to be made to National Red Cross and Red Crescent Societies.

This joint appeal will also take into account refugees from Algeria in Tunisia and Morocco who will shortly be repatriated. The two Red Cross institutions are at present studying the means for efficient and coordinated distribution of the relief they hope to obtain as a result of this appeal.

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Central Africa

RETURN OF THE ICRC MISSION

Mr. Samuel Gonard, Vice-President of the ICRC has now returned to Switzerland after carrying out a study mission in a number of countries and territories of Central Africa. With Mr. Georges Hoffmann, ICRC delegate, he has visited, during the last two months, the Federation of Rhodesia and of Nyasaland, Tanganyika, Kenya, Uganda, Ruandi-Urundi, the Congo (Leopoldville), and the Congo (Brazzaville). In all these countries numerous useful contacts were established with governments and Red Cross circles.

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ACTIVITIES OF THE ICRC DELEGATE IN RHODESIA

Mr. Geoffrey C. Senn, ICRC resident-delegate in the Federation of Rhodesia and Nyassaland interrupted his special mission in Katanga to return to Salisbury in Southern Rhodesia early in March.

He was received by the Secretary of State for Justice of the Federal Government and discussed with him the activities in favour of persons arrested during disturbances. Mr. Senn, later, visited the Salisbury prison where he was able to converse with a number of detained persons.

The ICRC delegate is expected to resume later on his regular visits in penal establishments in Rhodesia and Nyassaland.

Following an appeal made previously to a U.S. charitable institution, the delegate will shortly receive a relief shipment for detainees, including several thousand books, specially text-books for study.

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Vietnam

CHINESE FISHERMEN LOST AND FOUND

The Chinese Red Cross in Peking requested the ICRC to investigate the fate of 20 fishermen from Hainan, of which no news had been received for some time. The ICRC investigations have now given some results. The fishermen are now in Danang, in Central Vietnam and Mr. Werner Muller, ICRC delegate, has been authorized to visit them. The ICRC is now trying to arrange their return to China. The ICRC delegate has reported that the 20 men were in good health.

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New Guinea

VISITS TO INDONESIANS INTERNE D IN NEW GUINEA

When he recently visited New Guinea, where he organized the repatriation of Indonesians captured following the clash on January 15 between Indonesian and Dutch forces, Mr. André Durand,
Chief delegate of the ICRC in Asia, was able to visit other
Indonesians interned in that country. They had infiltrated in New
Guinea individually or in groups in 1960 and 1961 and had been
captured by the Dutch, in some cases after fighting had taken place.

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Indonesia

THANKS FROM THE INDONESIAN GOVERNMENT

Following the repatriation of 51 Indonesian military
personnel, captured by Dutch forces in New Guinea after the naval
engagement of January 15, the International Committee of the Red
Cross received from the Indonesian Ministry of Foreign Affairs a
telegram of thanks, which reads in part as follows: "Djakarta -

Indonesia wish on behalf of Indonesian Government and people to express to

THANKS FROM THE INDONESIAN GOVERNMENT

you and your staff my warm feeling of gratitude for your invaluable

assistance in returning fifty-one members of Indonesian matjantutul

from westirian stop on March 11, they arrived safely at Djakarta and

have since joined their families"

The repatriation of the 51 Indonesians was arranged
mainly through the intervention of Mr. André Durand, Chief delegate
of the ICRC in Asia.

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FAMILY MESSAGES BETWEEN INDONESIA AND HOLLAND

As earlier stated the Central Agency organised an
exchange of family messages between Indonesia and Holland after the
interruption of postal relations between the two countries.

It will be recalled that these messages are written
on standard formulae established by the ICRC and put at the disposal
of the public by National Societies. These formulae, on the back
of which space is provided for reply, are transmitted through the
channel of National Societies.

From January 15 to the end of March, the Central
Tracing Agency transmitted 1,842 messages from Holland to the
Indonesian Red Cross and sent the Dutch Red Cross 269 messages
received from Indonesia.

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Mr. Pierre Vibert, ICRC delegate, arrived recently in Djakarta. He was able to discuss with the Indonesian Red Cross the procedure for sending pensions and allowances paid by the Dutch Government to some Dutch nationals in Indonesia. A first payment was made in December 1961 and a new distribution is now in progress. Funds given for this purpose by the Dutch Government were transmitted at the beginning of April to the Indonesian Red Cross which will transmit them to the beneficiaries. The amount of the second payment is about 125,000 dollars.

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Japan

REPATRIATION OF KOREANS RESIDING IN JAPAN

The 90th convoy of Koreans residing in Japan who have asked to return to their homes in the Democratic People's Republic of Korea has now left Niigata for Chonjin with 233 persons. The total number of Koreans who have left Japan since December 1959 to return to their homeland is now 75,290.

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Greece

INDIAN TEA FOR POLITICAL DETAINES

The Indian Red Cross has informed the ICRC of its intention of renewing the gesture it made in 1959 in favour of political detainees in Greece, to whom it had made a gift of tea. The Indian shipment will be made directly to the Greek Red Cross; it is intended for political exiles, numbering some 200 persons, interned in the Island of Aghios Efstratos, in the Aegean sea, where the ICRC has been sending frequent missions for several years.

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MEETING OF THE 3 PRESIDENTS OF THE INTERNATIONAL RED CROSS

The President of the International Committee of the Red Cross, M. Léopold Boissier, Mr. John Macaulay, Chairman of the League and the President of the Standing Commission, M. André François-Poncet, met on April 9, 1962, at the I.C.R.C. headquarters in Geneva. The meeting was presided by Mr. François-Poncet.

The three presidents discussed relief actions in Algeria, preparatory work for the 20th. international Conference of the Red Cross, due to take place in Geneva in 1963, and the Centenary of the Red Cross which will be celebrated the same year.

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Arabic Language competition

MOST PRIZES NOW DISTRIBUTED

Nearly all the 130 participants in the large scale competition organized by the ICRC with the help of the League of Red Cross Societies/listeners in Arab countries have now received certificates from the two Institutions which sponsored this event. They have also received a free subscription for one year to the Magazine "The Red Cross World".

Most of those who have taken part in the competition belong to all Arab countries. Thus, the Competition seems to have reached its objective which was to make the humanitarian ideal of the Red Cross known in the Arab World.

Thanks to the cooperation of National Red Cross Societies nearly all first prizes have been handed over to the winners. These prizes included 2 Philips Radio sets and 12 Ernest Borel watches.

Prizes-giving ceremonies have been organized for this purpose by the Societies with the attendance of their presidents. This has been the case so far in Jordan, Syria and Sudan, where these events were widely reported by the press and the radio.

It will be recalled that the first prize, a fortnight's visit to Geneva, offered by Swissair, was won by Mr. Numan Abdel-Dayim, a school-teacher in Jerusalem (Jordan). Mr. Numan Abdel-Dayim
will be the guest of the International Committee of the Red Cross and of the League, early in June 1962.

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(6) Continuation of the model course by Mr. Henri Coursier on the Geneva Conventions

GENEVA CONVENTION - 1949

The International Committee of the Red Cross undertook, in accordance with its traditions, to put to good use all the experience it had gained during the conflict in assisting war victims. It was a question once again of revising the Geneva Conventions relating to the wounded and sick of the armies in the field as well as prisoners of war; but there was also a need to adapt the Hague Convention of 1899 relative to the shipwrecked in the light of the new circumstances which existed. This Convention was itself an adaptation of the First Geneva Convention for the sick and wounded in the armed forces at sea. In addition, the International Committee drew up a new draft Convention relative to the protection of civilians in time of war.

Taking the advice of government experts (Conference of experts held in Geneva in April 1947), it then associated the Red Cross movement with its action by submitting the four drafts which it had prepared to the XVIIth International Conference of the Red Cross held in Stockholm in August 1948.

The draft texts which had been adopted by the Stockholm Conference were then handed to the Swiss Government which convened a Diplomatic Conference in Geneva for April 1949, and proposed that the four draft Conventions should serve as a basis of discussion.

The Conference deliberated for four months in Geneva, the International Committee daily taking part in the debates in an expert capacity.

It drew up the four Geneva Conventions of August 12, 1949 as follows:

First Convention for the amelioration of the condition of the wounded and sick in armed forces in the field; Second Convention for the amelioration of the condition of wounded, sick and shipwrecked members of the armed forces at sea; Third Convention relative to the treatment of prisoners of war, and the Fourth
Convention relative to the protection of civilian persons in time of war. The first three Conventions are in fact revised texts of previous Conventions. These were virtually completed, taking into account the experiences of the two world wars, which allowed stipulations to be made in favour of the wounded and sick as well as prisoners of war. The Fourth Conventions is new in the law of Geneva. And this "completes" in a highly satisfactory manner, in accordance with the terms of Article 154, the provisions of the Hague Conventions concerning the protection of civilians in time of war, since this protection had only been envisaged in the event of enemy occupation of a territory. The Hague Regulations in fact limit themselves to enunciating certain elementary rules in support of the principle that the occupant is bound to "take all the measures in his power to restore and ensure, as far as possible, public order and safety, while respecting, unless absolutely prevented, the laws in force in the country". The new Convention laid down provisions for aliens in the territory of a party to the conflict and also in regard to the Occupying Power and gave essential guarantees to ensure respect at all times for protected persons.

These texts have been ratified or accepted by 87 Powers, that is to say, by practically every country (including the Great Powers without exception). Consequently they constitute universally recognized international law.

(to be continued)
INFORMATION NOTES

No 15

Geneva, 1 mai 1962

Algeria

THE EVIAN AGREEMENTS AND THE RELEASE OF PRISONERS

The provisional Government of the Algerian Republic, after having informed the International Committee of the Red Cross, has released three members of the French armed forces. These three men had been captured during the course of operations along the fortified protective zone adjoining the Algero-Tunisian frontier in the spring of 1961. They were part of a group of five prisoners of whom two had been released at the end of December 1961 in Tunis, and handed over to an ICRC representative. Two other French military prisoners captured in February 1961 at Klaa in Kabylie, were released on April 26 by the ALN and placed into the hands of the local armistice Commission at Tizi-Cuzou.

In Morocco the ICRC asked its delegate, Mr. G. Vautier, to obtain information eventually the release of a French soldier captured by the ALN on the Algero-Moroccan border in 1959, whose name had been communicated to the delegate. At the end of that year, the FLN had released two of his comrades.

The French Government, for its part, has just sent a further list to the ICRC of detained Algerians taken in combat. This concerns 115 names of persons interned in South Algeria. A total of 3,600 names of Algerian prisoners has thus been communicated to the ICRC by virtue of the Evian agreement. The French authorities have also supplied information about arrangements for the forthcoming release of these prisoners and for their return home.

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Relief to the regrouped population

During a recent tour in South Oran, Mr. Jacques de Heller, delegate of the ICRC, visited several regroupment centres accompanied by Miss Tanguy, who is in charge of mobile teams of the French Red Cross in the departments of Algiers and Oran. His visits in particular included Ain
Sefra, Mecheria and Tiaret, and Marnia, further to the north. The delegate was able to see three mobile teams at work which, besides medico-social tasks, distributed relief sent by the ICRC, consisting chiefly of powdered milk, sugar and ophthalmic drops.

The ICRC delegate then continued his tour in the Grande Kabylie in particular to Fort National and Dra el-Mizan. He also had the opportunity of seeing two other mobile teams of the French Red Cross at work.

Furthermore, the ICRC has continued its efforts in different directions to obtain greater quantities of food for regrouped populations in Algeria.

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Congo

BALUBA REFUGEES

Mr. G.C. Senn, Delegate of the International Committee of the Red Cross in Katanga is continuing various humanitarian tasks connected with recent events. At the request of the United Nations administration in the Congo, he took part in the work of the Investigation Commission set up to study the possible repatriation of Baluba refugees from the Elisabethville region, and their resettlement in Kasai. These refugees number about 25,000. Mr. Senn took the opportunity of the Commission's visit to Bakwanga, in Kasai, to inspect the town prison, following which he had a meeting with the authorities and discussed with them the application of detention conditions.

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Geneva

RETURN OF Mr. Georges OLIVET's MORTAL REMAINS

The Institute of Forensic Medicine in Vienna has just finished examining the bodies of the victims of the Elisabethville tragedy in December 1961, where three servants of the Red Cross lost their lives, Mr. Georges Olivet, delegate of the International Committee, Mrs. Vroonen and Mr. Smeding
of the Katanga Red Cross. Two of the bodies have been repatriated, those of Mr. Olivet to Geneva, and of Mr. Smeding, who was of Dutch nationality, to the Netherlands. The body of Mrs. Vroonen, who was Belgian, will shortly be transported to Elisabethville, where it will be buried.

A brief and simple ceremony marked the return of Mr. Olivet's coffin to Geneva. Mr. Leopold Boissier, President of the ICRC, together with some of his chief collaborators paid respects to the coffin draped in the Red Cross flag on its arrival at Geneva airport. On the following day a religious ceremony took place in one of the Geneva churches, the body then being buried in the village of Jussy new Geneva, from which the family of Georges Olivet originates. Beside the grave, the President of the ICRC spoke a few words to the family of the deceased whose sacrifice the Red Cross will never forget.

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The Commission of inquiry finishes its work

The Commission entrusted with inquiring into the circumstances in which Mr. Olivet and his two companions died, met once more in Vienna, after examinations had been made by Professor Leopold Breitenecker, Director of the Vienna Institute of Forensic medicine. His final report is shortly expected. It should be recalled that the two other members of the Commission are Judge Björn Kjellin (Sweden) and Colonel Hans Roost (Switzerland).

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MISSION IN WEST AFRICA

The International Committee has been invited by the Togolese Red Cross to take part in the celebrations the letter is organising in Lomé for World Red Cross Day on May 8, and will be represented by Mr. François de Reynold, Head of the Liaison Service. This will be the first time that the Togolese Red Cross, recognised by the ICRC on September 7th, 1961, has celebrated May 8. The celebrations being organised for the occasion include the setting-up of 3 new local Red Cross Committees, first-aid and nursing demonstrations, a Fair, a football match, a torchlight procession, a dance and a Red Cross film show. At the same time, there will be a relief action on behalf of the needy of the capital, Lomé, and layettes for newly born babies will be distributed. The man behind these celebrations is Mr. Boniface T. Dovi, Secretary-General of the Togolese Red Cross, who in October, 1961, came to Geneva for a study visit to the ICRC and the League.
Mr. de Reynold stopped at Dakar en route for Togo, where he was warmly received by representatives of the Government of Senegal and persons interested in setting up a National Red Cross Society. He then went to Abidjan, capital of the Ivory Coast, where he was given an equally warm welcome. After his stay in Togo, he intends to make a brief visit to Guinea.

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Laos

RELIEF TO REFUGEES AND PRISONERS

The International Committee of the Red Cross has recently supplied fishing nets to the Laotian refugees from the fighting areas who have settled on the banks of the Mekong, which will help them to provide for their own needs. Dr. Jurg Baer, ICRC doctor delegate in Laos, has also handed over further relief supplies comprising textiles, medicines (particularly multivitamins), foods stuff and soap.

From reports reaching the ICRC, recent months have seen a big increase in the number of these "riverside" refugees. In August 1961, when the ICRC began its action, there were about 6,000. By the end of the year, the figure had risen to 10,000, and it is estimated that it now stands between 30,000 and 35,000. To date about 17,000 Laotian refugees have received emergency relief supplies from the Red Cross.

The ICRC delegate has also visited the camp at Savannakhet, where he talked freely with several detainees. Since his previous visit, certain improvements have been made in the treatment of internees, who have been given permission to receive newspapers and parcels. The prisoners' situation has also improved with regard to medical care. The delegate distributed blankets, mats, soap, medicines and cigarettes. He is at present continuing his visits to camps where troops are detained as a result of the events.

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The Indo-Portuguese Conflict

FRESH MOVES BY THE ICRC

The International Committee of the Red Cross has handed over to the Indian and Portuguese Governments the reports on the visits
recently made by its Delegate in Goa, and has requested repatriation of Por-
tuguese military prisoners still detained by the Indian Authorities.

In taking this step, the ICRC refers to Article 118 of the
Third Geneva Convention of 1949. Under the terms of this Article, prisoners
of war shall be released and repatriated without delay after the cessation
of active hostilities.

Several wounded or sick prisoners have already returned to
Portugal.

THE GENEVA CONVENTIONS AND THE TRIAL OF
CUBAN PRISONERS

The Geneva Convention having been invoked in numerous
requests for intervention received by the International Committee of the Red
Cross concerning the recent trial of Cuban prisoners captured during the
invasion attempt to April 1961, it is appropriate to make the following statement:

In an international war, that is to say, in a war between States,
a soldier cannot be punished for acts of legitimate warfare which he has
committed against the enemy armed forces. If he is captured, he cannot be
arraigned for such acts nor be prosecuted by a court. He has the right of the
full application of the Third Convention of 1949, relative to the treatment
of prisoners of war.

On the other hand, in internal armed conflicts, namely those
in which nationals of the same State oppose each other, only Article 3 of the
Geneva Convention of 1949 is applicable. This is its text:

"In the case of armed conflict not of an international
caracter occurring in the territory of one of the High Con-
tracting Parties, each Party to the conflict shall be bound to
apply, as a minimum, the following provisions:

(1) Persons taking no active part in the hostilities, including
members of armed forces who have laid down their
arms and those placed hors de combat by sickness,
wounds, detention, or any other cause, shall in all
circumstances be treated humanely, without any ad-
verse distinction founded on race, colour, religion
or faith, sex, birth or wealth, or any other similar
criteria.
To this end, the following acts are and shall remain prohibited at any time and in any place whatsoever with respect to the above mentioned persons:

(a) violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture;

(b) taking of hostages;

(c) outrages upon personal dignity, in particular humiliating and degrading treatment;

(d) the passing of sentences and the carrying out of executions without previous judgment pronounced by a regularly constituted court, affording all the judicial guarantees which are recognized as indispensable by civilized peoples.

(2) The wounded and sick shall be collected and cared for.

An impartial humanitarian body, such as the International Committee of the Red Cross, may offer its services to the Parties in the conflict.

The Parties to the conflict should further endeavour to bring into force, by means of special agreements, all or part of the other provisions of the present Convention.

The application of the preceding provisions shall not affect the legal status of the Parties to the conflict."

The Diplomatic Conference of 1949, which drew up the text of this article, did not accept the addition of a provision granting impunity to insurgents taken with arms in their hands and who have committed no other crime than that of fighting openly against the armed forces of the Government. It cannot therefore be excluded that, in international law, captured members of armed insurgent forces be brought before the courts and tried, subject to the conditions laid down at d) of that article.

On the other hand, it will be seen that, in the case of a conflict not of an international character, this article does not give the ICRC any possibility of intervention other than that of offering its services. This, it has not failed to do in every case of a similar nature which has been submitted to it since the signing of the new Conventions of 1949, as it has also not failed to recall their provisions on each of these occasions. It intervened in this sense with the Cuban Government at the time of the trial of the Cuban prisoners mentioned above.

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THE PLACE OF THE GENEVA CONVENTIONS IN THE LAW OF NATIONS

This brief survey of the Geneva Conventions and the essential rôle played by the Red Cross movement in formulating these Conventions illustrates the privileged position which they hold in the law of nations.

The Roman "jus gentium" from which the law of nations derives was defined by the Institutes of Justinian as the series of rules which natural reason has established among men: "quod naturalis ratio inter homines constituit". According to the ancient Roman conception, Roman law was only for Roman citizens, slaves and non-Romans being excluded. The evolution of ideas and the expansion of the Roman Empire to the confines of the known world, however, had broadened this original view. Laws applicable to those who did not come under Roman law had been admitted as far as they were concerned simply by virtue of the fact that they were human beings.

These ideas were to be adopted by theologians, who in the name of Divine Justice forcefully proclaimed the dignity of man. With the forming, however, of the modern States and the weakening of Papal authority, which for a time appeared to have inherited the powers of Rome as regards human relations, quite a different idea of the law of nations was to evolve. From the end of the XVIth Century, Victoria referred to "jus inter gentes" to designate the law of nations, thus substituting the idea of political grouping for that of individuals as subjects of international law.

Contrary to the canonists of the Middle Ages, the jurists who elaborated modern law no longer sought to link the idea of law with Divine Justice. No doubt they still thought that it should be based on "natural law", a series of moral ideas conforming to the precepts of Christian religion, but, according to Suarez, the law of nations should be distinguished from natural law since it is solely a "positive human law". Henceforth international law was to derive from States which establish it in their complete sovereignty; it is formed by the customs to which States conform and by the conventions which may be passed between them.

In these circumstances, the respect for the rights of the individual was to be exclusively a matter for the internal legislation of each State. It was considered that a sort of "social contract" bound individuals to the collective group to which they belonged and that they had, to a certain extent, handed over once and for all to the State to lay down rules for the exercising of their rights. The principles of natural law were still honoured as forming the basis of legislation and the essential individual rights continued to be set forth by international legislation; but the exercising of these rights depended on the public authorities.
Internal public order can no doubt only be maintained on this condition, but in time of war, when the individual no longer comes under the natural protection of the State of which he is a citizen, how can the fundamental rights of the individual be guaranteed? Only international law could protect these same rights by suitable conventions between States, provided the latter agreed to restrict violence and safeguard certain human values in the very midst of conflict.

As we have seen, it was to be the honour of the Red Cross movement to contribute to the protection of these human values by the establishment of the law of Geneva.

The Geneva Conventions are planned for time of war, but it sometimes happens that, outside an international conflict, there are internal disturbances during which the government and the people of the same country find themselves in opposition. At such times individuals are exposed to the same dangers as enemies in time of war and if their position is considered from the strictly personal and human point of view, without regard to politics, their case calls for similar guarantees. Humanitarian logic is so strong that the analogy of situations has given to individual victims of civil wars and of internal disturbances, that is to say to the nationals of a particular State, a legal protection which, whilst not being as wide as that enjoyed by non-nationals, retains, however, a minimum standard of humane treatment. This legal protection is the result of Article 3 common to the four Geneva, Conventions of August 12, 1949, concluded to a certain extent outside the general framework of these Conventions.

This article, to which full significance has perhaps not been given, and which, in truth, calls for a considerable number of additions in order effectively to impose on a State respect for the essential rights of its own nationals, during an armed conflict in which they are in opposition to it, results in a compromise between the interests of the State and the individual, a compromise without which the humanitarian spirit animating the law of Geneva would cease to have been respected.

(to be continued)
ICRC RELIEF TO THE VICTIMS OF EVENTS

The military operations which took place at Muong-Sing and Nam-Tha, in the province of Laos bordering on Burma, China and Thailand, have led to a further influx of refugees into areas controlled by the Vientiane Government.

Dr. Jürg Baer, doctor-delegate of the ICRC in Laos, therefore proceeded to make further relief distributions at Luang-Prabang, the Royal capital. He then went to Houei Sai, on the banks of the Mekong, facing Thailand territory, where he supervised, together with Mrs. Nouphat Chounramany, President of the Women's Committee of the Laotian Red Cross, the distribution of clothing, blankets, condensed milk and concentrated soup to the Meo refugees who had arrived from the mountainous regions to the north of the town. On this occasion a provisional provincial Committee of the Laotian Red Cross was set up at Houei Sai.

Furthermore, the ICRC delegate handed over relief there. In particular he gave condensed milk for the wounded and sick undergoing treatment in the hospital founded by the late Dr. Tom Dooley, the American doctor in whose memory a foundation had been created to continue the splendid humanitarian work to which he had devoted his life.

Shortly before Easter, Dr. Baer made distributions of clothing, food and domestic utensils to refugees from the Haiene des Jannes area, newly arrived in Paksane, about 90 miles to the east of the administrative capital of Vientiane.

These relief supplies were chiefly purchased locally thanks to credits drawn on ICRC relief funds. Further supplies also destined for the Laotian refugees, have just left Trieste on board M. S. "Cellina". They are expected to reach Bangkok about May 20.
On the other hand, the action of the International Committee of the Red Cross, exercised also on behalf of the civilian population in areas controlled by the Khuang-Kahi Government, continues to receive the support of the National Red Cross Societies which alone have supplied until now about 300,000 Sw. frs. worth of contributions in cash and in kind. It is true to say that the number of refugees in now six times greater than 10 months ago, and that considerable resources are required to meet all their needs.

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Indonesia

AID TO DUTCH NATIONALS

Mr. Pierre Vibert, delegate of the ICRC, has just returned to Geneva from Djakarta where he dealt together with the Indonesian Red Cross, with the payment of pensions and allowances which the Netherlands Government makes to a number of Dutch nationals who have remained in Indonesia. About 800 had already received a first payment in December 1961 from Netherlands funds transmitted by the ICRC to the Indonesian Red Cross. The second payment is at present being made.

During the course of his mission in Indonesia, the ICRC delegate also dealt with the assistance given by the Red Cross to Dutch nationals wishing to leave Indonesia for the Netherlands. In this connection the Indonesian Red Cross chiefly assists the aged and sick, or persons with insufficient resources to reach Djakarta.

This action was undertaken by the ICRC in 1961 following on the break down of diplomatic relations between Indonesia and the Netherlands, and because of the absence of the protecting Power. Postal communications having also been suspended, the Central Tracing Agency of the ICRC transmits family messages in both directions between the two countries.

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Japan

REPATRIATION OF KOREANS

The 90th boat-load of Koreans returning to their country of origin left Japan an April 21, with 351 people, which brings to 76,219 the total number of people who have returned to North Korea since the beginning of the operation in 1959.
At the request of the Japanese Red Cross, the ICRC special mission is continuing its work in Tokyo and at the embarkation port of Niigata in order to ensure that the people concerned are not subjected to any pressure to compel them either to leave or to remain.

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**Algeria**

**ICRC DELEGATES AT ROCHER-NOIR**

Mr. Pierre Gaillard, delegate of the International Committee of the Red Cross, has just completed a mission in Algeria in order to prepare ICRC’s future action. Together with Mr. Roger Vust, permanent delegate of the ICRC, he was received at Rocher-Noir by the French High Commissioner, Mr. Christian Fouchet.

The representatives of the International Committee also had talks with Mr. Abderrahman Farès, head of the Algerian provisional Executive, and with Dr. Hamidou, delegate for social affairs.

During these discussions, the ICRC delegates studied ways of resolving the most urgent humanitarian problems raised in the large towns in Algeria. These in particular include aid to prisoners, tracing missing persons, medical matters, the supplying of children, chiefly with milk, and relief to the regrouped population.

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**Congo**

**ICRC TO REMAIN IN CONGO**

The International Committee of the Red Cross will not be closing its delegation in Léopoldville for the time being. As the work of this delegation had been noticeably diminishing, the ICRC had recently considered closing it. However, following ICRC member Colonel S. Gonard’s visit to the Congo during his recent mission in Africa, and from the observations which this mission was able to make on the spot, the ICRC considers it necessary to remain in the Congo.

It arrived at the same conclusion after hearing M. Jean de Preux, its delegate in Léopoldville since February 12, 1961, who has just returned to Geneva. In his absence, the ICRC has asked Mr. Geoffrey C. Senn,
its delegate in Elisabethville, to extend his activities to the whole of the Congolese territory.

In addition to this, the Congolese authorities and UNO High Command in the former Belgian colony have also urged the ICRC to remain in the Congo.

In a letter to the ICRC President, Mr. Léopold Boissier, the Secretary-General of the United Nations, Mr. Thant wrote "I would like to say that I attach very great importance to the existence of an ICRC delegation in the Congo. Over the course of the last two years and particularly in periods of crisis, your representatives have carried out a remarkable work. As you know, there are in the Congo many situations of humanitarian importance which require constant attention of the type which only an ICRC representative can give. The presence of an ICRC representative is also extremely important for the carrying out of the very delicate mandate which UNO has been given in the Congo".

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Belgium honours the memory of Georges Olivet

The Belgian Government has decided to award posthumously the Belgian Medal of Gratitude to Mr. Georges Olivet, delegate of the International Committee of the Red Cross, who fell at Elisabethville on December 13, 1961, while carrying out a humanitarian Red Cross mission. The Belgian Medal of Gratitude is a small artistic medallion in gilded bronze 3 1/2 inches in diameter, framed in a case.

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MISSION IN AUSTRIA

ICRC Delegate, H. G. Beckh, has just completed a mission in Austria. He was received by Mr. Sevcik, Secretary-General of the Austrian Red Cross, with whom he had talks on questions concerning the work of the International Committee's delegation in Vienna, as well as on problems relating the reuniting of families.

During his stay at ICRC delegation's headquarters, Mr. Beckh dealt particularly with this latter question and it was in connection with this that he visited the transit camp at Piding near the Austro-German frontier.

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THE RED CROSS CENTENARY

The Red Cross world has entered into the era of centenaries. This began in June 1959 with the celebration of the centenary of the Battle of Solferino, which inspired Henry Dunant to found the movement which was to become the Red Cross. 1962 marks another centenary, the publication of Dunant's famous book "A Memory of Solferino", in which he vividly described the suffering endured by the wounded and the appalling state in which thousands of them had been left. The publication of this basic Red Cross book was commemorated on May 8, Dunant's birthday, by an international radio programme.

1963 will be the big year, when the Red Cross celebrates the 100th anniversary of its foundation. All the National Red Cross, Red Crescent and Red Lion and Sun Societies will be taking part in this, but Geneva, birthplace of the Red Cross, will be the centre of the celebrations. These are already being organised.

The commemorative ceremonies will take place from August 15 to September 15 and will coincide with the XXth International Red Cross Conference, which will also be held in Geneva. These celebrations will not only be an occasion for rejoicing or recalling a century of Red Cross history; they will also provide an opportunity for those taking part to learn and to try and serve the Red Cross ideal better, which is why there will be refresher courses for first-aiders and nurses, seminars and practical exercises for the members of youth organisations and educationalists.

The Centenary Commemoration Day will be on September 1. It will begin with a large ceremony in the Grand Théâtre in Geneva and this will be followed by a procession and an evening display, in which representatives of all the National Societies will take part.

The Exhibition organised for the Centenary will be of particular importance. It will retrace the history of the Red Cross, show its principal activities in the service of mankind and explain its current work. It will also include philatelic, commercial and film sections.

The organisation of the various celebrations is the responsibility of a Commission, which includes representatives of the ICRC, the League of Red Cross Societies and the Swiss Red Cross. Its Chairman is Mr. Frédéric Siordet, Vice-President of the ICRC, and the Secretary-General is Mr. Edouard Logoz. Various Sub-Committees and working parties are handling the different aspects of the Centenary celebrations.

Numerous circles outside the Red Cross are willing to support the organisation of the Centenary. This is particularly true of the Swiss Press, which is showing a lively interest in the celebrations. Some of the leading editors have agreed to take part in the publicity drive which will be necessary if the commemoration is to be a success.

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WORLD RED CROSS DAY CELEBRATED ON THE AIR

May 8, the anniversary of Henry Dunant's birth (1828) and World Red Cross Day, was marked by an important broadcast transmission in which there were the largest number ever of recordings. 27 broadcasting stations belonging to 25 countries (19 in 1961) participated in the "multiplex" inlet channels. Other stations transmitted special programmes outside these channels, thus making a total of 85 broadcasts celebrating World Red Cross Day, a number which had never so far been reached.

The programme sent out on the international network was offered by Radio Monte Carlo. It reached millions of listeners, commemorating in a striking way the publication in 1862 of Dunant's famous book "A Memory of Solferino", which stirred Europe's conscience and expressed ideas which were to be the origin of the Red Cross. Words and music were by Marian-Georges Valentini and Jean-Jacques Grunenwald respectively.

On the days following May 8, the television services of six European countries (France, Great Britain, Italy, Monaco, Switzerland and Yugoslavia) broadcast special programmes on the Red Cross. These consisted of brief documentaries illustrating the activity of the National Societies in those countries.

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TOWARDS A BETTER KNOWLEDGE OF THE GENEVA CONVENTIONS

THE ROBINSON FAMILY

As part of its efforts to disseminate knowledge of the Geneva Conventions as widely as possible the ICRC, in cooperation with the League of Red Cross Societies, has just brought out a book entitled "The Robinson Family".

Written with humour and in story form, this booklet (43 pages) describes the adventures of a family in war-time. The rules of the Geneva Conventions of August 12, 1949 are shown in practice in many instances of the daily life of the Robinsons and the protection afforded by the Conventions is illustrated by many examples.

The author of the book is Mrs. Barbara Warburton, a former Director of the Junior Red Cross in the United Kingdom; it is illustrated with skill and humour by the Swiss journalist Pierre Leuzinger.

For the time being this book is available in a limited English language edition. It will shortly be sent to all the National Red Cross Societies.

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A BIG PROBLEM OF INTERNATIONAL LAW

It is here that we touch upon the great problem of the place of the individual in international law. Certain people who favour the development of the law of nations, today are of the opinion that States are not the sole subjects of international law, but that the individual must also have his fundamental rights respected. He should furthermore have these rights respected even outside the framework of the State of which he is a national. (See G. M. Yepes, Preface to the book by D. Uribe Vargas "Panamericanismo democratico", Bogota, 1958). The approval of this step forward in international law would be to accord to individuals, to non-governmental groups or organizations, the right to have recourse to proceed to the implementing of individual rights before an international Court of the Rights of Man. The United Nations Commission of the Rights of Man has, moreover, had this matter referred to it and has questioned governments to that effect. The reply which the Netherlands Government gave it, (See Documents of the United Nations E/CN. 4/353 Add. 6, February 23, 1950), amongst others, "admits that if one wishes to give complete protection on the international level to the rights and to the liberty of the individual, one should finally recognize this right; but before doing so, verification should be made by experience of the limits to the international protection which the rights and liberty of the individual enjoy".

Now, for the time being, the Law of Geneva constitutes in many respects a universally accepted guarantee especially as regards the safeguarding of the fundamental rights of the individual in time of war or internal disturbances, that is to say when they are most threatened. To the rights of the individual is related a duty which States have and to which they have freely chosen to conform in accordance with the rules laid down by the international conventions.

Others have come to the conclusion that the law of Geneva constitutes a special law, a "supra-international" law. This view is held in particular by Mr. A. Pastor Ridruejo in a remarkable essay. (A. Pastor Ridruejo. "Contribución al estudio del Derecho humanitario Belico, concepto, contenido y naturaleza." Revista española de Derecho militar, Madrid, Jan.-June 1959). His reasoning is that this right should not be defined as internal law and that it should not be even more defined as international law in the ordinary sense of the world for three principal reasons: because it is binding on subjects who are not necessarily members of the International community (as, for example, rebels not recognized as belligerents in an armed conflict not of an international character), because it establishes rights in favour of persons (physical persons, "protected persons") and finally because it places to the charge of States obligations regarding their own nationals. All these remarks are perfectly true, but one must also admit that it concerns an international law of a new form by which States, for humanitarian reasons, have accepted to bind themselves, in certain circumstances, to their own nationals. The obligation
contracted by the Powers which are bound with each other by the Geneva Conventions to respect and to ensure respect for the said Conventions in all circumstances (Article 1 common to the four Geneva Conventions of August 12, 1949) shows that these texts should not be interpreted in a limited manner, but should be widely applied both in their letter and in their spirit. That is why this part of the law of nations, which is the Law of Geneva, is to a certain extent privileged. This right implies an affective element which dominates the customary relations between States. It authorizes and even recommends relationships between individuals, outside any political allegiance. As Max Huber most aptly put it "from the strictly legal point of view, a real human right has been created, by virtue of which the individual, his integrity and dignity are defended in the name of a moral principle which rises far above the limits of national law and of political considerations. (Max Huber, "La Pensée et l'Action de la Croix-Rouge", 1954, p. 290).

(to be continued)
Algeria

THE ICRC INTENSIFIES ITS ACTION

The International Committee of the Red Cross has just instructed one of its delegates, Mr. Pierre Gaillard, to make an on-the-spot study of the chief humanitarian problems raised by the recent events in Algeria. Following on the observations made by its representative, it decided to send two doctor-delegates, Dr. Jean-Louis de Chastonay and Dr. Aurelio Foletti to Algeria, in order to reinforce its permanent delegation directed by Mr. Roger Vust. Dr. Foletti, surgeon, has worked since May 26 at the hospital at Relizane. Furthermore, an ICRC medical team consisting of a surgeon, Dr. Robert-André Egli, a serologist, Dr. Urs Denzler, and a male nurse, left on May 30 for Oran, where it was installed in the Moslem quarter by Dr. de Chastonay, chief medical officer of the ICRC in Algeria.

Considerable consignments of medicaments, blood plasma and blood transfusion equipment were despatched as a matter of urgency by the ICRC. Included in this relief were two large consignments of blood plasma, donated by the Swedish Red Cross.

Thus the humanitarian problems which the ICRC has to face are becoming daily more and more acute: relief to the resettled population and the supplying of children, medical assistance in the towns, the search for missing persons, aid to prisoners.

A large amount of foodstuffs of American origin has just been placed at the disposal of the ICRC to supply the resettled population, that is to say, persons displaced in the interior of Algeria as a result of the events, amongst whom there are many children. A first consignment of more than 5,000 tons of wheat, flour, oil, beans and milk is shortly expected to arrive at the port of Bougie, where these relief supplies will be unloaded and stored. They will then be distributed under the supervision
of the ICRC delegates in the mountains of the Petite Kabylie, and in the department of Sétif.

This operation, which will require considerable material resources and complete support on the part of the administration, will be carried out in direct liaison with the local authorities. It will subsequently be extended over other parts of Algeria.

Kidnapping and many disappearances are causing great anxiety, chiefly amongst Europeans, and have resulted above all in very numerous requests for enquiries: in two weeks the ICRC has received more than 200 of these.

In addition to its normal tracing procedure, the ICRC has decided to resume the practice, frequently employed during the Second World War, of broadcasting appeals. These transmissions have been sent out on the France V wave-length in French and Arabic. These broadcasts are continuing.

Finally, the delegates of the ICRC will resume their visits to all categories of prisoners throughout Algeria, especially to prisoners of European origin, arrested or interned as a result of the events. These visits, which are one of the ICRC's specific tasks, have as their principal object the examination of material and moral conditions of detention and the suggesting of possible improvements. One delegate Mr. Michel Martin, left Geneva and arrived in Algiers on May 25 in order to take part in this activity of the delegation.

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West Africa

** LIVELY INTEREST IN THE RED CROSS AND ITS WORK **

The mission which Mr. François de Reynold, Head of the Liaison Service of the International Committee of the Red Cross has just carried out in four countries of West Africa—Senegal, Ivory Coast, Togo and Guinea—has clearly shown that the Red Cross cause is arousing great interest in the new African States.

In Senegal, where Mr. de Reynold went first, the National Society is taking shape and will take over the work of the French Red Cross there, which will be making available to it the experience acquired over many years. It is also supported by the Government in Dakar and in particular by Mr. Amadou Dia, Minister of Health, who received the Committee's delegate and showed a great deal of interest in the work of the ICRC and in the future of the Senegalese Red Cross.
At Abidjan, capital of the Ivory Coast, Mr. de Reynold was welcomed by Dr. J. Vilasco, President of the Doctors Association, who has formed the nucleus of an Ivory Coast Red Cross. The delegate was received by Mr. August Denise, Minister of State, who, in the absence of Mr. Houphouët-Boigny, is acting as President of the Republic. The Minister expressed his intention of encouraging the formation and work of the National Red Cross Society, so that the ICRC would soon be able to accord it official recognition.

Mr. de Reynold’s next stop was Togo, which already has a fully recognized Red Cross that is carrying out important work. The President of the Society, Mrs. Savi de Tove, and the Secretary-General, Mr. Dovi, gave a warm welcome to the ICRC representative whom they had invited to Lomé to take part in the celebrations organized for World Red Cross Day on May 8. These celebrations were a great success and showed that the Red Cross enjoys vast popular support in Togo. Mr. de Reynold was also received by Mr. Paulin-Jacinthio Freitas, Minister for Foreign Affairs, who showed a great deal of interest in the Red Cross cause.

Mr. de Reynold finished his mission in Africa with a visit to Conakry, capital of Guinea. There he had a long talk with Mr. Najib Roger Accar, Minister of Health, who told him of his intention to instigate the formation of a National Red Cross in the near future and gave him details of the statutes of the future Society. He was also received by the Minister of Defence, Mr. Keita Fodeba, who expressed his willingness to spread the knowledge of the Geneva Conventions amongst the Guinean armed forces.

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Two African Ministers at ICRC headquarters

The African countries' interest in the Red Cross cause was also shown by the visit to ICRC headquarters in Geneva of two health ministers taking part in the WHO Executive Board meeting. The two men were Mr. R.D. Kinzounza, Minister of Public Health and of Population of the Republic of the Congo (Brazzaville), and Dr. Majekodunmi, Nigerian Minister of Health.

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ICRC DELEGATION IN LEOPOLDVILLE

ICRC delegate, G.C. Senn, has just returned to Leopoldville to contact the Central Congolese Government and the United Nations authorities. Together they reviewed the current humanitarian problems in the Congo. As already announced, the ICRC has decided that its delegation will continue to operate in the Congolese capital.

Enquiry into the death of Georges Olivet and his companions

The Commission charged with conducting an impartial and independent enquiry into the circumstances of the death of Georges Olivet, delegate of the ICRC, Mrs. Vroonen and Mr. Smeding, Katanga Red Cross workers, has decided to meet in Geneva at the beginning of June, to complete its final report. It will then hand the report to the United Nations and the International Committee of the Red Cross, the two institutions which appointed the members of the Commission.

First year class of nursing students named after Georges Olivet

The first year class of hospital nursing students of the French Red Cross Nursing School at Limoges, has been named after Georges Olivet, delegate of the International Committee of the Red Cross, killed while carrying out his duty in Katanga, in December 1961. In a letter to the French Red Cross, Miss Madoumier, President of the first year class, made the following comment on this decision:

"Our first year class has taken the name of Georges Olivet because we wanted it to signify an awareness of current events; the Congo is one of the world's nerve centres, where two civilizations face each other in a most terrible manner and which for many months has been the scene of much devoted Red Cross action. Georges Olivet has been a great example to us".
Laos

THE ACTIVITY OF THE ICRC AND OF ITS DOCTOR-DELEGATE

Dr. Jurg Baer, doctor-delegate of the International Committee of the Red Cross recently arrived at the Plaine des Jarres (Prince Souvanna Phouma's Government). He discussed various humanitarian matters with the Vice-President of the Laotian Red Cross and with the Khang-Khay authorities.

Shortly before this the ICRC had sent relief consignments to this part of Laos consisting chiefly of pharmaceutical products and surgical equipment for the hospital at Xieng-Khouang. These supplies were donated by the Swiss, Polish and Indian Red Cross Societies.

Dr. Baer also intervened on behalf of the victims of recent military operations which had taken place in the Nam Tha region in North Laos. In co-operation with the Laotian Red Cross he distributed relief parcels at the four hospitals at Vientiane to the military who had been wounded during the fighting.

At Paksé and at Thakhek in South Laos, he handed over food and clothing to refugees.

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Philippines

COMPENSATION TO EX-PRISONERS WAR

The International Committee of the Red Cross has just transferred a sum of three million Swiss francs to the Philippine Red Cross. This is the last payment made to this country under the terms of article 16 of the Peace Treaty with Japan. This article provided for financial compensation to be paid to ex-prisoners of war in Japanese hands for the hardships endured during their captivity.

The ICRC was designated by the Peace Treaty to carry out this humanitarian task, and in 1957, it proceeded with most of the distributions in the signatory countries, with the sums set aside from the Japanese funds. But in the Philippines, the absence of archives destroyed during the war, delayed payments. The Philippine Red Cross therefore made a series of public appeals which enabled a list of 44,000 beneficiaries to be drawn up, for whom, in 1960, the ICRC transferred a sum of 13 million Swiss francs to the National Red Cross Society.
The second transfer which the ICRC has just made, is intended for beneficiaries who did not make themselves known within the time limit.

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The Balkan countries

The President of the ICRC in Yugoslavia, Bulgaria and Rumania

Mr. Léopold Boissier, President of the ICRC, accompanied by Mr. Herbert G. Beckh, delegate, has just made official visits to the Red Cross Societies of Bulgaria and Rumania. On his way, he stopped in Belgrade where for two days he was the guest of the Yugoslav Red Cross. Whilst there, he spoke at the Society's headquarters to a large audience, on the current activities of the International Committee. During his stay, Mr. Boissier was more than well looked after by Mr. Pavle Gregoric, President of the Society, and his colleagues on the Central Committee.

In Bulgaria, in the absence of the President, Mr. Petre V. Kolarov, who was in Geneva for the World Health Organisation Conference, Mr. Boissier was received by Mr. Guéorgui Gospodinov and Mr. Guéorgui Anguelov, Vice-Presidents of the Society, and their colleagues on the Central Committee. He visited a large number of Red Cross institutions in Sofia and the provinces, and witnessed the many activities of this Society and the enthusiasm of its members.

In Bucharest, Mr. Boissier was the guest of the Rumanian Red Cross and its President, Mr. Anton Moisescu. During his few days' stay, he was given every opportunity to see, at first hand, the achievements of the Rumanian Red Cross which is making rapid strides and whose members are imbued with the best possible spirit.

Mr. Boissier returned from his trip to the Balkans, convinced that the National Societies in Yugoslavia, Bulgaria and Rumania, firmly desire to co-operate in all confidence and friendship with the International Committee of the Red Cross.

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Austria

SEMINAR ON THE GENEVA CONVENTIONS

The Austrian Red Cross, which attaches great importance to the understanding and diffusion of the Geneva Conventions, organized on May 18 and 19 at its headquarters in Vienna, a most useful seminar attended by jurists of various provincial branches and representatives of Ministries.

Two ICRC delegates, Mr. J. Pictet and Mr. J.-P. Schoenholzer, invited to take part, presented five lectures on humanitarian law and on the activity of the ICRC. They noted that both the Austrian Red Cross and the authorities were making every effort to make the Geneva Conventions known to the public.

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Central Tracing Agency

Active co-operation with the East European countries

Continuing our general description of the activities of the Central Tracing Agency at the headquarters of the ICRC at Geneva, we would point out that requests for information concerning military personnel and civilians of East European origin, missing during the course of the Second World War continue to reach Geneva in fairly large numbers.

Thus in particular the Alliance of Red Cross and Red Crescent Societies of the USSR, as well as private individuals living in that country, appealed to the Central Agency to help them discover the fate of Soviet military missing during hostilities or in captivity, to trace civilians deported to Germany or persons who had emigrated many years before and whose families in the USSR wished to know their present whereabouts.

Private individuals of Russian origin established abroad also approach the ICRC in order to obtain news of members of their families remaining in the country or deported to Germany during the war.

In a number of cases, information held in the Central Agency's card-indexes in Geneva or the International Tracing Service at Arolsen (administered by the ICRC and with whom it works closely) offers basic elements which facilitate searches. We have, in this connection, already mentioned the valuable support given by the
National Societies to the ICRC for it to achieve satisfactory results in enquiries of this kind.

If the USSR Section of the Central Agency deals with 700 to 800 cases a month, the other sections in charge of various East European areas are no less active, particularly the Polish Section. In fact, the Polish Red Cross as well as private individuals living in Poland or persons of Polish origin established abroad also apply to the Central Agency to try and obtain information about military missing, deported civilians, of families whose members had been dispersed as a result of events which took place during or shortly after the war, as well as to obtain attestations of captivity or certificates of decease.

We have already pointed out the difficulties involved in tracing dispersed civilians, some of whom have several times since the end of the war changed their address or even their country of residence. The long drawn out efforts of the Agency are amply rewarded, however, when it can finally give close relatives the joy of renewing ties which have been broken after so many years.

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Continuation of the model course by Mr. Henri Coursier on the Geneva Conventions (Part 9)

WHERE LAW FOLLOWS THE PRECEPTS OF CHARITY

From this account one can conclude (see Information Notes No 16) that the Law of Geneva enlarges the idea of inter-State law in accordance with charitable precepts and that is why the Red Cross, which has for nearly a century done so much to form and to proclaim this law, has taken as its motto "Inter arma caritas". (The word charity is used here without necessarily referring to Christian charity. The Red Cross in fact has no denominational character, its statutes expressly forbid it and it is obvious that it is only under this condition that it can be accepted without ambiguity as supreme arbitrator in humanitarian matters by men of different creeds or even by non-believers. Its absolute neutrality from the religious point of view is the guarantee for its impartiality. Without neutrality, without impartiality, the humanitarian principles which it proclaims would risk being disputed and its action would be ruined).
By the numerous references which it makes to Red Cross bodies and in particular to the International Committee of the Red Cross, it shows the important part which the Red Cross was to play in international affairs.

In this connection, one can see that this organization remained practically the only one which was not absorbed in the United Nations when the major re-organization of international institutions was carried out. At a time when most of the existing international organizations were being replaced by the United Nations' services or by the United Nations' specialized agencies, the International Red Cross remained independent with attributions extending over a wide sphere; it retained its characteristics as a private institution, which it had always maintained. This was indeed a fine tribute to the quality of its work. It had in addition a mandate to fulfill by amplifying its humanitarian work. According to the Unesco Courrier (November 1933 : The laws of man and the laws of humanity) "The name of the Swiss, Henry Dunant, is closely attached to the foundation of the Red Cross Societies, whose rôle has been so important, not only on account of the material services which they have rendered, but also by their example of giving assistance, transcending frontiers and national rivalries, foreshadowing the international system of mutual aid known as the Universal Declaration of Human Rights of 1948".

The Universal Declaration of Human Rights of December 10, 1948, is one of the most important acts of the United Nations. But the text itself, however significant it was, has not as it stands any executive value. It merely recommends the conclusion of international conventions to put them into effect. These are still being studied and in view of the difficulties of a political nature which have been raised, in particular by the article concerning the rights of self-determination, it is to be feared that many more years may elapse before they are ratified.

In the meanwhile, the Red Cross continues to be the best-qualified institution to intervene in the name of human dignity and in accordance with Red Cross principles on behalf of the victims of events. And it is also a fine thing that, outside the realm of politics and relations between State and State, an international institution of a private character is able to keep its integrity and sufficient material resources to ensure respect for humanity, often under the most difficult conditions.

Red Cross action is carried out in war and peace and especially during the present troubled times, in the "cold war", in which propaganda of conflicting ideologies threatens at any moment to stir up conflict between nations; this action is in fact based on what are known as the principles of the Geneva Conventions, which, as we shall see, are bound up with the principles of the Red Cross.

(to be continued)
Algeria

AN EMERGENCY RELIEF OPERATION

The ICRC has actively developed its relief operation in Algeria during the last two weeks. Acute medical and sanitary problems are facing its delegates, especially in Oran. As reported earlier, the ICRC has sent a medical team of three to the Moslem city of Oran, where medicines, surgical instruments and equipment, and dietetic milk for new-born children, are most urgently needed. Following urgent requests by its delegates on the spot the ICRC immediately despatched by air two tons of dietetic powdered milk. Two further shipments were also sent by the French Red Cross, one of eight crates of sugared concentrated milk, the other of one and a half tons of standardised milk.

Dr. J.-L. de Chastonay, medical adviser of the ICRC delegation in Algeria, sent a first shipment of medicines to Oran. This was shortly followed by a large quantity of medicines sent from Paris on June 5th by the French Red Cross including antibiotics, ophthalmic ointment and special medicines. Others shipments are now on their way to Oran. On June 14th, a special plane took off from Geneva for Algiers with a cargo of medicines and medical equipment valued at 40,000 Swiss Francs.

From Geneva, the ICRC has now sent to Algiers four different shipments of medicines, vaccines and equipment for blood transfusion, totalling 1,400 kilograms (about 3,000 lb) and valued at 45,000 Swiss francs.

It will be recalled that four doctors and a male nurse are now engaged in the ICRC relief action in Algeria: they are Dr. J.-L. de Chastonay (Algiers) and Dr. A. Foletti (Relizane Hospital), and Dr. R.A. Egli, Dr. U. Denzler and Mr. P. Frey (male nurse) in the Moslem city of Oran.
Help to regrouped populations

The ICRC has now taken steps in a new direction, in favour of regrouped populations in Algeria, estimated at more than 2 million persons. Its action started in the Bougie area, where a shipment of 30 tons of powdered milk and 4 tons of cheese, a gift of the Swiss Confederation, arrived on June 12. It is now being distributed in the Setif and Tizi Ouzou areas.

Also a specialist in international transport, Mr. P. Borgognon, has visited Bougie in order to prepare a new and important move in the ICRC feeding operation in favour of regrouped populations. It is hoped that a cargo of 5,000 tons of American surplus food will shortly reach this port.

Tracing missing persons

The ICRC has received and is still receiving daily requests to try and find missing persons in Algeria, chiefly Europeans. The ICRC has made several requests for information to the Provisional Executive at Rocher-Noir. So far no favourable results have been attained, although M. Roger Vust, ICRC delegate, personally visited the Baraki and Mouzaïaville area, in the Algiers Department, for the same purpose. His enquiries have yielded no results.

On the other hand, in the Bougie area a Swiss serving in the French Foreign Legion recently captured by the ALN was freed on June 8th and handed over to Mr. Jacques de Heller, ICRC delegate.

Help to detainees

The ICRC has also continued its action in favour of detained persons, chiefly Europeans. Representatives of the ICRC have visited nine places of detention, in particular the Camps of Beni Messous, the Police School of Hussein-Dey and Tefeschnou, the Tizi-Ouzou, Maison Carrée and Rouiba hospital in the Algiers area, and in the Oran area, the transit centre of Ardaillon College and Arcole Camp.

The military internment centre of Ksar Thir where about one thousand Moslems captured in combat are still detained was also visited by the ICRC delegate.

See page 8 for the appeal made on June 16 by the ICRC.
Vietnam

TWENTY CHINESE FISHERMEN RETURN HOME

Twenty Chinese fishermen from Hainan in the Tonkin Golf, reported missing and later found in Da Nang (formerly named Tourane, in the centre of Vietnam), are now on their way to their own country. The Chinese Red Cross in Peking had asked the ICRC to try and find the men. The ICRC delegate was given permission to visit them by the Government of the Republic of Vietnam. As their boat was no longer seaworthy when they reached the Vietnam coast, the ICRC delegate secured a junk for them. It is on board this craft that they are now going back to China.

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Laos

THE ICRC DOCTOR-DELEGATE COMPLETES HIS MISSION

Dr. Jürg Baer, doctor delegate of the International Committee of the Red Cross has now returned to Vientiane from the Plaine des Jarres, where he had gone at the end of May. During his visit to Northern Laos, Dr. Baer discussed humanitarian questions, especially the exchange of family news between persons separated as a result of events, the regrouping of Laotian families and the conditions of American and Philippine prisoners, with the Khang Khay authorities. Dr. Baer also delivered some letters intended for American prisoners.

Dr. Baer who has been in Laos since the summer of 1961 will shortly return to Geneva. He will be replaced by Mr. Jean-Jacques Muralti, ICRC delegate, who is expected to arrive in Vientiane at the end of June.

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Hungary

NEW MISSION OF THE ICRC

Compensation for the victims of pseudo-medical experiments

A new mission of the International Committee of the Red Cross went to Hungary at the beginning of June. Consisting of Mr. Ernest Fischer, former head of the ICRC delegation in Hungary in 1956 and 1957, of Dr. Oscar Caprez, doctor-delegate, and of Mr. Jean-Pierre Maunoir, delegate, it chiefly examined a new series of cases of victims of pseudo-medical experiments carried out in German concentration camps under the Nazi regime.

At the request of the Government of the German Federal Republic, the ICRC had accepted to act as intermediary for the transmission of financial assistance which that Government wishes to give to the victims of these experiments living in countries with which it does not maintain diplomatic relations. A first ICRC mission went to Hungary in March 1961; together with the doctor-delegate of the Hungarian Red Cross, it examined 63 cases and submitted its observations to a neutral expert commission consisting of doctors and lawyers. Meeting in Geneva in August 1961, that commission decided for each case upon an amount in proportion to the extent of suffering endured, it being however understood that no financial indemnity could fully compensate for such ordeals. The ICRC was then able to transmit the amounts placed at its disposal by the German Government to Hungary.

The mission which the ICRC has just sent to Hungary is dealing with 108 new cases which are undergoing a similar procedure: the delegates of the ICRC and of the Hungarian Red Cross will draw up a statement in each case which will be submitted to the neutral expert commission. This body will subsequently meet in Geneva.

Building of an artificial limb factory

The delegates also visited the artificial limb factory recently built in Budapest out of funds provided partly by the ICRC and also by various donors. They noted that major work is finished and that the building already has a roof. It is hoped that the factory will be ready to function at the beginning of 1963, so as to improve the equipping of Hungarian invalids. Several machines supplied by the ICRC have already been installed.

The establishment of this factory had been the subject of an agreement made in October 1957 between the Hungarian Minister of Health, the Hungarian Red Cross and the ICRC. This agreement also
arranged for the exchange of technicians between Hungary and the German Democratic Republic. Thus specialists of the artificial limb factory of Eisenberg-Königssee (Thuringia) attended courses in Budapest, after which Hungarian technicians in their turn went to that well equipped factory.

Reuniting of families

The ICRC also dealt with various other questions, in particular with the reuniting of families dispersed as a result of the events of 1956-57 in Hungary. Since the beginning of 1962, 33 children and 6 adults have been authorized to leave Hungary to rejoin their relatives in Western countries. The delegates also dealt with a number of Hungarians who had fled to the West and who expressed the wish to return to their own country.

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Poland

THE INTERNATIONAL TRACING SERVICE ON TELEVISION

During the course of a television transmission from Warsaw, a former detainee of the Auschwitz concentration camp warmly praised the activity of the International Tracing Service. He explained how, thanks to the efforts made by it, he was able to find his family now living in the USSR and of whom he had not heard for 19 years.

The International Tracing Service at Arolsen (German Federal Republic) has been administered by the International Committee of the Red Cross since 1955. It works closely with the Central Tracing Agency of the ICRC in Geneva.

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From Belgium to Switzerland

STAGE-COACH MAKES A COME-BACK

An old stage-coach, brought back into service by the Swiss Postal Authorities on the occasion of the 250th anniversary of Jean-Jacques Rousseau's birth, recently made the journey from Brussels to Switzerland. As it passed through Bastogne, the mail-coach, a symbol of good relations between peoples, was greeted by members of the National Union of Belgian Reservist Medical Officers, who handed over the following message, intended for the President of the International Committee of the Red Cross:
Belgian Reservist Medical Officers reiterate to the International Red Cross their feelings of unfailing attachment to the Geneva Conventions. They will continue to do everything in their power to have the emblems of the Geneva humanitarian work respected and to serve its ideal.

Geneva

RECEPTION OF THE PRIZE-WINNER OF THE ARAB LANGUAGE BROADCAST COMPETITION

Mr. Numan Abdel Dayim, a teacher in Jerusalem, and first prize-winner of the Red Cross Arab language broadcast competition, arrived in Geneva on June 7, by Swissair, and was met at Cointrin airport by representatives of the International Committee of the Red Cross and the League of Red Cross Societies and by the press, radio and television.

The next day, Mr. Abdel Dayim was officially received at ICRC headquarters by Miss Lucie Odier and Mr. Jacques Chanévière, Honorary Vice-Presidents, by Mr. Jean Pictet, Director for General Affairs and by several of the staff who explained the work of the institution. He then visited the Central Tracing Agency's card indexes.

On the following days, the prize winner went on excursions in Geneva and in the area and was received at the headquarters of the Geneva Section of the Swiss Red Cross. On June 12, he was the guest of Mr. Moukhtar El Wakil, Director of the office of the Arab League in Geneva, who, with his senior colleagues, also invited Mr. Frédéric Siordet, Vice-President of the ICRC, Mr. Henrik Beer, Secretary-General of the League of Red Cross Societies and other notabilities, amongst them Professor Jean Graven, Rector of Geneva University.

Mr. Abdel Dayim also went to the headquarters of the League of Red Cross Societies where the Secretary-General, Mr. Beer, welcomed him. Here, he had the opportunity of finding out about the activity of this institution which is the federation of all the National Red Cross and Red Crescent Societies.

On the 14th, the prize-winner began a tour of Switzerland with a visit to Sainte-Croix, where he was cordially welcomed to the Paillard factories. He visited the watch-making firm of Ernest Borel, who gave the twelve watches handed over as prizes to other participants in the Arab language broadcast competition. He was then
received at the headquarters of the Local Committee of the Swiss Red Cross and visited various installations there, amongst them the Blood Transfusion Centre.

Accompanied by Mr. Ibrahim Zreikat, Head of the ICRC Arab broadcasts, Mr. Abdel Dayim then left for Berne where he was welcomed at the headquarters of the Swiss Red Cross and from where he will continue his tour in Switzerland.

It is worth mentioning that following this competition which has aroused keen interest in the Arabic speaking countries, the Jordanian Minister of Education is looking into the possibility of making the study of the ideals and humanitarian rules of the Red Cross and Red Crescent compulsory in Jordanian schools.

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THE COMMISSION OF INVESTIGATION INTO THE DEATH OF
GEORGES OLIVET AND HIS TWO COMPANIONS HAS SUBMITTED
ITS REPORT

The following communique dated June 8, 1962 was published jointly by the United Nations Organization and the International Committee of the Red Cross:

The Commission of Investigation into the death of Georges Olivet, the representative of the International Committee of the Red Cross, and his two companions, volunteers from the Elisabethville Red Cross, has concluded its work.

It will be remembered that last February the United Nations Acting Secretary General and the International Committee of the Red Cross agreed to the appointment of a Commission to carry out an impartial and entirely independent investigation into the circumstances of the tragic death of the Red Cross representatives who were killed on 13 December, 1961, during the fighting in Elisabethville.

The members of the Commission were:
Judge Bjørn Kjellin, President of the Malmö (Sweden) Court of Appeal,
Professor Leopold Breitenecker, Director of the Vienna Institute of Forensic Medicine, and
Colonel Hans Roost, of the Swiss Army.
The Commission met in Geneva on 9 February, 1962, to examine the available documentary material and receive its instructions and then went straight to Elisabethville where it started work the next day, 10 February.

The Commission had been given a prior assurance that it would receive every facility for carrying out the delicate task entrusted to it. It was thus able to settle down to work without delay and after acquainting itself with the results of the investigation carried out by the local authorities, it started its own enquiries, examinations and questioning. Since, however, the necessary facilities for a complete examination of the bodies were not available in Elisabethville, the Commission decided to have them removed to Vienna where the investigations were continued. The technical medical investigations, ballistic studies and spectrochemical examinations were carried out under Professor Breitenecker. Once these examinations were finished, the members of the Commission of Investigation met again in Geneva on 4 June to draw up their final report, which today, 8 June, 1962, has been formally submitted by the Commission to the International Committee of the Red Cross and the United Nations where it will be carefully examined.

The United Nations Secretariat and the International Committee of the Red Cross thanked the members of the Commission for the thoroughness and conscientiousness with which they had carried out their task.

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On June 16, 1962, the ICRC transmitted the following radio appeal:

Profoundly moved by the distressful acts of cruelty taking place in Algeria and by the violence which accompanies them, the International Committee of the Red Cross in Geneva makes a most serious and pressing appeal on behalf at least of the wounded and sick. These must at all costs be spared. The Geneva Conventions and even more than these, the elementary principles of humanity confer upon hospitals and all other similar establishments an inviolable and sacred character. To do harm to these is to condemn defenceless human beings to increased suffering and even to death. The International Committee of the Red Cross therefore solemnly calls upon those resorting to force in Algeria rigorously to refrain from making such attacks, for which there can be no excuse.

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Continuation of the model course by Mr. Henri Coursier
on the Geneva Conventions (Part 10)

THE PRINCIPLES OF THE GENEVA CONVENTIONS

A distinction should be made in the law of nations between rules which are precisely formulated, of a compulsory character according to which States are bound in certain cases to act or to refrain from taking action, and the principles from which these rules are derived.

The principles, which are usually formulated in very general terms, imply a certain lack of definition. As such they cannot be considered as forming part of positive international law. Their rôle, however, is of capital importance and one can say that they are on a higher level than the law itself. This is natural since they are its very origin.

It often happens on the conclusion of an international Convention that the principles are set forth in a preamble which explains the object and the purpose of the Convention itself. The value in such a method of procedure is thus to supply, if necessary, points in interpretation for the application of rules in new and unforeseen situations.

Such was the case, for example, in the preamble to the Convention on the Laws and Customs of War on Land, resulting from the deliberations at the Peace Conference (The Hague, 1899-1907), according to which "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"; or again in the preamble to the United Nations Charter signed in San Francisco on June 26, 1945 referring to the good faith of the signatories: "in fundamental human rights, in the dignity and value of the human person, in the equal rights of men and women and of nations large and small".

I. Principles of the Geneva Conventions

As regards the First Geneva Convention of August 22, 1864, in spite of its basic support of the law of nations, its preamble is far more modest. It limits itself to stating that the plenipotentiaries are "equally animated with the desire to soften, as much as depends on them, the evils of warfare, to suppress its useless hardships and improve the fate of wounded soldiers on the field of battle".

In reality, the principles of this Convention derived from a humanitarian tradition already long-established when Henry
Dunant became its particularly brilliant spokesman in his book "A Memory of Solferino".

Without going back to the ancient philosophers or even to the theologians of the Middle Ages, one need only note that a doctrine aimed at humanising war had been evolved in Europe in the XVIIth and XVIIIth Centuries as a reaction against the horrors of the Thirty Years War. Its leading theorists were two Swiss, Jean-Jacques Rousseau, the writer, and the jurist Vattel, who formulated the following principles: "War is not a personal matter between individuals but between States" (J.J. Rousseau, Contrat Social, I,4*) and "As soon as one's adversary has been disarmed and has surrendered, one has no longer any right to take his life ... one must never forget that prisoners are men and unhappy ones at that" (E. de Vattel, Droit des Gens, III,8*).

In other words one had reached this principle in the law of nations so aptly summed up by Talleyrand at the beginning of the XIXth Century, "Nations should do as much good as possible to each other in time of peace and the least possible mutual harm in time of war".

This evolution was to be rudely interrupted by the wars of the Revolution and the Empire, with the development in armaments and the vast numbers of men opposing each other and it was in order to revive humanitarian action under these new conditions of warfare that Dunant had recourse to private aid at Solferino, since the army medical services proved themselves helpless to come to the assistance of the victims. Dunant, himself a Swiss, thus showed himself a worthy successor of his compatriots, Rousseau and Vattel.

But the principles of the First Geneva Convention are not only to be found in the preamble or in the humanitarian tradition of which Henry Dunant had made himself the interpreter.

Somewhat unusually, it would seem that they should also be searched for in several of the rules themselves laid down by the Convention, on account of their fundamental nature and of the very general terms in which they are formulated. This is the case in articles 1 and 3 which state that hospitals, ambulances as well as hospital personnel "shall be recognized as neutral and, as such protected and respected by all the belligerents"; and above all in article 6 according to which: "Wounded or sick combatants to whatever nation they may belong, shall be collected and cared for".

These provisions have the twofold character of rules and principles, namely that, while constituting substantive law they also retain the value of general ideas which can lead to their development. This is so true that Article 8 stipulates: "The implementing of the present Convention shall be arranged by the Commanders-in-Chief of the belligerent armies, following the instructions of their respective Governments and in accordance with the general principles set forth in this Convention". The text itself emphasizes that it is a question of "general principles".

(to be continued)
Algeria

ICRC EMERGENCY ACTION

Work in the medical field

Taking advantage of the departure of a second plane sent to Algeria to repatriate Swiss nationals, the International Committee of the Red Cross has been able to send out a further cargo of relief supplies comprising 2,500 kilos of semi-skimmed milk and laboratory equipment for blood transfusion centres. The value of this consignment was 21,000 Swiss francs.

The French Red Cross has also sent a further supply of milk and medical supplies to Dr. Robert-André Egli, the ICRC doctor working in Oran. These relief supplies, however, are still far from sufficient to meet all the needs.

Dr. Jean-Louis de Chastonay, head of the ICRC medical mission in Algeria, recently returned to Geneva where he reported on the work which is being carried out principally in the Moslem quarters of Algiers and Oran. The ICRC doctors are working in frequently difficult conditions but have rendered services to the populations of the two towns which have been greatly appreciated. They have carried out over a hundred blood transfusions and organized a blood bank in Oran. Dr. de Chastonay has also distributed large quantities of medical supplies, antibiotics, vaccines and equipment valued at 88,000 Swiss francs.

Another ICRC doctor, Dr. Aurelio Foletti, has been working for a month at the hospital at Relizane in Oranie, where he had to treat a number of people wounded during disturbances there. Most frequently performed operations were extractions of bullets and grenade splinters. He also did thirteen laparatomies for bullet wounds and a number of skin grafts for the treatment of burns. Dr. Foletti has just returned to Geneva.
Aid to regrouped populations

ICRC delegate Jacques de Heller has taken delivery at the port of Bougie of 30 tons of powdered milk and 4 tons of cheese for the regrouped populations. He directed these supplies to the Setif and Tizi-Ouzou regions where they are being distributed under ICRC supervision.

The French Red Cross mobile nursing teams which work in cooperation with the ICRC and distribute relief supplies forwarded by the latter, are continuing their activity in the regroupments centres. The ICRC has received a report from one of these teams working in the Tenes sector. Showing that the work of the Red Cross is greatly appreciated by the population, the report ends with those words:

"Despite the pressure of work and our sense of frustration - we feel we can never do enough to help everybody in the time available and we cannot be everywhere all the time - our enthusiasm knows no bounds, and we pay equal attention to every village. The confidence and love for the Red Cross shown by the people is such that we never cease to find it wonderful, and we accept these as we would a blessing."

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Search for missing persons

The ICRC is continuing its efforts to find missing persons believed to have been kidnapped. It has broadcast further appeals on Radio-Alger on behalf of these people, who are mostly Europeans, but so far it has received no positive reply. The ICRC delegate in Algiers, Mr. Roger Vust, has not yet been received by Si Azzeddine, the FLN official responsible for the autonomous zone of Algiers, with whom he wished to discuss this problem.

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Mission to Rocher-Noir

Mr. Pierre Gaillard, ICRC delegate, has just returned to Algeria where he has carried out countless missions since the beginning of 1955. He is to contact the authorities at Rocher-Noir to define the activity of the ICRC after self-determination.

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Congo

THE ICRC IN LEOPOLDVILLE

M. G. C. Senn, ICRC delegate is now in Leopoldville where he is in contact with the authorities. He has taken numerous steps regarding internees and political detainees whom the ICRC might be able to help.

The ICRC delegate is also dealing with the regroupment of families dispersed by last year’s disturbances in North Katanga. At the time, many women and children were evacuated to Elisabethville while the men remained in the bush.

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Rhodesia and Nyasaland

PRISON VISITS

The ICRC delegate in Rhodesia and Nyasaland, Mr. G. C. Senn, recently visited the prisons of Bwana Mkubwa in Northern Rhodesia. He also went to the central prisons at Zomba and Domasi in Nyasaland, where he had talks with the detainees.

He has also visited the Salisbury Remand Prison in Southern Rhodesia.

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Near East

EXCHANGE OF FAMILY MESSAGES

Following the closing of its delegation in Egypt at the beginning of 1962, the ICRC has been active in the Near East, particularly on behalf of the victims of the Palestine conflict.

For many years the ICRC has been organizing the exchange of family messages between Arab refugees in the Gaza strip and their relatives in Israel. This exchange of news is effected via the Egyptian Red Crescent and Magen David Adom, the institution which in Israel assumes the duties of a National Red Cross Society. The messages are exchanged through the Central Tracing Agency of the ICRC in Geneva. During the first six months of 1962, 1,101 messages were exchanged in this way.
The Red Crescent of the United Arab Republic is giving effective co-operation to the ICRC with regard to tracing of missing persons in Egypt as well as with regard to humanitarian assistance to certain categories of stateless persons, particularly those who are interned in Egypt.

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Laos

DISTRIBUTION OF RELIEF TO REFUGEES

Accompanied by Princess Oun Kham, a member of the Women's Committee of the Laotian Red Cross, Dr. Jürg Baer, the delegate of the International Committee of the Red Cross, recently went to Sayaboury, the chief town of Sayaboury province, on the right bank of the Mekong. There, he distributed relief supplies to refugees belonging to Meo tribes. These supplies were largely made up of clothing, rice, soya and rubber boots given by Switzerland, which are greatly appreciated on the muddy ground of this region. The provincial section of the Laotian Red Cross had already organised distributions of relief supplies forwarded by the ICRC.

It has not always been possible, however, to apply the system of supervision generally adopted during distributions of relief supplies. As the Meo refugees frequently lose their control cards, a new and more effective system is used: those who have received their share are marked, frequently with a cross, on the stomach.

Dr. Baer took the opportunity of his trip to Sayaboury to hand over condensed milk and rice for the sick and wounded in the hospital of "Operation Brotherhood", which is supported by the Junior Chamber of Commerce of the Philippines.

As Mr. Muralti, the new delegate, to Laos, has had to delay his departure from Geneva, Dr. Baer, who in returning to Switzerland on July 2, will be temporarily replaced by Mr. Robert Gouy, a member of the ICRC delegation in Japan.

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Thailand

REPATRIATION OF VIETNAMESE REFUGEES

The repatriation of Vietnamese refugees in Thailand has been continuing regularly since the beginning of 1960, which marked the departure of the first boat. In June 1962, 55 vessels transported 34,209 people to the Democratic Republic of Viet Nam. By virtue of an agreement concluded in August 1959 in Rangoon between the Red Cross Societies of Thailand and the Democratic Republic of Viet Nam, the two Societies assumed the practical organisation of these repatriation operations.

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Yougoslavia

ICRC DELEGATE VISITS PENAL ESTABLISHMENTS

As previously reported, Mr. Léopold Boissier, President of the ICRC, accompanied by Mr. Herbert G. Beckh, recently paid a visit to Rumania and Bulgaria at the invitation of the two countries' National Red Cross Societies. While passing through Belgrade, he was also the guest of the Yugoslav Red Cross.

Mr. Boissier then returned to Geneva, leaving Mr. Beckh to carry out a short mission in Yugoslavia. He first of all had talks with Dr. Milosević, Secretary-General of the Yugoslav Red Cross, on questions of mutual interest to the two institutions. Accompanied by Professor Jekić, President of the Serbian Red Cross, the delegate also went to the Secretariat of State for Internal Affairs, where he met Mr. Lenart, Head of section, and Mr. Popović, Head of the Department of Penal Administration.

Mr. Beckh handed over to them the ICRC reports drawn up on the basis of his visits at the end of 1961, and in return he received some interesting information on the application of the new law on penal administration, from which it appears that Yugoslavia is endeavouring to liberalize detention conditions in every possible way. Following a big amnesty, most of the detainees, who can be considered as political prisoners, have been released.

The Secretary of State agreed to the delegate visiting places of detention of his choice during his stay in Yugoslavia and Mr. Beckh went to the penal establishments of Powarevac in Serbia and Valutra Pula in Croatia. He was accompanied by the president of the Serbian Red Cross, Professor Jekić and later by Mrs. Zivanović of the Croatian Red Cross. At Pozarevac,
the delegate met Mr. Popović and at Valtura Pula Mr. Schotincić, Head of the Department for Penal Administration in Croatia.

The aim of these visits was in the first place to observe the effects of the amnesty and of the application of the new law, particularly with regard to the fifteen days holiday, to which each detainee has the rights, and to the award of a supplementary holiday of eight days to be spent with his family. These provisions apply to certain of the detainees and, amongst them, to political detainees. The delegate noticed that at Valtura Pula, an establishment without bars; the detainees work like other agricultural workers and at the end of the day can leave the establishment freely.

During the course of these visits, Mr. Beckh had the opportunity of talking, without witnesses, to six political prisoners at Pozarevac and four at Valtura Pula.

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Geneva

BBC FILM ON THE RED CROSS

The British Broadcasting Corporation is currently shooting a film in Geneva on the International Red Cross and its work. This documentary is intended for television services throughout the world on the occasion of the Red Cross Centenary in 1963.

The film lasts 60 minutes and will trace the history of the movement inspired by Henry Dunant and his well known book, "A Memory of Solferino". The Red Cross will be shown through the conflicts and natural disasters as a symbol of unity in a world too frequently torn apart by violence and hatred.

Under the direction of Mr. Alan Sleath, a number of shots have been taken of the headquarters of the ICRC and of the League. The BBC will release the film in different language versions and anybody who wishes for further information should write to: B.B.C. Television Centre, Sales Manager, Television Promotions, Wood Lane, London W, 12.

Distribution and sale of the BBC film to national Societies will be organized by Mr. Ralph Ducrow, of the League of Red Cross Societies, Geneva.

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GIFT FROM "AGFA" TO THE ICRC PHOTOGRAPHIE LABORATORY

The firm of AGFA, A.G. Leverkusen in the Federal Republic of Germany recently informed the International Committee of the Red Cross that it was giving it a Variomat enlargement feeder-frame. This machine, which costs more than 2,000 Swiss francs, makes it possible to control automatically the exposure of sensitized paper, eliminating the trial and error frequently necessary before obtaining a good copy.

The ICRC photographic laboratory has to reproduce numbers of documents and photographs. With this new equipment the work will be done much more quickly and there will be far less wastage of photographic paper.

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Continuation of the model course by Mr. Henri Coursier on the Geneva Conventions (Part. 11)

THE PRINCIPLES OF THE GENEVA CONVENTIONS (2)

The fundamental value of these principles is not surprising when one considers the capital importance of the Geneva Convention in modern law. They indeed forecast the evolution of the Geneva laws which we have witnessed extending by degrees to the protection in succession of all victims of war. First of all to the "wounded, sick and shipwrecked members of armed forces at sea" (The Hague Convention of 18 October 1907, for the "Adaptation to Maritime Warfare of the Principles of the First Geneva Convention" which has become the Second Geneva Convention of August 12, 1949), then to prisoners of war (Statute of July, 27 1929, which has become the Third Geneva Convention of August 12, 1949), and finally to civilian persons (Fourth Geneva Convention of August 12, 1949) - we shall moreover see in due course what are the limits of this latter Convention and all that remains to be done in order to cope with the dangers of modern weapons.

None of these Conventions has a more extensive Preamble than the 1864 Convention. The Preamble of the 1929 Convention on Prisoners of War simply recognizes that: "in the extreme event of a war, it will be the duty of every Power to mitigate, as far as possible, the inevitable rigours thereof, and to alleviate the condition of prisoners of war" . . . as to the four 1949 Conventions, if the International Committee of the Red Cross had been followed, they should have had a Preamble whose terms would have been, "respect for the human person and for his dignity is a universal principle which is imperative even where no contractual engagement exists. This principle demands that, in time of war, persons taking no active part in hostilities, who have been placed hors de combat by sickness, wounds, detention, or any other cause
shall be respected, protected against the effects of war and that those who suffer shall be given aid and treated without any adverse distinction founded on race, colour, political opinions or any other similar criteria".

This suggestion was not accepted by the Conference, not because the principles in question were contrary to the intentions of the authors of the Conventions, but because they did not know how to formulate them in a manner which would be equally acceptable to all concerned. It meant in fact defining the meaning of human dignity. For believers, this could only be that man has been created in the image of God, for unbelievers this divine origin of man could not be mentioned. The Conference, unable to draft a text which would constitute a compromise, preferred to eliminate the preamble. But here once more the principles are to be found in many of the rules in the Conventions themselves. These rules go as far as possible to assure humanitarian protection, without however losing sight of the necessities of war. In actual fact they are only provisions of "principle", accompanied by formulas such as "as far as possible", "in so far as possible", "if considered necessary", "will endeavour", etc. This said, it can be added that a new principle, that of the universal nature of the Geneva Conventions, is emphasised by the absence of a preamble. Anything which could have given rise to a conflict of ideas which might impair the agreement of the parties had to be eliminated, to enable all the delegations to sign the texts. The universal range of the Geneva Conventions was of such importance that it had to be given every consideration, by leaving each signatory free to formulate the principles of the Convention for himself, according to his own ideological preferences. What was essential was that they should infer common rules binding in fact all nations in the same way.

If the Geneva Conventions are compared to the XVIIIth century cartels and to the other agreements concluded at that period in the light of certain humanitarian interests, it will be seen that their scope is very different. The latter only constituted agreements for special occasions, valid for a specific conflict and a limited time. They did not legally engage the future, even for similar cases to be settled between the same belligerents; a fortiori, they had no force so far as other belligerents were concerned - except perhaps the force of example - while the Geneva Conventions are concluded for all time and for all countries. They thus mark a definite step forward in the law of nations.

Humanitarian action can be developed according to events, from these principles and the existence of these texts. This action is dominated by the spirit of the Geneva Conventions, namely by the application of the principles to experience.

(to be continued)
Algeria

SEARCH FOR MISSING PERSONS

Since the cease-fire, disappearances and kidnapping have increased in Algeria where the French Red Cross and the ICRC delegates have received pressing enquiries. The International Committee of the Red Cross, which is anxiously dealing with the fate of the missing persons, has taken numerous steps to obtain news about them and to give their families information. The ICRC delegate in Algiers is waiting to be received by President Ben Khedda, of whom he had requested an audience, in order to hand him a memorandum on this particularly serious question.

Furthermore, the delegates have been instructed to verify rumours that camps of French prisoners exist in various parts of Algeria.

The Committee issued a communiqué on this subject on July 16. (see p. 7).

The ICRC in Algeria - February 1955 - July 1962
An impressive record

Since the beginning of the events in Algeria, the International Committee of the Red Cross has undertaken, both in its capacity as a neutral intermediary and as a humanitarian institution created to mitigate the suffering of the victims of conflicts, a relief action which has lasted for more than seven years, and whose impressive record chiefly includes tasks effected on behalf of: 1) civilian and military prisoners and 2) the civilian population victim of the events.
1) Since the beginning of the disturbances, the ICRC obtained authorisation from the French Government for its delegates to visit camps and prisons in Algeria in order to examine detention conditions and, if necessary, to suggest improvements.

The first ICRC mission went to Algeria in February 1955. Until July 1, 1959, the delegates of the ICRC carried out nine missions, visiting over 500 prisons, internment camps and places of detention of various categories. Relief then distributed amounted to more than 180,000 Swiss Francs. This activity which at first only covered detained Algerian nationalists was extended after the end of 1961 to activist prisoners and internees of European origin (30 visits).

In 1958 the extension of the troubles on French soil led the ICRC to carry out its customary action in places of detention in France. Up to the present a hundred prisons and internment camps have been visited. The delegates distributed various relief there totalling Sw. Frs. 60,000.-.

In order to extend its aid to French civilians and military captured by the ALN, the International Committee of the Red Cross made contact in Cairo in 1956 with the representatives of the "National Liberation Front" (FLN). It continued its representations in Morocco and Tunisia throughout 1957 and succeeded at the beginning of 1958 in obtaining permission for one of its delegates to visit 4 French prisoners, subsequently released, in the Sakiet-Sidi-Youssef region, as well as a list of the names of 19 captured French military personnel.

In 1959 as a result of the ICRC's representations, the ALN released 45 prisoners, both civilian and military, of whom some twenty in the presence of delegates. In spite of many requests made to the GPRA and to the Algerian Red Crescent in Tunis, further releases were not made until the cease-fire: nine French military and about twenty members of the Foreign Legion, who were immediately repatriated. At the present moment, the ICRC is continuing its representations in order to obtain news of nearly 200 missing persons, mostly of European origin, captured by the ALN during the last few years.

In addition to visiting camps and prisons, the permanent delegation of the ICRC in Algeria has made very many representations to the French authorities with a view to tracing missing Moslems. Satisfactory results have been obtained. Furthermore, the ICRC delegates in Algiers and Oran have been asked for information about more than 500 cases of disappearance or kidnapping, chiefly of persons of European origin. The ICRC is increasing its interventions especially with the Algerian authorities, but its efforts so far have had no result. Mention should finally be made of the fact that the ICRC has devoted Sw.Frs. 47,720 as aid to Algerian war-disabled in Morocco and Tunis and to equip them with artificial limbs.
2) The action of the Committee on behalf of the civilian population victim of the events in Algeria rapidly took on considerable proportions; from 1957 to 1958 relief to the value of 3,320,202 Swiss Francs was distributed by its delegates. This action has since been taken over by the League of Red Cross Societies and the United Nations High Commissioner for Refugees.

Since 1957, delegates of the ICRC made first distributions of emergency relief to the regrouped population. In 1959, in close co-operation with the French Red Cross, the ICRC undertook a vast action on behalf of the regrouped population whose numbers exceeded 2,200,000 in 1961. This action, again extended in 1961-62, thanks to gifts from National Red Cross Societies (including Swiss and Netherlands surplus dairy products) is now being continued by the League of Red Cross Societies and other organisations.

Following on serious disturbances which broke out in May, 1962, in Algeria, the provisional Executive and the French authorities again appealed to the ICRC, which despatched to Algeria emergency relief supplies to a value of Sw.Frs. 115,000. Four doctors and a male nurse recruited by the Committee brought their aid to the civilian population of Algiers, Relizane and Oran.

The cost of the action of the International Committee of the Red Cross in Algeria has reached the figure of 5,750,000 Swiss Francs, but the amount spent represents, strictly speaking, only a minute portion of all the efforts and the innumerable representations made by the Committee to save lives as well as to mitigate the suffering of prisoners, detainees, refugees and of the regrouped population, to trace missing persons and to organise relief. The material aid brought by the ICRC should therefore not allow the moral and human aspect of its work to be forgotten in an Algeria rent by war, nor the inexhaustible devotion of its delegates.

Aid to Europeans

Oran - The ICRC delegate in Oran distributed milk and sugar to Europeans waiting at Oran and at Mers el Kébir to leave for France. Cheese, soap and 400,000 cigarettes, also sent by the ICRC, were distributed to those leaving.

Relief to the Moslem population

Oran - At the beginning of the week commencing July 15, the ICRC delegate in Oran, Mr. Jacques de Heller, took part in the first meeting of the local Committee for relief for children set up with the principal aim of organising distributions of milk to Moslem children. On this occasion, the ICRC delegate handed over a gift of
several tons of powdered milk to the Committee. The ICRC expects to hand over further gifts of milk in the near future.

The ICRC delegation in Algeria

Since July 1, the ICRC has maintained a four-man delegation in Algeria, to continue its assistance to Algerian or European civilians who have suffered as a result of the war and the recent disturbances.

Its delegation, which has entered into official contact with the new Government, will also have the task of assisting the Red Crescent Society which will be organised in Algeria.

Assistance to Frenchmen repatriated to France from Algeria

When large numbers of French Algerians were streaming into France, organisations for repatriation assistance contacted the ICRC on several occasions to obtain its help.

In principle, it is for the authorities and for the French Red Cross to handle assistance to this category of persons. But to enable certain children affected by terrorism to find peace and quiet, the Swiss Red Cross has accepted an ICRC suggestion to invite several hundred children of repatriated persons to Switzerland for the holiday period. This action is being organised jointly with the French Red Cross.

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Congo

ICRC DELEGATE'S ACTIVITIES

The ICRC delegate in Leopoldville, Mr. G.C. Senn, recently went to Elisabethville where he discussed various problems concerning refugees and persons evacuated with the Katanga authorities and the United Nations' representatives on the spot.

Mr. Senn is also continuing to deal with the problem of political prisoners in the Congo and he is trying to obtain the necessary support in order to visit them.

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China

REPATRIATION OF TWENTY CHINESE FISHERMEN

The Chinese Red Cross has informed the ICRC that the twenty fishermen from the island of Hainan, who had disappeared and were later found in South Viet Nam, have arrived home safely in their own country on board the junk procured for them by the ICRC.

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France - Viet Nam

COMPENSATION TO EX-PRISONERS OF WAR

The International Committee of the Red Cross has just carried out the final payments effected under the terms of article 16 of the Peace Treaty with Japan, which provides for financial compensation to be paid to former prisoners of war in Japanese hands.

France has received the equivalent of Sw.Frs. 427,000, thus bringing the total amount of Japanese funds which the ICRC has transferred to it to about Sw.Frs. 3,500,000. The Republic of Viet Nam has for its part received Sw.Frs. 251,000, in other words, Sw.Frs. 1,600,000 taking previous payments made to it into consideration.

The distribution operations, which are still continuing in most of the beneficiary countries under article 16, have enabled about 65 million Swiss francs to be distributed amongst 200,000 former prisoners of war or their next of kin.

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Germany

MISSION IN WEST GERMANY

During the recent mission which he undertook in West Germany, from June 25 to 30, Mr. H.G. Beckh, ICRC delegate, discussed with members of the General Secretariat of the German Red Cross in the Federal Republic, and with Government representatives, various questions bearing on family resettlement and political detainees.

He also went to two detention camps where every facility was granted him to talk with thirteen political detainees charged with or convicted of offences against the security of the State.

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PRESENTATION OF THE ICRC SILVER MEDAL TO A RED CROSS DELEGATE

At the plenary session of the International Committee of the Red Cross on July 5, Mr. Léopold Boissier, its President, presented Mr. André Durand with the ICRC silver medal. For the past twenty years Mr. Durand has been in the service of the Red Cross, whose delegate he has been in conditions which have often been difficult and dangerous.

After a short mission in France in 1947, Mr. Durand went to Palestine in 1948. He was severely wounded and had to have an arm amputated.

"Anyone else but you", said Mr. Boissier whilst presenting Mr. Durand with the silver medal, "would have left the battle in which the "third combatant" fights. But in 1951 the Committee sent you to Hong Kong, then to Vietnam where you visited prisoners in French hands, and it was at Hanoi that you underwent a further test in your new career ...."

In that town recently evacuated by French troops Mr. Durand slowly won the confidence of the North Viet Nam leaders. In 1957 he helped in the repatriation of the Netherlands colony in Indonesia. The following year, he was in Ceylon where the Cingalese and Tamil communities were at loggerheads.

Several months later at Bangkok, Hanoi, then at Rangoon, he organised the meeting of the Red Cross of the Democratic Republic of Viet Nam and of Thailand concerned in the return home of North Vietnamese who had established themselves in Thailand. In 1959 he was appointed head of the ICRC special mission present at the departure of Koreans resident in Japan who decided to proceed to the Chinese People's Republic.

In 1950, Mr. Durand initiated ICRC relief work on behalf of the victims of the conflict in Laos.

Mr. Boissier finally recalled how last March Mr. Durand organised in New Guinea the repatriation of several Indonesian military captured by Netherlands naval forces.

"It is a good thing", concluded Mr. Boissier, "that the Committee should sometimes interrupt its deliberations to assess what it owes to its delegates who, abroad, put into practice the principles which it has proclaimed, since, then, these principles come to life and give fruition to so many various actions brought about by the world's disorder. And, in the midst of this disorder, they affirm their permanency and durability, their suppleness also in strength, since at last they are understood and respected by adversaries who are separated by all things".

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Communiqué issued to the press

ALGERIA - Search for missing persons

No 762b of July 16, 1962

"The disappearance and kidnapping in Algeria of a considerable number of persons, mostly of European origin, is at present causing a serious problem to the ICRC.

Between the cease-fire and July 1st, the ICRC delegation in Algiers received 325 enquiries from families. Furthermore, the delegate of the ICRC in Oran has quite recently registered 228 requests for enquiries connected with the kidnapping of Europeans and Moslems which has taken place in that town and in the Department of Oran since the proclamation of Algerian independence.

All these enquiries have been examined with the greatest care and have been submitted to the special attention of the appropriate authorities. Unfortunately, these enquiries have so far led to no results and no information concerning the missing persons has been forthcoming, although some of these have regained their freedom.

The International Committee feels concern at not being able to reply to anxious families and it continues to make urgent representations to the highest authorities in Algeria, as well as to certain local authorities."

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Continuation of the model course by Mr. Henri Coursier on the Geneva Conventions (Part. 12)

2. ARTICLES COMMON TO THE FOUR GENEVA CONVENTIONS OF AUGUST 12, 1949

Most of the provisions which are the subject of Articles common to the four Conventions have the value of principles.

These Articles, which are of fundamental importance, apply equally to the various categories of war victims. On this head they have been drafted in the same words and for the most part inserted at the beginning of each of the four Conventions. Their position indicates that they in a sense replace a Preamble to these texts.
(a) Preliminary Articles

The first article, common to the four Conventions (to which we have already had occasion to allude) provides that "The High Contracting Parties undertake to respect and to ensure respect for the present Convention in all circumstances". This preliminary text does not overlap with the effects of ratification of the Conventions; it solemnly emphasizes that this implies certain engagements taken by the State towards itself, in accordance with its humanitarian duties and which are independent of any reciprocity on the part of the co-contracting Powers. Here it is a question of a general principle, of an "imperious obligation of civilisation" (Commentary I, p. 26). This is why, if a Power fails to carry out its obligations, the other Powers bound by the Convention (neutrals, allies or enemies) can and must endeavour to bring it back to the respect of its engagements.

Article 2, common to the four Conventions, deals with their application and explicitly states that they relate to times of international war. We shall see that a very important exception to this principle results from the following Article, which lays down that certain humanitarian principles are to be respected in cases of armed conflict not of an international character. But we would draw attention here to the subtle manner in which the principle of reciprocity is formulated in paragraph 3 of Article 2, which states:

"Although one of the Powers in conflict may not be a party to the present Convention, the Powers which are Parties thereto shall remain bound by it in their mutual relations. They shall furthermore be bound by the Convention in relation to the said Power, if the latter accepts and applies the provisions thereof". The object of this clause is twofold: first to do away with a custom confirmed by the "clausula si omnes" in The Hague Laws, (Hague Convention III of 1899 for the Adaptation to Maritime Warfare of the Principles of the Geneva Convention of 1864 (Art.11), whereby the Convention was only applicable if all the Parties were bound pari passu. As pointed out in the Commentary on the First Convention (Commentary on the First Geneva Convention, p.34) if this provision had been applied to the letter at the time of the First World War, the simple fact that one of the Powers involved in the conflict, Montenegro in point of fact, was not bound by the Convention, would have paralysed any humanitarian action. Happily this was not the case, because "the humanitarian interests of all concerned prevailed over law" (Paul des Gouttes, Commentaire, ad. Art.25, p. 188). Furthermore, the principles of the Geneva Conventions demand that any contracting Power in conflict with a non-contracting Power shall begin by acting in accordance with the provisions of the Conventions, which can but lead the opponent to do likewise.

(to be continued)
Congo

THE ICRC AND THE FATE OF PRISONERS

Mr. G.C. Senn, delegate of the International Committee of the Red Cross recently visited the central prison of Stanleyville, chief town of the Orientale Province of the Congo (formerly Belgian). At the time of the visit there were a total of 800 prisoners amongst whom numbered one hundred Katanga gendarmes captured by the National Congolese Army. There were in addition some thirty Congolese political detainees, the remainder being prisoners of common law. On this occasion Mr. Senn was given considerable facilities by the local authorities and especially by General Lundula, Commander of the Congolese forces stationed in Orientale Province. He received the nominal roll of the Katanga detainees which he transmitted to the military authorities of Elisabethville, which in turn informed the families concerned. He is awaiting replies from the latter which he will pass on to the prisoners.

Following on this visit, the ICRC delegate made representations with the Congolese central Government at Léopoldville for the purpose of releasing and repatriating Katanga military prisoners. He has considered the possibility of arranging for an exchange of the latter against Congolese prisoners detained in Katanga.

Shortly afterwards, Mr. Senn again went to Elisabethville where he examined various humanitarian questions with the Katanga authorities. He was present at the closing of the camp which had sheltered several thousands of Baluba refugees. These have been repatriated to Kasai by UNO.
The delegate also visited the prison of Matadi, the port on the lower reaches of the Congo river, in the Léopoldville region, where the detainees included a certain number of Angolan refugees whose condition particularly attracted his attention. He was able to speak freely to them.

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The case of a Red Cross aircraft fired at from the ground

The recent news of the firing by Congolese forces on an aircraft with red cross markings has caused a certain amount of dismay to international opinion. This concerned a machine flying for the Katanga Red Cross, but since the ICRC had taken part in organizing these flights, it would be as well to state the conditions in which the incident occurred.

In April of this year, the Katanga Red Cross requested Mr. G.C. Senn, ICRC delegate in the Congo, to help organize an aerial relief service on behalf of refugees of North Katanga origin. Extremely heavy rains had in fact rendered transport on land very difficult, if not impossible. But as these aircraft had to fly over areas not occupied by the Katanga forces, it was necessary to obtain the agreement of the United Nations. Mr. Senn therefore participated in the conclusion of an agreement with the UNO representatives, by virtue of which these aircraft would be used exclusively for purposes of humanitarian relief.

This arrangement indeed remained in force for two months to everyone's satisfaction. The attack on the Red Cross aircraft by the Congolese forces in the Kabalo region on August 2 seemed to have been an incident of no great seriousness. In fact visibility was poor on that day and it is most probable the protective emblem could not be observed from the ground.

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Algeria

Numerous representations by the ICRC on behalf of the missing

The International Committee of the Red Cross, whose specific task it is to aid the victims of international and civilian conflicts, has reduced its activity in Algeria since the proclamation of independence. At present Red Cross relief actions are largely carried out by the League of Red Cross Societies, federation of all the National Societies, which is a body devoted to peace-time activities.
However, the ICRC is continuing its task in Algeria in spheres in which its function as neutral intermediary is required. Thus it deals with cases of missing persons, for the most part of European origin. Since the "cease fire", it has been advised of more than one thousand of such cases, about which its delegates have made many representations. Thus Mr. Roger Vust, permanent delegate in Algiers has met Mr. Abderrahman Parès, President of the provisional Executive, whilst Mr. Jacques de Heller, delegate, had dealings with Mr. Ben Bella, President of the Political Bureau. The two delegates obtained some assurances from those with whom they spoke but, so far, only a few persons have been found and released.

The ICRC on the other hand is continuing, to a limited extent, its relief activity chiefly in Algiers and Oran on behalf of under-nourished children. Since the beginning of July it has had 30 tons of unskimmed powdered milk and 17 ½ tons of semi-skim milk in powder transported to Algiers, and 10 tons of unskimmed milk, 2 ½ tons of semi-skim milk, 2 tons of sugar and 3 tons of cheese to Oran. The value of these consignments exceeds 270,000 Swiss francs.

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THE ICRC AND THE KURDISH PROBLEM

Information has been supplied to the International Committee of the Red Cross concerning the fate of 17 members of the Iraqi armed forces captured by Kurdish rebels. These are for the most part officers who have filled in "capture cards". These documents have been transmitted to the ICRC which has in turn forwarded them to the Baghdad authorities through the intermediary of the Iraqi Red Cross. The ICRC has taken this occasion of expressing the wish to obtain similar information concerning the fate of prisoners and internees of Kurdish origin, who might fall into the hands of the Iraqi Government.

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N ep a l

THE WORK OF THE ICRC ON BEHALF OF TIBETAN REFUGEES

According to the report of Dr. Rolf Stahel, who has been for three months head of the delegation of the International Committee of the Red Cross in Nepal, medical assistance remains the most urgent task for all the Tibetan refugees in that country. The ICRC has maintained its medical post at Chialsa Gumpa in the Khumbu-Solu region where treatment is given to Tibetan refugees as well as to the Nepalese population. It has however provisionally to close another post in the upper valley of Thakkola as a result of supply difficulties due to the monsoon rains. On the other hand, the ICRC is continuing its medical activity in areas in which concentrations of refugees necessitate the presence of dispensaries. These at present exist at Katmandu, Pokhara and Dhor Patan.

We would recall that the number of refugees totals approximately 20,000. Of these 4,000 are devoid of means of subsistence. Since it was essential to offer permanent aid to the more needy refugees, the ICRC has taken charge of about 2,000 persons. It has supplied them not only with food and clothing, but is continuing its efforts to resettle them on a permanent basis and to enable them to be self-supporting. Those who already had a trade could exercise this in the handicraft centre at Katmandu, in which weavers, tailors, carpenters and shoemakers work. This centre comprises a school and gives training to apprentices.

On the other hand, the ICRC continues to be engaged in the centre at Dhor Patan, where 350 refugees, nomads from West Tibet have been assembled, and where the ICRC is trying to settle them. A fresh team from Switzerland has taken over from the original one which began the work in this region of Central Nepal. This summer crops have suffered from drought, but generally the installations are progressing satisfactorily, to such an extent that 200 Tibetans attracted by this success, arrived unexpectedly from neighbouring regions. Two new villages have sprung up in the valley and the refugees have built a gumpa (sanctuary). All work with enthusiasm.

Near Pokhara 400 other refugees also wait to be resettled. At the present moment, the ICRC entirely provides for their upkeep.

The present head of the ICRC mission is Mr. Georges Hoffmann. He is preparing plans which should enable the activity on behalf of the refugees to be intensified at the end of the monsoon season.

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Laos

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The delegate of the International Committee of the Red Cross, Mr. Jacques Ruff, was present at the release of prisoners (five Americans and one Filipino) held by the Pathet Lao. The ICRC had previously concerned itself in the fate of these prisoners. In November 1961, its delegate-general in the Far East, Mr. André Durand, had visited four of the American prisoners in the Plaine des Jarres and had made representations on behalf of the fifth, who had been wounded. He had been successful in arranging for family news and parcels to reach them.

The Central Tracing Agency, at the ICRC headquarters in Geneva, is still receiving requests for information concerning other foreign nationals missing in Laos and about whom it is attempting to obtain news. These representations have been continuing since the signing of the recent agreements on Laos.

On the other hand, Mr. Ruff was present at the release in Vientiane of six prisoners of Vietnamese nationality. Four of those chose to proceed to the Democratic Republic of Viet Nam. We should add that the ICRC representative made a further visit to the camp of interned Laotian prisoners at Savannakhet. He distributed medicaments to them.

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Indonesia

ASSISTANCE TO NETHERLANDS NATIONALS

The Indonesian Red Cross has just made a third distribution of pensions and allowances paid by the Netherlands Government to Netherlands nationals remaining in the archipelago. The ICRC acted as intermediary in transmitting these funds, which the Netherlands Government had sent it, to Djakarta. This third distribution amounted to about 100,000 dollars.

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Latin America

THE ICRC IN CHILE WITH SWISSAIR

Accepting a cordial invitation from Swissair, the International Committee of the Red Cross was represented by Mr. Pierre Jequier, general delegate for Latin America, on the inaugural flight of the new route which this airline has just opened, with its "Coronado" aircraft, to Santiago de Chile. The ICRC representative took part in official ceremonies organized on that occasion in the Chilian capital and took the opportunity offered by his stay of visiting that country's Red Cross with whose directors he discussed several matters of humanitarian interest. On his return, Mr. Jequier will stop at Buenos Aires and Rio de Janeiro to visit the Red Cross Societies of the Argentine and Brazil.

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In Brussels

THE ICRC AT A CONFERENCE ON INTERNATIONAL LAW

Invited to take part in the 50th Conference of the International Law Association which was recently held in Brussels, the International Committee of the Red Cross was represented there by Mr. Jean-Pierre Schoenholzer, member of the legal department. The International Law Association is a non-governmental body consisting of legal experts from most countries in the world. It was founded in Brussels in 1873.

The ICRC representative was first of all present at meetings of the Commission of Medical International Law which studied the methods of strengthening the protection of members of the medical and auxiliary professions, as well as of their buildings and installations, particularly in the case of conflicts not of an international character. He then attended meetings of the Commission of the United Nations Charter, whose task it was to examine the problems raised by the use of prohibited weapons and by those of self-defence. Some held the view that a country which had been unjustly attacked could defend itself by every possible means and was not necessarily bound to apply the rules of war, notably the Geneva Conventions. Mr. Schoenholzer successfully defended the theory according to which a State, even when a victim of unjustified aggression, must apply the Geneva Conventions in all types of conflict.

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Throughout 1961 the actions of the International Committee of the Red Cross continued to be numerous, important and diverse. These are described in its Annual Report for 1961 recalling the various international currents which agitated the world during the past year, since, whenever men face each other with weapons in their hands, it is the duty of the Red Cross, and especially of the International Committee, to intervene in order to mitigate the distress caused by the conflict, and, in spite of the violence which is unleashed, to remind people of having the needs of humanity and fellowship respected.

As in the previous year, the ICRC had to deploy considerable effort in 1961 in the former Belgian Congo. This activity certainly produced most fortunate results since it enabled much suffering to be relieved, but it also had its tragic side, since it cost the lives of one of the Committee's delegates and of his companions. The Report describes the various phases of this activity which, in addition to its manifold aspects of assistance, also consisted in spreading the knowledge of the Geneva Conventions and Red Cross ideals with a view to limiting the effects of violence as far as possible.

Similarly the ICRC continued its activity in the Algerian conflict. It attempted to aid all the victims of the events, visiting detained persons (Algerian nationalists as well as European activists) and distributed relief to the regrouped populations. The Bizerta affair also imposed a heavy task on it, which consisted in assisting the victims of both sides.

The ICRC further intervened in various other parts of the world, in particular in Laos, Indonesia and in the Goa conflict. Elsewhere, notably in Europe, it continued various tasks on behalf of the victims of earlier events whose consequences still cause suffering.

The Report gives a precise account of all these different activities always undertaken in accordance with Red Cross ideals. It also seeks to show the extent and usefulness of the theoretical and legal work accomplished by the ICRC which applies itself ceaselessly to develop humanitarian international law, in order to offer ever more effective protection to the victims of eventual conflicts.

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The persons protected by the Geneva Conventions are not citizens of the State into whose hands they have fallen. These Conventions, drafted in line with classical international law, make no provision for the case of relations between a State and its own nationals.

But in the event of civil war or internal disturbances individuals imprisoned by the public authorities are at the mercy of their custodians. They are without any protection whatsoever and the conditions of internal restraint to which individuals are submitted are often harsher than those of international warfare.

The principles of the Geneva Conventions, according to which detainees are to be treated in a humanitarian manner, lead to such treatment being demanded of Governments which have incarcerated nationals as a result of internal disturbances.

This is moreover the argument which brought about the adoption of Article 3 common to the four Conventions established at the 1949 Geneva Conference, which states that "In the case of armed conflict not of an international character" a minimum of humane treatment is to be guaranteed for prisoners. The Article adds that the Parties to the conflict should further "endeavour" to bring into force, by means of special agreements, all or part of the other provisions of the Convention, while an impartial humanitarian body, such as the International Committee of the Red Cross "may" offer its services. The looseness of these terms and the general nature of the stipulations clearly show that this text has the value mainly of a principle.

Article 3, however, does permit the Red Cross to intervene on behalf of victims and their families. It is only necessary to go a step further in order to request that prisoners should be placed under the regime of internees or prisoners of war, so far as possible, and this is done whenever circumstances permit.

The application of Article 3 raises a great many problems which one can only attempt to solve by reference to the principles of the Geneva Conventions.
If the Power responsible for maintaining is a Party to the Geneva Conventions, it is obviously bound by the provisions of Article 3, but what about the adverse party which, so long as it has not taken the engagement proprio motu to respect this Article, is not bound by any text? As the Committee of Experts consulted in 1955 in regard to the application of Article 3 in cases of internal disturbances very rightly pointed out: "The respect of humanitarian principles is not only incumbent on Governments but also on any persons actively involved in internal disturbances. This is an essential element for the improvement of the tragic situations examined by the Committee".

This is so because Article 3, common to the four Conventions, in reality, is simply the statement of a humane principle. The authors of the Geneva Convention proclaimed the humanitarian duties of any civilised society in setting forth the minimum humane treatment exacted from a government even towards its own nationals in revolt and without knowing whether its own soldiers would receive this minimum standard from the rebels if they fell into their hands. It is however obvious that if the opposing party failed to conform to the same principles, there would be a grave danger of terrorism thus providing a handle against itself. This is why the International Committee of the Red Cross has always endeavoured to secure the formal pledge, of the rebel authorities as quickly as possible, to conform to the principles of the Conventions in the situations aimed at by this provision of the Conventions.

(to be continued)
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THE CASE OF CIVIL WAR AND OF INTERNAL DISTURBANCES

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The principles of the Geneva Conventions, according to which detainees are to be treated in a humanitarian manner, lead to such treatment being demanded of Governments which have incarcerated nationals as a result of internal disturbances.

This is moreover the argument which brought about the adoption of Article 3 common to the four Conventions established at the 1949 Geneva Conference, which states that "In the case of armed conflict not of an international character" a minimum of humane treatment is to be guaranteed for prisoners. The Article adds that the Parties to the conflict should further "endeavour" to bring into force, by means of special agreements, all or part of the other provisions of the Convention, while an impartial humanitarian body, such as the International Committee of the Red Cross "may" offer its services. The looseness of these terms and the general nature of the stipulations clearly show that this text has the value mainly of a principle.

Article 3, however, does permit the Red Cross to intervene on behalf of victims and their families. It is only necessary to go a step further in order to request that prisoners should be placed under the regime of internees or prisoners of war, so far as possible, and this is done whenever circumstances permit.

The application of Article 3 raises a great many problems which one can only attempt to solve by reference to the principles of the Geneva Conventions.
If the Power responsible for maintaining/is a Party to the Geneva Conventions, it is obviously bound by the provisions of Article 3, but what about the adverse party which, so long as it has not taken the engagement proprio motu to respect this Article, is not bound by any text? As the Committee of Experts consulted in 1955 in regard to the application of Article 3 in cases of internal disturbances very rightly pointed out: "The respect of humanitarian principles is not only incumbent on Governments but also on any persons actively involved in internal disturbances. This is an essential element for the improvement of the tragic situations examined by the Committee".

This is so because Article 3, common to the four Conventions, in reality, is simply the statement of a humane principle. The authors of the Geneva Convention proclaimed the humanitarian duties of any civilised society in setting forth the minimum humane treatment exacted from a government even towards its own nationals in revolt and without knowing whether its own soldiers would receive this minimum standard from the rebels if they fell into their hands. It is however obvious that if the opposing party failed to conform to the same principles, there would be a grave danger of terrorism thus providing a handle against itself. This is why the International Committee of the Red Cross has always endeavoured to secure the formal pledge, of the rebel authorities as quickly as possible, to conform to the principles of the Conventions in the situations aimed at by this provision of the Conventions.

(to be continued)
Algeria

APPROACHES BY THE ICRC TO THE ALGERIAN AUTHORITIES

Two representatives of the International Committee of the Red Cross in Algeria were present at the recent release of 25 European nationals on whose behalf they had intervened energetically for the past few weeks. They had, in fact, already approached the Algerian authorities on a number of occasions with a view to obtaining the release of more than a thousand cases of missing persons which had been brought to their notice. The ICRC recently sent the following telegram from Geneva to Mr. Ben Bella, President of the Political Bureau:

"Referring to the meeting which you accorded our delegate in Algiers on August 22, we have the honour to confirm the great anxiety caused to the International Committee of the Red Cross by the complete absence of news concerning 1065 persons abducted since the cease-fire in Algeria and about whom we have received urgent enquiries. We would very much wish to be able to reassure the numerous families which have communicated with us both in Algiers and in Geneva. We express the firm hope that the Political Bureau gives its earliest attention to this distressing problem for whose solution the ICRC here confirms its offer of service. We hope in particular that our delegation in Algiers rapidly receives family news concerning the fate of the missing. If the Algerian authorities consider that they have to keep these missing persons in detention, we would desire our delegate in Algiers to be able to visit them as soon as possible in their places of internment, notably at Maison-Carrée. If, as we hope, a release of these
persons can shortly be expected, the ICRC would be entirely disposed to assist in the repatration or the eventual transfer outside Algeria of persons who would be released. We express our keen gratitude in advance to Your Excellency for the personal interest which you would be so good as to take in our request and for the reply which you would be able to transmit to us in Geneva".

The ICRC is therefore pleased to have knowledge of the releases which have just taken place in Algeria. However, since the number of persons missing or abducted remains considerable, its delegates are actively continuing their representations and enquiries. We have just learnt that they have been authorized to visit the Maison-Carrée prison, near Algiers. There they met 34 European detainees.

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Handing over of relief

Mr. Jean-Jacques Muraldi, delegate of the International Committee of the Red Cross, has handed over to Dr. Benbahmed, President of the Algerian Red Crescent, ten tons of unskimmed powdered milk, provided out of surplus dairy produce from the Swiss Confederation. These supplies were destined for the local Red Crescent committee at Souk Ahras which distributed them to persons repatriated from Tunisia, as well as to others in need, mainly women and children.

Furthermore, the ICRC has handed over a consignment of books in Arabic to a value of 3000 Sw.fr., to the Algerian Red Crescent. This material was originally intended for Algerian detainees in France.

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How the mobile teams of the French Red Cross work

Since the proclamation of Algerian independence, the International Committee of the Red Cross continues to cooperate regularly with the mobile teams of the French Red Cross, which at all times perform most useful service to the population stricken by the events. In agreement with the new Algerian authorities, in particular the provisional Executive and the Algerian Red Crescent, the ICRC provides medicaments and food to these teams consisting of nurses and equipped with medical trucks. Five teams at present cover the Kabylie and four others the Constantine region. To give an idea of this activity which continues to be so necessary, we give
extracts below from a diary kept by a nurse of the French Red Cross belonging to one of the Kabylie teams:

"We arrive in the first village, accompanied by the Doctor, introduction to the headman of the village and the ALN representative. The women and children rush up to us first of all in a mass, but this crowd is kept in order by two men acting as policemen.

The women all look as if they had suffered. To be effective and make a success of our work we will have to return each week to these villages.

We find ourselves up against the same problems, raised by the bad state of health. We have never before met so many cases of anaemia, especially amongst the young women. We continue to carry out our anti-tubercular examinations and make a series of new tests. We distribute vitamins, tonics and do our best to improve conditions. Several cases are sent to the "doc".

We spend ourselves regardless. Wherever we go, we keep on repeating, the population has need of us: we are everywhere accepted, admitted, acclaimed.

We make time to see everyone, but our days are exhausting, we can no longer lead an orderly life, nor have our meals at regular times.

On returning in the evening, we stop beside the road, a man begs us to go with him to a village at the bottom of a ravine. The track beside the wadi is impassable for vehicles, we therefore have to go on goat paths. There is malaria in each family, we find it in all its aspects and forms.

We climb back to the truck and prepare the necessary medicaments. In the evening we are absolutely worn out, but pleased at having filled our day in this way.

In conclusion, our tour in the P..., G..., I..., sector has enabled us to realise how much our teams are necessary. This population has suffered, the women all need revitalising, the children are affected with rickets. Medical conditions are such that the door is wide open to tuberculosis.

The population welcomes us sympathetically, we find ourselves in a friendly atmosphere, we must tackle the problem from the very beginning again with a lot of good-will. This is a vast problem, we will have to come back and be able to visit the villages once a
week for months on end, if we want to accomplish a work of humanity, which has deep social implications."

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Laos

DISTRIBUITONS OF RELIEF

The International Committee of the Red Cross is continuing its work on behalf of victims of the recent conflict. Much distress remains to be relieved and this is what Mr. Jacques Ruff the ICRC delegate is endeavouring to do in close co-operation with the Laotian Red Cross.

The delegate has been to the military camp of Chinaimo, near Vientiane, where he distributed relief supplies, mainly foodstuffs, to the military patients and war wounded being looked after in the local hospital.

He then went to Thakhek, chief town of Khammouane province, to distribute relief supplies to groups of refugees who had come from the mountain regions to the Mekong Valley. Accompanied by several members of the Laotian Red Cross, among them Mrs. Nouphat Chounramany, chairman of the Women's Committee, as well as a representative of the State Insurance, Mr. Ruff handed over rice, condensed milk, salt and various relief supplies to the refugees in several camps and villages. The beneficiaries, who were frequently extremely poor, gave the Red Cross representative a good-humoured and warm welcome.

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THE ICRC IN IRELAND

Invited to the fourth triennial Convention of the Irish Red Cross, held at Gormanston near Dublin, the International Committee of the Red Cross was represented by Mr. Martin Bodmer, Vice-President. Welcomed by Mrs. Bean T. de Barra, Chairman of the Irish Red Cross, by Major-General J.A. Sweeney, General Secretary, and by the other directors of the National Society, the ICRC representative followed with keen interest the Gormanston proceedings which bore witness to the plentiful and charitable work of the Irish Red Cross. Bringing the good wishes of the ICRC to the Assembly, Mr. Bodmer stressed the universal generality attained by the Red Cross movement since its foundation in Geneva, in 1863. He gave a brief description of the current activities of the ICRC, the founder body of the Red
Cross, which is so frequently called upon to exercise its functions as a neutral intermediary in the event of international and civil conflict.

Mr. Bodmer also had the opportunity of meeting members of the Irish Government, including the Prime Minister, Mr. Lemass.

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Iraq

NEW LISTS OF PRISONERS

The International Committee of the Red Cross has received two new lists of Iraqi prisoners detained by the Kurdish forces fighting the Bagdad Government. These lists include 54 names. As done in August for the first list of 17 names, the ICRC has sent this further information to the Iraqi Red Crescent, to be forwarded to the Iraqi authorities and the prisoners' families.

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UNO AND THE DISSEMINATION OF THE GENEVA CONVENTIONS

The United Nations have asked the International Committee of the Red Cross to procure them 19,000 copies of the illustrated booklet in nine languages explaining the principal regulations of the Geneva Conventions, to distribute them in the Congo. The ICRC is in fact preparing the printing of a new edition of this booklet with texts in the four languages most in current use in the Congo, Swahili, Lingala, Tchiluba and Kikongo. The other languages used in this edition are French, English, Spanish, Portuguese and Arabic. As soon as it is in print, the ICRC will place it at the disposal of UNO in the Congo.

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Communiciqué issued to the press

The ICRC and assistance to the wounded in Berlin

No 673b of September 3, 1962

"After the recent incidents in Berlin and its suburbs, a delegate of the International Committee of the Red Cross, Mr. H.G. Beckh, has, for several days, had talks with leading personalities of both the East and the West. He spoke, in particular, with
Dr. Werner Ludwig, President of the German Red Cross in the German Democratic Republic and with Dr. Dietrich Blos, President of the Berlin Section of the German Red Cross in the German Federal Republic.

In the course of these conversations, undertaken with a view to resolving the humanitarian problems arising from these events, the ICRC was informed by the two parties of the measures they had decided upon to aid the wounded.

After hearing both points of view on this subject, the International Committee of the Red Cross was pleased to note that each party recognises the obligation to bring immediate assistance and first-aid to the wounded on its own territory, it being understood that such aid must not be hindered by the other party.

The ICRC welcomes the declarations made by the two parties who have thus confirmed their intention to conform to the letter and to the spirit of the Geneva Conventions of which they are signatories.

The ICRC trusts that these declarations, made by the responsible authorities concerned will furnish the necessary basis to allow for first aid to be given to the wounded in the event of similar incidents.

Such a guarantee will without doubt help to ease the situation and corresponds with the desire of the International Red Cross to contribute towards the lessening of tension and to mutual understanding.

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The ICRC visits Mr. Gizenga
No 764b September 7, 1962

Mr. G.C. Senn, delegate of the International Committee of the International Committee of the Red Cross in the Congo, recently obtained permission to visit Mr. Antoine Gizenga, detained on the island of Bulambemba, near Leopoldville. At the request of the central Congolese Government, the visit took place in the presence of a medical commission. The ICRC delegate's findings as well as the results of the medical examination indicate that Mr. Gizenga is detained under satisfactory conditions and is in good health. Mr. Gizenga made no complaints in this connection. After his visit, Mr. Senn submitted suggestions to the detaining authorities with a view to improving the conditions of detention.

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Continuation of the model course by Mr. Henri Coursier on the Geneva Conventions (Part 14)

PROTECTED PERSONS AND PROTECTING POWERS

Articles 4, 5 and 6 define the protected persons and contain provisions for the application of the Convention by Neutral Powers and the possible conclusion of special agreements between the belligerents with a view to defining or extending, if need be, certain of its clauses. They have the same purpose in all four Conventions but there are technical differences which prevent them from holding the value as principles on the same ground as the other common Articles.

Article 7 relating to the inalienable character of the rights of protected persons (Convention IV, Article 8) again offers the same value as a principle. The persons concerned had to be shielded so far as possible from the pressure which might be directly or indirectly exercised by the detaining Power to induce them to renounce their rights, since the purpose of the Geneva Conventions is to protect war victims. This is why it is stated that they "may in no circumstances renounce in part or in entirety the rights secured to them by the present Convention". These rights are inalienable.

Article 8 (Convention IV, Article 9) concerns the rôle of the Protecting Powers. It sets forth the principle that the Conventions will "be applied with the cooperation and under the scrutiny of the Protecting Powers", i.e. the neutral States entrusted with safeguarding the interest of the belligerent Powers in enemy countries.

The institution of Protecting Powers was one of the most important innovations in international law resulting from the Statute of Prisoners of War of 1929. It was intended to assure protection of prisoners of war of somewhat the same nature as the diplomatic protection assured to foreigners in peacetime. This custom, deriving from practice from the middle of the XIXth Century, considerably developed during the two world wars. The 1929 text conferred the right of visiting prisoner of war camps on representatives of the Protecting Power. During the last world war, the Protecting Powers in actual fact extended their action to these and to civilian internes although their assistance was not provided for by either the First Geneva Convention or the Xth Hague Convention.

This supervision was completed by the recognition and support of the work of the ICRC. It had however no terms of reference for such control and the authorisation to visit prisoner of war camps was in the nature of a concession. Everyone knows, however, that it was able to play an important part in assuring the proper application of the Convention.
The protecting Powers and the ICRC thus often acted together, or on a parallel, on behalf of the same persons. Experience showed that the two activities in no way excluded one another; on the contrary they were meant to complete each other. Their nature is moreover quite different and they apply to different spheres. The Protecting Power is a sovereign State with the influence and means of diplomatic action this implies and has a whole network of agents and officials at its disposal. The ICRC is a private organisation, with only the moral force of the idea for which it stands, which has to improvise the recruitment of its staff. The protecting Power is in a sense the mandatory of a specific State and acts under its injunctions and in its name. The ICRC is not the mandatory of anyone, but acts on its own initiative with complete independence. The action of a Protecting Power only extends to the prisoners of a given nationality; its action is above all of a utilitarian and legal nature. That of the ICRC extends to one and all without any distinction of nationality and is practical and humanitarian. The assistance to war victims is only one aspect of the rôle of the Protecting Power. It is the exclusive activity of the ICRC. Finally, the ICRC, which intervenes on both sides, alone is in a position to undertake multilateral action. The Protecting Powers, which are generally different for every belligerent, will each only have a unilateral view of the situation. It is only as a result of exceptional circumstances and the entry into war of almost every nation in the world that countries like Switzerland found themselves entrusted with the interests of quite a number of belligerents belonging to the two opposing sides.

The ICRC and the Protecting Powers generally arranged to avoid omissions or overlapping in the regular visits of prisoner of war camps. It should be pointed out in passing that the reports on these visits were only sent to the captives' own Government by the protecting Power, while the ICRC sent the same text to both the Detaining Power and the country of origin.

Article 8 is completed, in particular in Article 126, by the detailed list of the privileges to be enjoyed by the representatives of the Protecting Powers in freely visiting all places in which there are prisoners. These visits can only be forbidden exceptionally and temporarily for reasons of imperative military necessity.

It is stated that the provisions of the Conventions "constitute no obstacle to the humanitarian activities which the International Committee of the Red Cross or any other impartial humanitarian organisation may .... undertake for the protection" of war victims, in the absence of the Protecting Power or simply to complete its action (Conventions I, II, III, Article 9, IV, Article 10).

(to be continued)
Algeria

FRESH REPRESENTATIONS BY THE ICRC

The International Committee of the Red Cross has just sent Mr. Pierre Gaillard, delegate, to Algeria, to make fresh representations on behalf of the victims of recent events. Accompanied by Mr. Roger Vust, permanent delegate in Algiers, Mr. Gaillard has as his mission: 1) to make contact with the new Algerian Government; 2) to give greater impulsion to the tracing of missing persons; 3) to try to improve the position of former French military of Algerian origin (harkis).

In addition, the ICRC has visited the Maison-Carrée prison near Algiers for the second time. Its representatives noted the presence of 43 European detainees, with whom they spoke freely and without witnesses. They obtained the nominal roll of these prisoners of whom they transmitted messages to their families. (See press release No 766b on page 7)

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After the incidents in Gabon

BRAZZAVILLE ASKS THE ICRC FOR ITS INTERVENTION

Following on the incidents which took place at Libreville (Gabon) between Congolese and Gabonese between September 16 and 18, the Government of the Congo (Brazzaville) asked the International Committee of the Red Cross by telegram to lend its assistance to the
Congolese victims. The ICRC advised the Gabonese Government of this request, asking it to supply it with the necessary details.

The ICRC, which has transmitted the reply received from the Gabonese Government to Brazzaville, is remaining in contact with the two governments.

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Laos

ICRC AID TO REFUGEES

The International Committee of the Red Cross has decided to maintain its delegation in Laos until the end of 1962, in order to continue its work of assisting refugees. In fact, if their number has considerably decreased since the cease-fire agreements, there are still large groups, especially in the Mekong valley, which have not returned to their villages of origin. The ICRC will therefore continue to bring its aid to them for some time longer, in close co-operation with the authorities and the Red Cross in Laos.

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Japan

DEPARTURE OF A FURTHER BATCH OF REPATRIATED KOREANS

The repatriation of Koreans resident in Japan which has been in operation since 1959 under the auspices of the Japanese Red Cross and in the presence of ICRC delegates, is at present the subject of negotiations between the Red Cross Societies of Japan and of the Democratic People's Republic of Korea. While awaiting the outcome of these talks, the 98th vessel transporting Koreans wishing to return to the north of their country of origin, is due to leave the Japanese port of Niigata at the beginning of October, for Chongjin. Two representatives of the International Committee of the Red Cross recently visited the reception centre at Niigata to see the 192 people waiting to board the ship.

The 97th transport left Niigata on July 21, with 164 passengers on board. The total number of repatriated persons was thus brought to 77,085.

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A REQUEST TO GENEVA FROM BUENOS AIRES

The Argentine Red Cross in Buenos Aires has requested the intervention of the International Committee of the Red Cross in Geneva in connection with the recent events in the Argentine Republic. Following this request the ICRC has instructed its delegate in Buenos Aires, Mr. Jacques de Chambrier, to contact the Argentine Red Cross in order to examine with them humanitarian problems raised by the recent events, which might come within its sphere of competence.

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HUNGARY AND POLAND

TOWARDS THE COMPENSATION OF A NEW GROUP OF VICTIMS OF PSEUDO-MEDICAL EXPERIMENTS

The Commission of neutral experts appointed by the International Committee of the Red Cross to examine the case of victims of pseudo-medical experiments carried out under the Nazi regime, to which the Government of the German Federal Republic is prepared to pay compensation, met in September in Geneva under the presidency of Professor Jean Graven, Rector of the University of Geneva, President of the Supreme Court of Appeal. It studied the files of a further group of 107 Hungarian victims of such experiments, files drawn up in Budapest, then submitted to a mixed commission consisting of doctors appointed by the Hungarian Red Cross and the ICRC. The neutral experts meeting in Geneva held all the cases which were submitted to it, with one exception. Their decisions will result in indemnities being paid in proportion to the extent of the experiments subjected and to the damage still being suffered thereby.

On the other hand, the files of a fresh group of Polish victims of the same experiments are at present being studied. They will be the subject of a forthcoming meeting of the expert Commission.

The Government of the German Federal Republic has already placed at the disposal of the ICRC all the funds allocated to the first group of Polish and Hungarian victims. In December 1961, the ICRC transmitted these amounts to the beneficiaries.

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The activity of the Central Tracing Agency

CONSEQUENCES OF THE CIVIL WAR IN GREECE

A number of Greek families still apply to the Central Tracing Agency in Geneva, either directly or through the intermediary of the Greek Red Cross, to discover the fate of their relatives missing during the civil war in Greece, now more than thirteen years ago.

The absence of all news does not leave much hope that the person sought has survived the struggle and could be found amongst the Greek refugees established in several countries of Eastern Europe. It is however a matter of obtaining proof of decease to put an end to a family's painful uncertainty.

To this end, the Central Agency has had recourse to the co-operation of the Committee of Greek political refugees in Budapest, which exercises its activity in the various of asylum. This Committee has opened enquiries, the results of which it periodically communicates to the Central Agency, in the form of lists containing detailed information concerning the circumstances of the decease of combatants fallen during the course of operations.

These lists are transmitted by the ICRC to the Greek Red Cross, which is then in a position to settle cases which have remained outstanding for many years.

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- Devoted Service to the Red Cross -

+ DR. JACQUES DE MORSIER, FORMER DELEGATE OF THE RED CROSS

Dr. Jacques de Morsier who has just died in Paris, gave great service to the Red Cross. It is not possible to allow the news of his death to pass without recalling some of the outstanding work he performed on behalf of the victims of war in circumstances which were often dramatic and in the midst of dangers which never deterred him.

Medical adviser of the Swiss Legation in Paris, Dr. de Morsier, whose humanitarian activity had always been voluntary, placed himself, in the summer of 1940, at the service of the International Committee of the Red Cross. He started by organising an important tracing service on behalf of the French civilian population, working in co-operation with the Central Prisoners of War Agency at the headquarters of the ICRC in Geneva. During the occupation he made the most tenacious efforts to mitigate the lot of interned civilians. He intervened with special insistence on behalf of persons threatened
with deportation, chiefly Jews. He was successful on several occasions in preventing the departure of convoys destined for concentration camps in Germany.

At the liberation of Paris, his action, combined with that of the Swedish and Swiss consuls, greatly contributed towards avoiding the worst suffering. He made numerous approaches to the German command, organised the exchange of prisoners and saved the lives of many prisoners both military and civilian. He gave proof then of exceptional courage and circulated through streets in which there was firing in every direction, with the Red Cross flag as his only protection.

Strictly applying the Red Cross principle of neutrality, Dr. de Morsier intervened with equal energy and devotion on behalf of German prisoners in France. In this connexion he made very numerous visits to camps and prisons. He obtained on behalf of his new protégés very considerable improvements in their conditions and respect for the Geneva Conventions.

Until his death Dr. de Morsier remained medical adviser to the ICRC delegation in Paris.

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THE BASIC BOOK OF THE RED CROSS

"A Memory of Solferino" appeared one hundred years ago

This autumn of 1962 marks a centenary which the Red Cross world could not let go uncung: in November 1862, Henry Dunant's "A Memory of Solferino", a work of capital importance, left the press. The publication of this small book was to have immense repercussions. It was the starting point of the universal movement of the Red Cross and it is therefore worth recalling briefly the circumstances of this memorable event.

Since his shattering experience of the horrors of war during the days following the battle of Solferino in 1859, Henry Dunant had remained obsessed with the memory of the atrocious scenes he had witnessed. For three years he prepared the book which was to stir the conscience of Europe, and he benefited in this work from the valuable help of Dr. Louis Appia, a Genevese surgeon who had also been on the Italian battle-fields and had tended the wounded.

When writing was completed, Dunant sent the manuscript to the best printer in Geneva, Jules-Guillaume Fick, a specialist in deluxe editions. The work was not to figure in bookshop windows since it bore the words "not for sale". Dunant distributed 600 copies of the first edition to a discerningly chosen public among whom were to be found a good number of crowned heads.
It was a resounding success, and soon all Europe was talking of "A Memory of Solferino". Dunant then distributed a further thousand copies provided with a new cover, by putting them on sale and by continuing his free distributions. The success story continued and a new edition was brought out in 1863.

Numerous testimonies of the time underline the feelings aroused by reading the book. It will suffice to recall but one of these. In the Goncourts' Journal, of June 8, 1863, we read: "Read A Memory of Solferino .... a lofty work which stirs the heart profoundly. It is more beautiful, one thousand times more beautiful, than Homer, than The Retreat of the Ten Thousand, than anything.... One puts this book down cursing war."

In fact, what Dunant had wanted to bring out above anything else was the reverse side of war, the frightful suffering of the wounded left untended on the battle-field. He was able to describe this terrible tragedy, lived over and over again by the wounded of the great battle, in terms which aroused among his readers a hatred of war, but he did not want to stop at that. The great interest of the book is to have indicated practical means, not to bring about an impossible abolition of war, but at least to alleviate its distresses.

First of all Dunant suggested the formation in all countries and in peace-time of "relief societies for the purpose of having care given to the wounded in war-time by zealous, devoted and thoroughly qualified volunteers". These societies "should include, in each country, as members of their governing board, men enjoying the most honourable reputation and the highest esteem. The committees would appeal to everybody who, for sincerely philanthropic motives, would undertake to devote himself for the time to this charitable work. The work itself would consist in bringing aid and relief (in agreement with the military commissaries, i.e., when necessary, with their support and under their instructions) onto the battle-field whenever battle was joined, and subsequently to continue to care for the wounded in the hospitals until their convalescence was complete".

In the third edition of "A Memory of Solferino", Dunant enlarged the field of activity of these societies, whose creation he advocated: "These societies could even render great service during periods of disease or disasters such as flood and fires."

The second fundamental proposal consisted in formulating "some international principle, sanctioned by a Convention inviolate in character, which, once agreed upon and ratified, might constitute the basis for societies for the relief of the wounded..." These terms were fairly vague but they were to give birth to extremely precise texts since they were at the origin of the First Geneva Convention and international humanitarian law which, from then on, was to undergo such an important development.

Dunant alone could obviously not do much more than alert public opinion. To put into effect the generous ideas which he had
formulated he had the good fortune to find men endowed with less genius perhaps, but without a doubt possessing a greater sense of the practical and of method. These four men were members of the "Public Welfare Society" of Geneva: General Dufour, Gustave Moynier, Dr. Théodore Maunoir and, naturally, Dr. Louis Appia who had co-operated in the writing of A Memory of Solferino. It was these men who, with Dunant, constituted the founding committee of the Red Cross, a committee which has endured to the present day, since the International Committee of the Red Cross is its continuation.

The publication of A Memory of Solferino was therefore an event of immense importance.

Thanks to this small book, printed a century ago and since then translated into a dozen languages, a movement of solidarity was born which remains one of the most useful antidotes to the ills of our time.

Roger Du Pasquier

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Communiqué issued to the press

THE ICRC VISITS EUROPEAN DETAINEES IN ALGERIA

No 765b of September 19, 1962

On September 17, two representatives of the International Committee of the Red Cross, Mr. Jean-Jacques Muralti and Mr. Joseph Gasser, were authorised to visit the thirty-four Europeans detained in the Maison-Carrée prison near Algiers. They spoke freely and without witnesses with these prisoners, whose nominal roll was then transmitted to the French authorities by the ICRC. From their visit they brought messages destined for the families of the detainees.

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THE ICRC ADD EUROPEAN DETAINEES IN ALGERIA

No 766b of September 26, 1962

The Algerian authorities have handed a new list of recently arrested Europeans to the delegation of the International Committee of the Red Cross in Algiers. This list comprises the names of fifteen persons at present detained in the Maison-Carrée prison. The ICRC delegates have just received authorisation to visit them.

On the other hand, the delegates of the ICRC were present on September 25 at the release of seven European detainees. They immediately informed their families.

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Article 9 (Convention IV, Article 10) sanctions the activities of the ICRC and its traditional right to intervene. It should be added that the delegates of the ICRC enjoy the same privileges as representatives of the Protecting Powers.

But the fundamental problem to be solved was how to provide for the replacement of the Protecting Powers in the event that they were unable to exercise their office. This is the subject of Article 10 (Convention IV, Article 11) devoted to "substitutes" of the Protecting Powers.

For a moment there was the idea of making the ICRC this substitute ex officio, in view of what it had spontaneously undertaken and achieved. But the ICRC was the first to be aware of the basic differences distinguishing its action from that of the Protecting Powers and pointed out that it could not act as a real substitute; what it can do is to take over some of the duties devolving on the Protecting Powers under the Conventions, in its strictly humanitarian and impartial sphere. A more elaborate solution was therefore sought.

Here we should mention an idea brought up at the Conference of Government Experts in 1947 and taken up again at the Diplomatic Conference. Certain delegations which were afraid that there might perhaps no longer be any neutral States in a future conflict, or in any case no neutral State in a position to interve effectively as Protecting Power or substitute, agreed to the establishment of an impartial body which would be entrusted with the duties normally carried out by the Protecting Powers. But the practical realisation of this idea showed itself to be very difficult. A definite proposal was however made to the Diplomatic Conference by the French Delegation: the body in question would be composed of 30 members selected irrespective/nationality, among leading political, religious, scientific, etc. personalities, renowned for their moral authority and the services they had rendered humanity. They would be elected for three years by a Council composed of delegates of the States Parties to the Geneva Conventions (one for each country). These persons would in a sense "denationalise" themselves and would enjoy diplomatic immunity.

Although this is a very generous proposal it may arouse a certain scepticism. There is no example of men, even with the noblest ideas, having succeeded in ridding themselves entirely of any national feelings when their country is at war, and above all of belligerent States giving complete confidence to enemy subjects and allowing them freedom of movement.
However, the Conference confined itself to providing the possibility for Protecting Powers, in very general terms, of agreeing at any time/entrust to "an organisation which offers all guarantees of impartiality and efficacy" the duties incumbent on them under the Convention. This formula permits an already existing organisation to be used. So far as the rest is concerned, the Conference recommended that the Governments consider the matter in a mere Resolution annexed to the Convention.

Under Article 10, in cases where for any reason prisoners of war are deprived of a Protecting Power, the Detaining Power is to request either a neutral State or the impartial body envisaged above—set up or designated by agreement between the two parties—to assure the functions of the Protecting Power. If protection cannot be arranged accordingly, the Detaining Power is under the obligation to request or at least accept a humanitarian organisation, such as the ICRC, to assume the humanitarian functions, but only these, performed by the Protecting Power.

(to be continued)
Nepal

ICRC PLANES RESUME THEIR FLIGHTS

After a slowing-down due to the monsoon rains, the delegation of the International Committee of the Red Cross in Nepal is again working at full stretch helping the Tibetan refugees. Its two planes, grounded by technical difficulties and the persistent bad weather since the beginning of the summer in these Himalayan regions, are flying again.

These Swiss manufactured Pilatus Porter aircraft which are specially adapted for high altitude flights, have already enabled refugees to be supplied with valuable relief. Thanks to these machines, the ICRC doctor delegates succeeded in 1961, in checking a smallpox epidemic which had broken out in the Walungchung valley, in the east of the country. They parachuted medical supplies including 2,000 doses of anti-smallpox vaccine into the valley, accompanied by instructions in Tibetan and Nepalese for the local doctors.

The two planes have completed a number of other missions in the high valleys of Nepal. They land on makeshift strips which are among the highest in the world, and this is not without its hazards. On several occasions already, the aircraft have been seriously damaged on take off or landing. This summer, large scale repairs were needed and the pilots, Mr. Claude Jacot and Mr. Emile Wick, assisted by the mechanic, Mr. Herbert Steinmann, are at the moment carrying out technical checks and the statutory test flights. In a few days, the machines will be ready to continue their missions in the high valleys where the refugees live.
It was in 1961 that the first ICRC aircraft began flights in regions which had never before been overflown. The initiative is due to Mr. Toni Hagen, who in a voluntary capacity directed the action on behalf of the Tibetan refugees in its first phase and rendered considerable service thanks to his profound knowledge of Nepal.

* * *

Algeria

THE ICRC AND THE PROBLEM OF THE HARKIS

For some time, the representatives of the International Committee of the Red Cross in Algeria have been receiving various requests concerning the position of the Harkis, Moslem auxiliaries who have served in the French army. Requests for intervention have also been arriving at ICRC headquarters in Geneva. They drew attention in particular to the existence of internment camps for Harkis.

During a recent mission in Algeria, (See page 5 our press release No 767), two ICRC delegates, Mr. Pierre Gaillard and Mr. Roger Vust, raised the case of the Harkis during the talks they had with representatives of the new authorities. No definite reply has yet been given, but after listening attentively to the representatives from Geneva, the authorities promised to study the question seriously. The ICRC therefore still hopes to be able to visit these internment camps shortly. In fact, it considers it its duty to extend its help to the Harkis, since the problem of their position is an after-effect of the Algerian war.

Help for the civilian population

Two representatives of the ICRC, Mr. Vust and Mr. Gasser, recently went to Tablat at the request of the Sous-préfet of the district, to examine the problem of assistance to the civilian population. Among other things, they studied the conditions in which it would be possible for a French Red Cross mobile team to resume its activities in this region where the needs remain considerable.

The Sous-préfet of Tablat also asked for the ICRC's support in finding a medical team ready to work in his area, which holds 50,000 inhabitants and is without a single doctor.

* * *
Congo

VISIT TO FOREIGN VOLUNTEERS DETAINED IN LÉOPOLDVILLE

The delegate of the International Committee of the Red Cross in the Congo, Mr. G.C. Senn, has been to Léopoldville, where he visited four foreign nationals interned there, who are considered as volunteers in the service of Katanga. Following a complaint by one of them, he instituted a medical enquiry with the agreement of UNO, the Detaining Power.

It should be noted that the ICRC is prompted by purely humanitarian reasons in its concern with the condition of these persons, one of whom does not, in any case, consider himself as a foreign volunteer. As always, in such cases, the intervention of the ICRC is based solely on the fact that these persons are detained as the result of a conflict.

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Guatemala

THE NATIONAL RED CROSS VISITS POLITICAL DETAINNEES

The Guatemalan Red Cross has achieved a remarkable result in signing with the Government of the Republic an agreement relative to visits by representatives of that National Society to political detainees arrested on account of the events of the past few years. In application of this agreement a commission of the Guatemalan Red Cross recently visited prisons in the capital. This commission consisted of Dr. Emilio Poitevin, Mr. Alfredo Mury Benz and Mr. David Nelgar.

Following on these visits, the members of the commission drew up a report for the President of the Guatemalan Red Cross, Dr. Jorge von Ahn. A copy of this report, which has also been sent to Geneva, shows the thoroughness with which the commission has carried out its task and is noteworthy for its outspokenness.

It should be recalled, in connection with the conflict which had broken out in Guatemala in 1954, that the ICRC had already obtained authorization to visit political detainees by virtue of article 3 of the Geneva Conventions. Its delegate, Mr. Pierre Jequier, was greatly helped by the understanding shown by the authorities and by the active co-operation of the Guatemalan Red Cross.

It should also be remarked that the Guatemalan Red Cross has not been affected by the effects of political changes which have taken place in that country, over a considerable number of years. Its directing staff has in fact remained the same throughout, thus giving
remarkable continuity and consequently particular effectiveness to that Red Cross Society.

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Conference of experts at Geneva

THE RED CROSS AND AID TO THE VICTIMS OF INTERNAL CONFLICTS

How can the aid of the Red Cross to victims of internal conflicts be made more effective? This was the question which the International Committee of the Red Cross has submitted to a commission of international experts who will be meeting in Geneva.

Two similar consultations had taken place in 1953 and 1955. As at these two previous meetings the experts will have chiefly to examine the application of article 3 common to the four Geneva Conventions of August 12, 1949, as well as their effects on the international level.

It should be recalled that this article 3 consists of a minimum of humanitarian rules to be respected "in the case of armed conflict not of an International character". It also mentions that "an impartial humanitarian body, such as the International Committee of the Red Cross, may offer its services to the Parties to the conflict".

Since the signing of the new Conventions in 1949, many situations presented themselves in which article 3 was applied in a more or less satisfactory manner. Its terms in fact lay themselves open to fairly wide interpretation.

The consultations which will shortly begin in Geneva will be of a purely private character. The experts have been convened to take part in them in a private capacity. Three members of the ICRC will also participate with a deliberative voice, as well as three experts appointed by the Danish, Mexican and Yugoslav Red Cross Societies.

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ICRC in mourning

+ EDOUARD DE BONDELI, ADMINISTRATIVE DIRECTOR

The International Committee of the Red Cross announces with deep regret the death of Mr. Edouard de Bondeli, its Financial and Administrative Director, who was killed when the Milan-Paris express, in which he was travelling, crashed near Dijon, on October 5, 1962. A man of many and varied qualities, he had given outstanding service
to the Red Cross in a work frequently difficult and sometimes thankless, but which was of decisive importance during numerous relief actions.

A member of a Bernese family established in Paris, Mr. de Bondeli entered the service of the ICRC in 1943, where he first of all worked in the British section of the Central Prisoners of War Agency. He subsequently moved to the division dealing with prisoners of war and civilian internees. An excellent administrator, Mr. de Bondeli was appointed in 1950 Assistant Director of the Financial and Administrative Services, of which he was quite recently made Director. Endowed with a remarkable capacity for work, he devoted himself to the arduous task of seeking material support throughout the world in order to enable the Red Cross to continue its mission.

His untimely death will be keenly felt in Genevese and international circles. Numerous Red Cross Societies and other institutions have sent messages of sympathy to the ICRC.

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Communiqué issued to the press

THE ICRC INTERVENES ON BEHALF OF THE MISSING AND INTERNED IN ALGERIA

No 767b of October 9, 1962

Two representatives of the International Committee of the Red Cross, Mr. Pierre Gaillard and Mr. Roger Vust, have just completed a further mission in Algeria. Instructed to make contact with the authorities, they were received by Mr. Ferhat Abbas, President of the Constituent Assembly and Mr. Rabah Bitat, Vice-President of the Government. The delegates were also able to have talks with Colonel Houari Boumedienne, Commander-in-Chief of the National People's Army and Minister of Defence, and Mr. Ahmed Medeghri, Minister of the Interior; they examined with them the problem of missing persons and former military (harkis) presumed to be detained in internment camps, and obtained assurances from them on the subject. The ICRC representatives also met Mr. Medjad, Head of National Security, and Mr. Hacène, Director of Penal Establishments, who promised to undertake new investigations to discover the whereabouts of missing Europeans.

Finally, Mr. Gaillard and Mr. Vust spoke with Dr. Oucharef, Vice-President of the Algerian Red Crescent, with whom they studied the question of the organization of that National Society in the process of being formed.

The ICRC charged Mr. Vust, its permanent delegate in Algeria, to continue his efforts with a view to obtaining authorization to visit camps in which harkis are detained.

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Continuation of the model course by Mr. Henri Coursier on the Geneva Conventions (Part 16)

CONCILIATION PROCEDURE

Finally, Article 11 (Convention IV, Article 12) relates to the optional conciliation procedure with a view to settling any disagreement which may arise in the application of the Conventions. It is provided that the Protecting Powers "shall lend their good offices with a view to settling the disagreement" and, it is added, "may, if necessary, propose for approval by the Parties to the conflict a person belonging to a neutral Power, or delegated by the International Committee of the Red Cross, who shall be invited to take part in such a meeting."

This clause, whose optional character it is unnecessary to stress, fundamentally has the value of a principle. It takes the place of a more precise rule which some had proposed to insert in the text of the Conventions, whereby any cases of dispute in regard to the application of the Conventions would have to be referred to the International Court of Justice. (See Final Record II - A - p. 33). The Conference refrained from accepting this suggestion because it felt that the Geneva Laws did not lend themselves to the intervention of The Hague Court in the same way as the other sections of international law.

Generally speaking in fact, as Max Huber, ex-President of the Permanent Court of International Justice (succeeded by the International Court of Justice) and former President of the International Committee of the Red Cross, very rightly stressed; "Conflicts which are capable of provoking dangerous tension or even war are rarely those in which it is a question of knowing which of the Parties is in the right according to substantive law, for law is always something which existed prior to the conflict, i.e. it belongs to the past. A dangerous conflict is engendered by a modification of the law, i.e. the abolition of a law or of a material obligation or of an international position or even of a general legal rule; in other words it is a dynamic and not a static question of international law". (In an article published in the "Revue hellénique de droit international"1957 - quoted by H. Rollin: "Le droit des gens en 1961" Chronique de politique étrangère, Brussels, July 1961, p. 498). In quoting this text, the great Belgian Jurist, Henri Rollin, points out that it would appear impossible to request governments to pledge themselves in advance to submit such conflicts to arbitration procedure. He considers that these are rather a matter for political bodies or for the less ambitious procedures of mediation or conciliation.

This analysis well emphasizes the very important part played by principles in the Geneva Conventions. It is on the basis of these that humane solutions to the most serious conflicts between men should be sought.

(to be continued)
Sino-Indian conflict

THE ICRC OFFERS ITS SERVICES

The International Committee of the Red Cross has offered its services to the National Red Cross Societies of the Indian Union and of the Chinese People's Republic. In a telegram sent simultaneously to New Delhi and to Peking, it declared itself prepared to exercise its humanitarian activity on behalf of the victims of the conflict, and especially of prisoners.

The Indian Red Cross has in principle accepted the ICRC's offer.

It has also informed the Committee that it hopes to receive warm clothing for the wounded and sick in the theatre of operations. The ICRC has decided to make available the relief supplies requested as soon as possible.

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Nepal

ARRIVAL OF FURTHER RELIEF FOR TIBETAN REFUGEES

The delegation of the International Committee of the Red Cross in Nepal has just taken delivery at Bhairawa on the Indian frontier, of 35 tons of foodstuffs which the United States Government has made available for its action on behalf of Tibetan refugees. It immediately had this relief transported to Pokhara in central Nepal, where it has warehouses at its disposal and where it shelters 400 refugees in a camp.
These supplies comprise powdered milk, flour, pulse and edible fats. They constitute the first consignment of a gift of 300 tons from surplus American agricultural stocks. The despatch of this relief to the places where the beneficiaries are located often raise very serious problems. In view of the absence of roads, transport will have to be carried out by air or by porters, both of which methods, in spite of their dissimilarity, are extremely arduous. Relief supplies destined for the refugees nomadizing in Upper Thakkola and whose living conditions are often most precarious, will be carried on men's backs.

The ICRC delegation is reserving another part for the agricultural colony of Dhor Patan, where there are at present nearly 550 refugees and to which other Tibetans appear to wish to proceed. It has in fact been reported that tribes totalling nearly a thousand persons will be moving towards Dhor Patan which, thanks to the progress realized under the direction of the ICRC, has become a sort of pole of attraction. It is essential, therefore, in order to deal with the possibility of further arrivals, to increase food stocks warehoused in this upper valley. The landing-strip prepared by the refugees enables the delegation's Pilatus Porter aircraft to operate under good conditions.

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Laos

THE ICRC DISTRIBUTES RELIEF SUPPLIES AT PHONG-SALY

At Phong-Saly, a Laotian town situated less than 30 miles from the Chinese frontier, the ICRC delegate, Mr. Jacques Ruff, has just handed 700 kilos of medical supplies to the directors of the local infirmary, installed in a converted barn.

This consignment of relief supplies to a region difficult to reach is part of the action which the ICRC has been undertaking for some years on behalf of refugees and disaster victims in Laos.

The ICRC delegate's work in Laos is continuing in close cooperation with the State Insurance Department of the Ministry of Health and the Laotian Red Cross.

* * * * *
Cambodia

RELEASE OF VIETNAMESE FISHERMEN

The Cambodian Government has recently released a group of thirty-two fishermen detained in the central prison of Pnom-Penh. At the request of the Red Cross of the Republic of Viet Nam and the Viet Nam Fishermen's Union, the International Committee of the Red Cross had previously written to the Cambodian Red Cross to obtain news of the detainees. The authorities at Pnom-Penh had accused them of having fished in Cambodian territorial waters.

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Viet Nam

INTERNEES' CAMP VISITED

A delegation of the Red Cross of the Republic of Viet Nam, headed by Dr. Truong Tan Trung, president of the Southern Committee of the National Society, visited the political internees' camp of Phu Loi, near Saigon on October 18. The representative of the International Committee of the Red Cross in Viet Nam, Mr. Werner Muller, accompanied the delegation.

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Iraq

NEW LIST OF PRISONERS FORWARDED

The ICRC has received 13 new capture cards from the headquarters of the Kurdish rebel forces in Iraq. This communication brings to 84 the number of Iraqi prisoners in Kurdish hands registered at the ICRC. The Committee immediately forwarded the names to the Iraqi Red Crescent to enable it to give usual notification to the authorities and the families concerned.

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Algeria

THE ICRC AND THE PROBLEM OF FORMER HARKIS

The ICRC delegate in Algeria, Mr. Vust, is continuing steps on behalf of former Harkis detained in various places in Algeria. He has asked the Algerian authorities for permission to visit a certain number of camps whose existence has been notified to the ICRC.

Relief to the civilian population

The ICRC is at present shipping to Algeria a further donation of 15 tons of powdered milk from the agricultural surplus made available to it by the Swiss Confederation. These supplies will be divided into two lots. The first will be distributed by the local authorities in the Tablat region, since the delegates have found that needs are particularly pressing amongst the rural population. The second lot will be taken over by the mobile medico-social teams of the French Red Cross which, at the moment, are active principally in the Kabylie and the Constantine regions.

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Central Africa

POLITICAL DETAINNEES VISITED IN BURUNDI

The ICRC delegate for the Federation of Rhodesia and Nyasaland, Mr. G. C. Senn, on a brief visit to Geneva, has reported to the Committee on his recent talks in Salisbury with several leaders and on his recent mission in Tanganyika and Burundi.

In the latter country, Mr. Senn visited a group of political detainees at Usumbura prison. As usual he communicated his observations to the authorities concerned and made various suggestions intended to improve detention conditions.

During his stay in Usumbura, Mr. Senn had an audience of the Mwami (King) of Burundi, Mwanbutsa, and was received by the Minister of Justice.

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Greece

DISPATCH OF RELIEF SUPPLIES

The ICRC has sent the Greek Red Cross 10 tons of powdered milk and 3 tons of cheese to enable the Society to develop its assistance to political detainees and their needy families.

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THE HENRY DUNANT MONUMENT UNVEILED AT HEIDEN

On October 28, a monument erected to the memory of Henry Dunant was unveiled in the Appenzell town of Heiden, where the illustrious Genevese philanthropist spent his old age and where he died. The statue is by Mrs. Ch. Germann-Jahn. It was financed by a national subscription, part of which will be used to erect a second monument, in honour of the founder of the Red Cross, on the Promenade de la Treille in Geneva. The president of the Heiden historical Society, Mr. Jakob naug, received a large number of guests among whom, in addition to representatives of the federal, cantonal and communal authorities, were Mr. Alfred Borel, national councillor and president of the Henry Dunant National Committee, Mr. Hans Bachmann, a member of the ICRC, Mr. Ambrosius von Albertini, President of the Swiss Red Cross, Mr. Nikolai Tchikalenko, Under Secretary-General of the League of Red Cross Societies, and delegates from several of the National Societies.

Speeches were made and this was an opportunity to note that, hitherto, the memory of Henry Dunant, one of the best known Swiss in the world, had not yet been honoured in his country by a public monument. The President of the Swiss Red Cross, Mr. von Albertini, drew attention to this regrettable situation, to which the Heiden monument has put an end. Another speaker, Professor G. Thürer, of Teufen, stressed the fact that Dunant opened up an avenue for Switzerland by showing it the possibility of extending its moral bounds throughout the world.

A show at Heiden church depicting episodes in the life of Henry Dunant followed the unveiling of the monument. It was enacted with great enthusiasm by an amateur group from the locality, where the memory of this great man remains very vivid.

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WHAT ACTION IS BEING TAKEN BY THE RED CROSS AGAINST WEAPONS WHICH COULD DESTROY ITS WHOLE WORK

The International Committee of the Red Cross frequently receives letters expressing anxiety widely felt amongst the general public concerning the existence of the terrible methods of destruction threatening civilization and mankind. Thus a female correspondent from Basle recently described her fears caused by the appearance of new weapons as being "death rays". She wrote in particular: "In the face of such inventions one question is immediately raised. Have the whole movement, all the work of the Red Cross any longer any meaning? On the one hand there is this institution which carries out its activity of aid, which cares for those who suffer and eases their distress and, on the other hand, we can see the intention of operating destruction on a gigantic scale.

Has not the moment then come for the whole of the Red Cross to protest against these destructive weapons and to go so far as to withhold its assistance even if this were to cause some suffering?". I consider that it is for the Red Cross to intervene and to protest against these weapons and their manufacture. So long as it does not do this, it is no longer being faithful to the spirit of Henry Dunant ...."

The ICRC made a point of replying to this letter at length, by encouraging the writer to become a member of the local Red Cross branch ...." ... You will then the better understand the scope and the limitations of our organization".

The reply then explained why the Red Cross cannot intervene as this correspondent would like. ". Certainly the whole of Dunant's work was an indirect "protest" against suffering and death. But what form did Dunant give this attitude? A solemn protest, leaving no results? No. He attempted to act and to propose concrete solutions. "His protest" took the form of persuasive action, slow and unceasing, which neither setbacks nor refusals were to discourage" .... The Red Cross is doing the same.

As to the Red Cross withholding its services, the second method suggested by that correspondent, the ICRC's reply shows how inadvisable and ineffective this would be.

"In addition, the adoption of such a line resulting in causing suffering to those who are not responsible for such a state of affairs, would be diametrically opposed to the spirit of Dunant."

Failing a protest or the withholding of its services, what then can the Red Cross do in the face of this "progress" in weapon development?

This is now the opportunity for the ICRC to define an important point of doctrine. Dunant in fact did not oppose weapons as such, His message, taken up and amplified, by the Red Cross is of a different character
and in substance says this: "Whilst always waiting for war to be avoided altogether, since this is the essential purpose, men should at least agree in their armed conflicts to avoid unnecessary suffering, consequently to spare those who are "hors de combat" (wounded, sick, prisoners, the civilian population). Whatever weapons are employed (rifles, bombs or death rays) certain categories of persons must be respected. Such is the new idea which all States finally solemnly accepted at the end of the last century. But, unfortunately, it has been jeopardized with the appearance of aerial warfare, then of the atomic weapon ...".

The ICRC then pointed out that on several occasions since 1920 it requested governments to state the validity of these humanitarian principles once more, even as regards aerial warfare. Furthermore, by way of concrete proposals, in 1957 it submitted to them a draft international regulation, which laid down, in particular, as a natural consequence of these principles, the renunciation of the use of methods and weapons, termed "blind" by the Red Cross, since striking without discrimination, they reach those very persons which all are agreed to respect.

This draft has not encountered the hoped for results. Perhaps it was too technical or too detailed? The ICRC has not however allowed itself to be discouraged and it has undertaken to consult leading personalities in a number of countries who could advise it on the best way of presenting to the modern world the principles whose reaffirmation seem to it so favourable to the establishment of real spirit of peace.

In conclusion, the ICRC's reply reveals that these principles certainly cannot absolutely prevent - and who indeed could do this? - that which this correspondent fears. There is always the possibility of repercussions on a military level of the continued development of science; "but at least these principles will the better show to all, including scientists, the limits imposed by the exigences of humanity on this development, as well as or the uses of its realisation".

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Communicé issued to the press

THE ICRC TO THE RESCUE OF A SICK PERSON

No 768 of October 23, 1962

During the night of October 22 to 23, an urgent appeal reached the President of the International Committee of the Red Cross requesting him to send a new medicament as quickly as possible to a sick person undergoing treatment in a clinic in Catania (Sicily). The appeal was put on the air by the Italian Broadcasting Service and retransmitted by the Swiss Short-Wave Service. It pointed out that the earliest possible arrival of the new pharmaceutical product would be the only means of preventing the imminent death of this sick person in Catania.
The ICRC immediately made contact with the Royal Manchester Hospital, which at once communicated with the manufacturers of the required product. By chance, a representative of the factory concerned happened to be in Como and was in possession of the product in question. This he sent by air to Catania where it reached the bed of the sick person at dawn.

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CONFERENCE OF INTERNATIONAL EXPERTS AT ICRC HEADQUARTERS

No 769 of October 26, 1962

A Conference of international experts, convened to study the question of the assistance to victims of internal conflicts, held its first meeting on October 25 at the headquarters of the International Committee of the Red Cross in Geneva. The participants will study in particular the application of article 3 common to the four Geneva Conventions and endeavour to define minimum humanitarian rules to be applied "in the case of armed conflict not of an international character".

The following personalities are taking part in this consultation; Prof. Roberto Ago (Rome), Prof. Frede Castberg (Oslo), Mr. Paul Cornil, Secretary-General of the Ministry of Justice (Brussels), Prof. Nihat Erim (Ankara), Prof. Jean Graven (Geneva), Prof. Erik Husfeldt (Copenhagen), Mr. Bosko Jakovljević (Belgrade), Prof. Roger Pinto (Paris), Mr. J. J. G. de Rueda (Mexico), Prof. Georges Tènekidès (Athens), Mr. Erim le President of the commission, in whose work representatives of the ICRC are also participating.

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Continuation of the model course by Mr. Henri Coursier on the Geneva Conventions (Part. 17)

OTHER COMMON ARTICLES

There are other Articles common to the Four Conventions which also have the value of principles, apart from the Preliminary Articles we have just briefly examined.

They relate to the prohibition of reprisals against individuals (I, 46 - II, 47 - III, 13 - IV, 33), penal sanctions (I 50 - II, 51 - III, 130 - IV, 147) and the denunciation of the Conventions (I, 63 - II, 62 - III, 142 - IV, 158).
Reprisals, violations of law to retaliate against other violations of law in order to put a stop to them, remain compatible with the laws of war. But the Geneva Conventions have at least introduced the conception that reprisals cannot be exercised against individuals. Thus for example prisoners of war cannot be ill-treated in retaliation against violations of the Convention by the adversary. The common Articles relating to the problem of penal sanctions inflicted on individuals are particularly impressive.

They prepare the way in a sense for international penal law by giving the character of international crimes to breaches, which in the vernacular are often referred to as "war crimes". These Articles lay a list of "serious breaches", violations, before international conscience, which, if they remain unpunished, would imply the degradation of the personality, and strike at the very roots of the concept of humanity. "Grave breaches... shall be those involving any of the following acts, if committed against persons or property protected by the Convention: wilful killing, torture or inhuman treatment, including biological experiments, wilfully causing great suffering or serious injury to body or health, unlawful deportation or transfer, or unlawful confinement of a protected person, compelling a protected person to serve in the forces of a hostile power, or wilfully depriving a protected person of the rights of fair and regular trial prescribed in the present Convention, taking of hostages and extensive destruction and appropriation of property, not justified by military necessity and carried out unlawfully and wantonly".

The Conventions lay down that the Governments pledge themselves to enact any necessary legislation to provide effective penal sanctions for persons committing or having ordered any of these grave breaches to be committed.

They also provide that each Contracting Party shall take the necessary steps to put an end to all acts contrary to the Conventions other than grave breaches. But the Conventions especially lay emphasis on the latter by endowing all the States Parties to the Convention with penal authority in their respect. The accused person can even be brought before an international court if one were to be set up.

As a consequence of this principle of universality as regards repression, extradition is authorised whenever the State invited to do so has not itself brought the accused before its own Courts. These crimes thus coming under various possible jurisdictions are less likely to remain unpunished.

Furthermore, a clause common to the four Conventions (I, 63 - II, 62 - III, 142 - IV, 151) provides for the event in which they might be denounced. Denunciation would "in no way impair the obligations which the Parties to the conflict shall remain bound to fulfil by virtue of the principles of the law of nations, as they result from the usages established among civilised peoples, from the laws of humanity and the dictates of the public conscience".

(to be continued)
The Cuban Question

THE ICRC AND THE UNITED NATIONS' REQUEST FOR INTERVENTION

The International Committee of the Red Cross did not receive without some surprise the United Nations' request for it to exercise a control on vessels bound for Cuba. In fact, the task which it had thus been asked to undertake clearly went beyond its traditional activity. And yet the ICRC did not consider that it could refuse UNO's request. Neither did he accept straight away but delegated a mission of contact and information to New York.

Thus, the ICRC clearly showed that it was prepared to contribute to the efforts undertaken for the maintenance of peace, at a time when a grave threat of a nuclear war was hanging over the world. It is conscious that it has in this way remained faithful to the ideal of the Red Cross.

In communiqués (see p. 7) and in statements to the press, the ICRC defined its position. However, since it appears not to have always been exactly understood and, as its communiqués have even given rise to strikingly different interpretations, it considers that it will be serving a useful purpose once again to define that position.

It was the reality of a terrible threat hanging over humanity which induced the ICRC not to decline UNO's request, in spite of the unusual character of the task which had been proposed to it. In fact, it could be feared that, in the event of nuclear war, the Red Cross, placed in front of a disaster without precedent, might no longer be able to carry out its action of aid to victims with its hoped-for effectiveness. Thus the ICRC considers it to be in accordance with its essential mission to endeavour to prevent such suffering. Adopting a different attitude could have been construed by some as an abandonment on the part of the Red Cross in the face of greatest peril.

The Red Cross was created a hundred years ago to lessen the evils of war. Now, since Solferino, technical development has placed into the hands of combatants methods of destruction which have no longer anything in
common with those which had then appalled Henry Dunant. The Red Cross is obliged to adapt itself to this development.

Drawing conclusion from these observations, the ICRC considered that it would remain within the framework of its humanitarian mission by helping to avert a conflict which could have unleashed an atomic war and provoked such immense distress.

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The acting Secretary-General of the United Nations writes to Mr. Paul Ruegger

As he was about to leave New York, Mr. Paul Ruegger received the following letter from Mr. Thant, acting Secretary-General of the United Nations:

"As you are about to return to Switzerland after several days of extensive and fruitful consultations at United Nations Headquarters in, I wish to express to you my personal gratitude for the important service you and the International Committee of the Red Cross are rendering to the United Nations and the cause of peace.

My appreciation of this service is heightened by my realisation that the favourable response of the International Committee of the Red Cross to my invitation was given despite the fact that the service the organisation was being called upon to provide was unusual and unprecedented in view of the traditional activities and those based on the Red Cross Conventions. I understand, however, that the Committee was inspired in its cooperative attitude by the resolutions adopted by International Red Cross Conference of recent years encouraging the Red Cross to develop its efforts towards maintenance of peace.

I am sure that the willingness of the Committee, which has such a long and distinguished record of assistance to mankind in various humanitarian fields, was due to its recognition that the prevention of nuclear war must be a paramount concern of all of us.

Will you be so kind as to convey to the Committee the thanks of the United Nations for their fine attitude of cooperation in an hour of very grave need".

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The Sino-Indian conflict

A DELEGATE OF THE ICRC AT NEW DELHI

After a stay of some weeks in Geneva where he reported to the Committee on the activities in progress in various countries of Asia, Mr. A. Durand is returning to the Far East, where he is ICRC delegate general.

His first stop will be New Delhi where he is to examine with representatives of the Government and the Indian Red Cross, various problems relative to the application of the Geneva Conventions in the Sino-Indian conflict, particularly in the field of assistance to prisoners.

Laos

ICRC AID TO REFUGEES, INTERNEES AND THE SICK

The ICRC delegate in Laos, Mr. J. Ruff, is continuing distributions of foodstuffs to the Laotian refugees in the Mekong valley. Near Louang Prabang, groups of Kham and Meo refugees, who arrived in the region less than 3 months ago and who have not previously been supplied with relief, have now received wheat, powdered milk, oil and clothing. Blood plasma and children's foodstuffs have been handed over to the hospital at Louang Prabang and the Mahosot hospital at Vientiane. The delegate has also sent relief supplies to the political detainees interned in the camp at Savannakhet. Several representatives of the Ministry of Health and of the Laotian Red Cross took part in these distributions.

Japan

REPATRIATION OF KOREANS

The Red Cross Societies of Japan and of the Democratic Republic of Korea, have agreed to continue for one year the agreement regarding repatriation of Koreans established in Japan. This agreement, signed in Calcutta in 1959, expired on November 12. It has enabled nearly 78,000 Koreans who expressed the desire to do so, to return to North Korea in vessels chartered by the latter country. Because repatriation operations will be continuing, the
ICRC has agreed to the Japanese Red Cross Society's request to maintain its special delegation in Japan for one more year. It should be remembered that its mission is principally to ensure that the decision of those who leave is a result of their own free will.

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Algeria

THE ICRC AND THE PROBLEM OF FORMER HARKIS

The steps taken by the ICRC delegate in Algiers, Mr. Vust, to obtain permission to visit the former Harkis detained in various camps in Algeria have not yet met with any success. On November 7, therefore, the ICRC wrote direct to the President of the Algerian Council, Mr. Ben Bella, to confirm to him the Committee's earnest desire to carry out its traditional humanitarian mission on behalf of this category of persons.

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Gift of medical supplies to the Mustapha Hospital

Through the intermediary of the ICRC, the Swiss Confederation has made a gift/stock of 143 kilos of antibiotics to the Mustapha Hospital in Algiers. These medical supplies were handed over to the Algerian authorities during a brief ceremony attended by the Swiss Ambassador, Mr. Studer, a Ministry of Health representative, Mr. Bouderbah and the ICRC delegate, Mr. Vust.

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Congo

RELIEF CONSIGNMENT FOR POLITICAL DETAINES

The ICRC has instructed its delegation in the Congo to distribute reading matter to a group of political detainees in Leopoldville Prison, as a result of wishes expressed by the prisoners during visits which the ICRC delegates were recently authorized to pay them.

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Greece

THE ICRC CONTINUES ITS ASSISTANCE TO POLITICAL DETAINEES

A second consignment of 10 tons of powdered milk from dairy surplus placed at the ICRC's disposal by the Swiss Confederation has been sent to the Greek Red Cross for needy families of political detainees in Greece.

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Following an important meeting of experts

THE INTERNATIONAL COMMITTEE OF THE RED CROSS
AND ASSISTANCE TO VICTIMS OF INTERNAL CONFLICTS

During the seven years in which Algeria was ravaged between 1954 and 1961, the International Committee of the Red Cross was authorized by the French Government to visit detainees in prisons or camps, and carried out more than fifteen missions to this effect. It also tried to carry out the same tasks on the rebel side.

In 1957, the British Government authorized ICRC delegates to visit detainees camps in Kenya.

In 1954, during the disturbances which led to a change of Government in Guatemala, the ICRC gave its support to the National Society, which was able to do most useful work in helping the victims.

One could quote many more positive examples. However, in the troubled world of today, there remain many cases where the International Committee of the Red Cross cannot intervene or can only partially intervene. These cases are too numerous to mention.

In these internal conflicts, the ICRC's legal "weapon" is article 3 common to the four Geneva Conventions, which calls for the observance of a minimum of rules in the case of "armed conflict not of an international character" and which authorizes the ICRC to "offer its services" to the Parties to the conflict.

The question to be asked is not only what can and must be done to obtain greater results, but also what can and must be done to guarantee the results obtained and to extend them to a wider, more universal and more definite level.

This was the question put to a group of nine international experts and three representatives of National Societies, who were joined by three
members of the ICRC. The Commission first made a thorough survey of the idea of "armed conflict". Its existence, within the meaning of article 3, cannot be denied if the hostile action directed against a legal Government presents a collective character and a minimum of organization. In this respect, and without the circumstances necessarily being cumulative, account should be taken of elements such as the duration of the conflict, the number and officering of rebel groups, their installation or their action on part of the territory, the degree of insecurity, the existence of victims, the means used by the legal Government to re-establish order, etc.

Furthermore, and this is of particular importance, the humanitarian action should in no event be limited to the period of hostilities, but it must also extend, once the fighting is over, to situations arising from the conflict in the same way that a doctor looks after his patient following an operation, until recovery is complete.

With regard to the application proper of the norms of humanity prescribed by article 3, it necessarily implies the recognition and respect of the emblem of the Red Cross and its conditions of use, as well as the respect for the principles of medical secrecy and the neutrality of medicine. It is forbidden to take any penal, administrative or other measures against doctors, nurses or members of the medical personnel, for having treated persons alluded to by article 3. Restrictions on the sale and free circulation of medical supplies used exclusively for therapeutical purposes are contrary to the obligation to dispense medical care without discrimination.

But, in this field, it is not only a question of medical care. The prohibition of taking hostages implies the condemnation of any idea of collective responsibility.

As for persons interned or detained, the status of prisoner of war has frequently been accorded to combatants taken while armed. Whether it is a question of this latter category or of persons detained or interned for other motives, the Parties have an obligation to allow and facilitate the visits of ICRC delegates, news of families, correspondence and relief, whether the latter be of a legal, religious, intellectual or material nature.

Moreover, whatever views the Parties to the conflict may have with regard to the applicability of article 3 of the Geneva Conventions to the situation under consideration, the right of initiative of the International Committee of the Red Cross remains. It presents an objective character and must be exercised in the name of, and in the interests of, the universal international community. That is to say, it cannot be denied it in cases of internal disturbances during which the presence and action of the ICRC are essential to ensure respect for the humanitarian principles defined by the Geneva Conventions. This is particularly valid as regards the action on behalf of civilian detainees, which is also based on the United Nations Charter and the Universal Declaration of the Rights of Man.

In such a heavy task, the ICRC could not do without the support of the National Red Cross Societies. Humanitarian protection in cases of internal, as well as international conflicts, figures anyway amongst the tasks of
these Societies, which must therefore prepare themselves, in time of peace, for this difficult mission, amongst other things, by adopting a structure capable of resisting, in every possible way, the upheavals of a war or civilian war; decentralisation, representative and broad character of the national and regional committees, preparations with a view to setting up ad hoc committees in times of crisis, the requirements of independence and impartiality with respect to Governments. In any case, it is unthinkable that members of National Societies should be troubled and, even more so, that they should be detained as a result of their humanitarian action during a conflict.

In such a sphere, there could be no division of powers between the International Committee of the Red Cross and the National Societies. For one thing, the principles and humanitarian protection can, and must be, evoked and put into operation by the ICRC in all circumstances and, for another, the moral support and the technical assistance which the ICRC (or the League, should the occasion arise) gives to the National Societies in this field, are particularly valuable. The International Committee will always be justified in maintaining with a non-recognized Red Cross organization all contacts which it may deem useful on a strictly humanitarian level. These contacts will naturally have no effect on the legal status of the organization concerned.

Having thus set out the state of international humanitarian law, customary and agreed, as it is in operation at the moment, the Commission expressed the hope that those conclusions and observations could one day figure among the records of a Diplomatic Conference, which might be called to revise the Geneva Conventions on this point.

Jean de Preux

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Communique issued to the press

THE ICRC AND THE CUBAN QUESTION
No 770 of November 5, 1962

Mr. Thant, Acting Secretary-General of the United Nations, with the agreement of the United States of America and of the Soviet Union, has requested the International Committee of the Red Cross in Geneva for its assistance by visiting vessels on the high seas bound for Cuba. On the other hand, the ICRC has been assured through the United Nations, that the Cuba Government would accept such a form of control. This operation would be expected to continue for about one month and would be entrusted to some thirty inspectors which the ICRC would undertake to recruit.

The ICRC observes that this is a task outside the conventional and traditional scope of its humanitarian mission. However, in the best interest
of peace, recognized by the last assemblies of the Red Cross as being one of the organization's principles of action, and with the desire to spare mankind suffering which it has attempted to alleviate during the course of international and civil wars, the ICRC could consider lending its good offices to the United Nations. Nevertheless, it would be unable to undertake any action without the formal agreement of the three parties concerned. Furthermore, the ICRC could not assume direct responsibility for the proposed operation, which would remain within the competence of the United Nations and the States concerned. The International Committee's contribution would consist chiefly in recruiting personnel charged with visiting the vessels. The carrying out of this control should conform to the general principles of the Red Cross.

The ICRC has requested its former President, Mr. Paul Ruegger, to proceed to New York to make contact with and obtain information from the Secretary-General of the United Nations as well as the representatives of the States concerned. The ICRC's definite decision will depend upon the result of this mission.

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THE ICRC OFFICIALLY RECOGNIZES TWO NATIONAL SOCIETIES
No 771 of November 8, 1962

The International Committee of the Red Cross has just pronounced official recognition of two National Red Cross Societies, that of Upper Volta and of Sierra Leone. Officially recognized National Societies now number 90, of which 13 are on the African continent.

The Volta Red Cross has inherited its organization from the French Red Cross. Divided into nine local committees, it exercises its activity throughout the whole country and in particular maintains several orphan homes, six dispensaries, first-aid schools which have already trained 300 students, as well as an anti-tubercular committee. It is also working on disseminating Red Cross principles and the Geneva Conventions in schools.

The Sierra Leone Red Cross for its part is descended from the British Red Cross. It consists of four local branches which work in the following fields: first-aid, distribution of milk to children, assistance to the tubercular, blood transfusion and the training of medical personnel.

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ICRC APPEAL ON BEHALF OF DISPERSED FAMILIES
No 772 of November 9, 1962

As a result of conflicts and tensions prevailing in different parts of the world, many families are still dispersed. The desperate efforts they attempt to become reunited by their own initiative and only too often in tragedy.

During the past 12 years the International Committee of the Red Cross has actively contributed towards re-establishing the union of many dismembered families. Thus about five hundred thousand persons, in possession of all the necessary permits, have been able to traverse frontiers which had hitherto been closed to them, and to find their own close relatives once more, thanks to the understanding shown by National Red Cross Societies and the governments concerned. Several tens of thousands of other persons, however, are waiting to be able to do the same and their requests flow in daily to the headquarters of the International Committee of the Red Cross.

No one should remain indifferent to the suffering caused by such separation. The ICRC therefore seized the opportunity offered by the recent meetings in Geneva to examine this question with the delegations of several National Red Cross Societies. Together they tried to find ways in which the Red Cross could bring a practical contribution towards solving this problem, chiefly in cases of those countries which do not maintain diplomatic relations with each other.

Basing itself on the results which have already been achieved in several countries, the ICRC appeals to the competent authorities to take concrete measures in favour of the reuniting of dispersed families in a place of their own choice.

In the meantime, or failing such a regrouping taking place, towards which all efforts should essentially tend, the International Committee suggests that members of the same family, who express their desire to do so, be authorized to meet each other at regular intervals at a place to be decided upon, each one then returning whence he came. The ICRC offers its services to the appropriate authorities to study methods for the realization of these meetings.

By making this appeal, the International Committee of the Red Cross is speaking for men, women and children separated from those closest to them, who no longer intend remaining the innocent victims of disagreements for which they can in no way be held responsible.

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Mr. RUEGGER'S REPORT TO THE ICRC
No 773 of November 13, 1962

The International Committee of the Red Cross has held a plenary meeting to hear the report of its former President, Mr. Paul Ruegger, on the mission entrusted to him by the Committee. It has noted with satisfaction the atmosphere of confidence in which the Committee's envoy discussed matters with the acting Secretary-General of the United Nations, with members of his staff and with the representatives of the three Powers directly concerned in the Cuban question.

The good offices which the ICRC has considered lending to the United Nations, at Mr. Thant's request, in circumstances of exceptional gravity, were the subject of numerous discussions in New York. These enabled the United Nations to understand more precisely the contribution which the Geneva Committee could offer them, and the ICRC to appreciate more clearly the extent of the help which would be asked of it. The ICRC's rôle would consist essentially in appointing a team of inspectors who would operate under the authority of the United Nations, without the ICRC assuming responsibility for the action. The instructions which would be given to the inspectors by the United Nations would, in any case, conform to Red Cross principles. It was also agreed that eventual action by the ICRC would be based on previous consent being given by the three States concerned.

The methods of control have still to be clarified in the course of future discussions. The exchange of communications between the acting Secretary-General of the United Nations and the ICRC will be continued to this effect during the forthcoming days.

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In view of the considerable amount of material, the continuation of Mr. Henri Coursier's "Course of five lessons on the Geneva Conventions" has been postponed until the next number of our bulletin.
The Cuban question

A LETTER FROM MR. THANT TO THE PRESIDENT OF THE ICRC

The International Committee of the Red Cross will not have to carry out the mission of control which UNO had proposed to it in the Cuban question. In fact Mr. Léopold Boissier has received the following letter from Mr. Thant, Secretary-General of the United Nations:

"I have been wanting to write to you since Mr. Ruegger and Mr. Borsinger left New York, to thank you for the consideration you gave to my request at a time of grave international crisis, and for the promptness with which you acted in sending Mr. Ruegger and Mr. Borsinger to New York to discuss the problem with us in greater detail. I have already expressed my appreciation to Mr. Ruegger personally, and I shall be grateful if you would once again convey my appreciation and gratitude to him and Mr. Borsinger.

It seems to me however, that, with the lifting of the quarantine imposed by the U.S.A., which was announced by the President of the United States last Tuesday, the question of calling upon the good offices of the ICRC in connection with the Cuban crisis, as originally envisaged, is no longer necessary. I hope you will agree with this view, and let me conclude once again by thanking you and your colleagues in the ICRC for your co-operation in this instance. I look forward to our continued co-operation in the future".

This letter, which reflects the change which has taken place in the International situation, thus puts an end to the exchanges of views between the ICRC and UNO in this matter. On this occasion, it should be pointed
out that the ICRC would not have intervened unless three essential conditions had been met: agreement by all the parties concerned, the immediate danger of a nuclear war, and finally, the possibility of undertaking an effective and useful inspection of vessels bound for Cuba.

The request which UNO had made to it roused very keen interest in the press throughout the world which, generally speaking, demonstrated the deep feelings of attachment by international opinion towards the Red Cross and the ICRC, its founding body.

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Sino-Indian conflict

NEW DELHI AND THE APPLICATION OF THE GENEVA CONVENTIONS

As we already briefly mentioned in our previous bulletin, Mr. Durand, delegate general of the ICRC in the Far East, went to New Delhi on November 15 in order to discuss with the Indian authorities and Red Cross the various humanitarian problems arising from the Sino-Indian conflict.

On the day after his arrival he was received, in company with the Secretary-General of the Indian Red Cross, by Mr. Nargolwala of the Ministry of Defence. The latter informed him that the Indian Government, whilst continuing to maintain diplomatic relations with the Chinese Government, nevertheless considered that the situation existing in the frontier regions justified the application of the four Geneva Conventions for the protection of the victims of war, Conventions to which China is also a Party.

Consequently, the Indian Government has given the necessary instructions to the military command and has taken various measures of a practical nature deriving from the Geneva Conventions. It has thus decided to set up a National Information Bureau, which will transmit to the Central Tracing Agency all information relative to military personnel, captured, missing or deceased. In accordance with custom, the ICRC has been charged with the centralization and the transmission of this information. The Government in New Delhi has also requested the ICRC to carry out its traditional humanitarian mission on behalf of prisoners: visits to camps, despatching of relief, etc.

Afterwards, the authorities having proceeded to intern Chinese nationals or those of Chinese origin resident in Assam and the five frontier districts of West Bengal, Mr. Durand made further representations in order to visit them.

Following on a request made by the Indian Red Cross, the ICRC placed warm clothing for the war wounded at its disposal. It also made
contact with various other National Societies to inform them of the Indian request and requested them to respond to this within the bounds of their possibilities. The Indian Red Cross, on the other hand, asked the League of Red Cross Societies and the ICRC for their aid on behalf of 18,000 Indians evacuated from the North-East frontier regions and who had taken refuge in Assam. The two international Red Cross institutions reached agreement to appeal to the generosity of National Red Cross Societies on behalf of the wounded and sick, refugees and interned persons.

At the same time, the ICRC has continued to make representations to the Chinese authorities and the Red Cross, in order to obtain news of recently captured Indian troops. On November 16, the Chinese Red Cross confirmed the capture of 927 prisoners, several of whom were allowed to telegraph to their families. Furthermore, 53 wounded prisoners are shortly to be released and handed over to the Indian Red Cross. On the other hand, a nominal roll of Indian prisoners in Chinese hands is still awaited.

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Nepal

FOOD AID FOR TIBETAN REFUGEES

In October, the Delegation of the International Committee of the Red Cross at Kathmandu, which is carrying out an action on behalf of the Tibetan refugees in Nepal, took delivery of a preliminary consignment of foodstuffs supplied by the United States Government. These supplies consisted of 35 tons of wheat, wheat flour, powdered milk and vegetable oil, and were forwarded through the Catholic Relief Mission in India, at Bhairawa in Terai. From there, the foodstuffs were flown to Pokhara, where the ICRC has a central depot. These supplies are being used for the transit camp at Hyangya, which houses about 440 refugees, and at the agricultural colony at Dhor Patan, where there are 350 refugees. The Pilatus-Porter aircraft of the ICRC ensure transport from Pakhara to Dhor Patan.

The ICRC Delegation is waiting for further supplies of foodstuffs and will distribute them during the coming months.

The Nepal International Tibetan Refugee Relief Committee, whose headquarters are at Katmandu, has also sent the ICRC a further donation in kind, comprising 3,000 kilos of "Multipurpose food". This protein and vitamin-rich food is greatly appreciated by the refugees.

A gift of 6,000 kilos of powdered milk of the Swedish Red Cross has also arrived at Kathmandu. This milk will be used in a "drop of milk" campaign amongst needy Tibetan school children.

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Laos

RELIEF HAND-OVER AT MUONG HIEM

The ICRC delegate in Laos, Mr. Jacques Ruff, is continuing relief distributions to refugees and disaster victims. He recently went to an isolated village in the north of the country to distribute foodstuffs and medical supplies. Here are some extracts from his report:

"With this operation begins the first stage of a tour which I am hoping to undertake in different areas of the northern zone and which should take me successively to Muong Kheung, Tha Thom, Nhommarat and the Jarres Plain. These various journeys will be made on board a "Beaver" aircraft belonging to the neutralist forces and piloted by Squadron Leader Keuang Boriboun. There are only two of us on board and we can carry a relief load of 500 kilos.

Muong Hiem is a charming village of 300 inhabitants situated in enchanting countryside, isolated at the end of a basin on one of the banks of the Nam Khan river right on the frontier of the provinces of Xieng Khouang and Luang Prabang.

The only means of communication are paths. There is no doctor for this region, which contains 45,000 inhabitants, only one young male nurse who has to do the best he can with the means at hand. In view of his extreme youth I was perturbed at handing him the medical supplies which I had brought. As he spoke a little French he reassured me by affirming that he knew them and would know how to administer them conscientiously. The other relief supplies were handed over to the head of the region, in whose house they have been stored and they will be shared amongst the needy under his responsibility. The head of this village and one or two other people were carried off, eight months ago, by the Meo who, since then, have kept them prisoner in their mountain lair, a day's march from Muong Hiem. This village is never visited by strangers. From time to time a plane lands there and the arrival of a Red Cross delegate therefore aroused good-natured curiosity.

We were welcomed by a group of soldiers wearing the classic red beret which distinguishes the armed forces of Prince Souvanna Phouma.

The village is clean and the houses are straw huts and wooden huts. The population lives very frugally from locally grown produce and from not very abundant livestock. It cannot be revictualled from outside. The few supplies handed over to the head of the region are therefore much appreciated".

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Between Indonesia and the Netherlands

FAMILY MESSAGES TRANSMITTED

The resumption of postal relations between Indonesia and the Netherlands will put an end to the exchange of family messages which the Central Tracing Agency had to organize at the beginning of 1962. The termination of this action is a good moment to recall that from January to November of this year the Central Agency forwarded 3,125 messages to Indonesia and 1,272 to the Netherlands.

It should be remembered in this respect that when circumstances require, particularly following the suspension of postal services between two countries, the ICRC offers to forward family messages. Forms to be filled in, the model for which has been drawn up by the International Committee, are placed at the disposal of those concerned by the National Societies, which then send them to the Central Agency which, in turn, forwards them to the National Society of the receiving country. The replies, written on the back of the forms in question, travel the same route in the opposite direction.

In this way, families can avoid any anxiety which they might be caused by the interruption of postal services as a result of events.

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Iraq

BRITISH SUBJECT RELEASED

Following on the request addressed to it by the International Committee of the Red Cross, the Command of the insurrectional Kurdish forces in Iraq recently released one of its prisoners, a British employee of the Iraq Petroleum Company, Mr. D.C. Dankworth, who had been captured during the night of 10 to 11 October last by Kurdish elements. Mr. D.C. Dankworth was released at the Iranian frontier and immediately returned to London.

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Conflit in the Yemen

ICRC MISSION IN THE MIDDLE-EAST

An ICRC delegate, Mr. Pierre Gaillard, left Geneva on No­

vember 14 to visit several capitals in the Middle-East. His special mission

will be to examine with officials various humanitarian problems raised by

the conflict in the Yemen and to take steps relative to the application of the

Geneva Conventions by the two parties to the conflict.

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Hungary

INDEMNIFICATION OF A FURTHER GROUP OF VICTIMS OF PSEUDO-MEDICAL EXPERIMENTS

The ICRC has taken the necessary measures for 105 Hungarian

nationals who, during the war, were victims of pseudo-medical experiments

carried out in the concentration camps to be paid the indemnities fixed by the

Commission of neutral experts which met at ICRC headquarters last Sep­

tember. A preliminary group of 62 victims benefited from similar payments

in December 1961.

These funds have been placed at the ICRC's disposal by the

Government of the German Federal Republic to be distributed to the survivors

of pseudo-medical experiments residing in countries with which the Federal

Republic does not maintain diplomatic relations.

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American Continent

THE ICRC AT THE PUERTO RICO CONFERENCE

Two observers from the International Committee of the Red

Cross, Mr. Pierre Jequier and Mr. Henri Coursier, took part in the VIIth

Inter-American Red Cross Conference held in San Juan de Puerto-Rico, from

November 4 to 10. All American National Red Cross Societies were represented

with the exception of that of Cuba. Furthermore, delegates of the Honduras,

Jamaica and Trinidad branches of the British Red Cross, as well as the
Martinique branch of the French Red Cross, were at the meeting. The opening plenary session took place on November 4 in the presence of the Governor of Puerto Rico and the Mayor of San Juan. Miss Marguerite Hickey, Vice-President of the Board of Governors of the American Red Cross, occupied the presidential chair.

Among the speakers, the ICRC representatives called attention to the importance of this conference for the Red Cross in the American hemisphere.

The work was then continued in committees which dealt with the following questions; voluntary Red Cross service, relief in case of natural disaster, nursing, medico-social activities, junior Red Cross, finance, liaison and information.

The three final plenary sessions enabled all participants to take note of and appreciate the work carried out by these committees. The Secretary-General of the League presented a general report on the activities of this federation.

The ICRC observers also presented a report, in plenary session, on the application of the Geneva Conventions in non-international conflicts. This was of great interest to the representatives of the National Societies, several of which had already had occasion to carry out their work in co-operation with the ICRC during internal disturbances.

During the last plenary session the assembly unanimously adopted two motions expressing the sympathy and support of the Conference for the ICRC, then being requested by the United Nations to carry out a difficult task in the maintenance of peace, during the Cuban crisis.

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The following is the text of the communiqué released to the press on December 3, 1962 by the Commission for the Red Cross Centenary in Switzerland:

CENTENARY CONGRESS OF THE INTERNATIONAL RED CROSS

A "Centenary Congress of the International Red Cross" will be held in Geneva, "cradle city of the Red Cross", from August 27th to September 10th, 1963. For this occasion, the United Nations is making available to the Red Cross, the use of its Assembly Hall, other meeting rooms and facilities, in the Palais des Nations.

The Centenary Congress will be held in place of the XXth International Conference of the Red Cross, which has been postponed for two years. Only Red Cross representatives will take part in the Congress. The three
institutions host to the 1963 Meetings are the International Committee of the
Red Cross, the Swiss Red Cross and the League of Red Cross Societies.

Two separate sessions will comprise the Centenary Congress. The first, commencing on August 27th, will be the 27th Session of the Board
of Governors of the League of Red Cross Societies, which finishes on August
31st. The second is a meeting of the Council of Delegates of the International
Red Cross, which is composed of the representatives of the over 90 duly re-
cognized National Red Cross, Red Crescent and Red Lion and Sun Societies,
from September 2nd to 10th. The Council of Delegates will consider questions
which were on the Agenda of the XXth International Conference of the Red
Cross, with the exception of those statutorily reserved to that body.

During the period August 15th to September 15th several other
international events to mark the Red Cross Centenary are also scheduled to
be held in Geneva and other Swiss cities. An official Centenary Commemorative
Day Programme on September 1st, 1963, Seminars, International Centres
for Nurses and First-Aiders, a World Conference of Educators and an Inter-
national Exhibition of the Red Cross are being arranged.

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Continuation of the model course by Mr. Henri Coursier
the Geneva Conventions (Part. 18)

THE GENEVA CONVENTIONS AND THE PRINCIPLES OF THE RED CROSS

The principles of the Geneva Conventions are bound up with the
principles of the Red Cross.

This is clear in the light of the role played by the Red Cross
movement, and especially the International Committee of the Red Cross, in
preparing the texts which today codify the Geneva Laws.

What it has been agreed to term the Red Cross Principles(See J.S. Pictet, "Red Cross Principles", Thesis, Geneva 1955) can therefore quite
rightly be referred to as the elements from which the principles of the Geneva
Conventions were drawn.

In accordance with the terms of a meeting of the Board
of Governors of the League of Red Cross Societies (Prague, September 1961)
in which the representative of the International Committee of the Red Cross
took part as experts, the following declaration of Red Cross Principles will
be submitted for the approval of the International Conference of the Red Cross
(the periodical deliberative assembly of the organisation) to be held in Geneva
in 1963, the Centenary year of the Red Cross.
Declaration of Red Cross Principles

**Humanity**
The Red Cross, born of a desire to bring assistance without discrimination to the wounded on the battlefield, endeavours - in its international and national capacity - to prevent and alleviate human suffering wherever it may be found. Its purpose is to protect life and health and to ensure respect for the human being. It promotes mutual understanding, friendship, co-operation and stable peace amongst all peoples.

**Impartiality**
It makes no discrimination as to nationality, race, religious beliefs, class or political opinions. It endeavours only to relieve suffering, giving priority to the most urgent cases of distress.

**Neutrality**
In order to continue to enjoy the confidence of all, the Red Cross may not take sides in hostilities or engage at any time in controversies of a political, racial, religious or ideological nature.

**Independence**
The Red Cross is independent. The National Societies, while auxiliaries in the humanitarian services of their governments and subject to the laws of their respective countries, must always maintain their autonomy so that they may be able at all times to act in accordance with Red Cross principles.

**Voluntary Service**
The Red Cross is a voluntary relief organisation not prompted in any manner by desire for gain.

**Unity**
There can be only one Red Cross Society in any one country. It must be open to all. It must carry on its humanitarian work throughout its territory.

**Universality**
The Red Cross is a world-wide institution in which all Societies have equal status and share equal responsibilities and duties in helping each other.

The combination of the Red Cross Principles and those of the Geneva Conventions leads to the shaping of certain doctrines whose consequences are of the greatest importance. Thus there is the Max Huber Doctrine, which still represents the opinion of the International Committee of the Red Cross, according to which each party to a conflict should benefit from the Geneva Laws, even the aggressor, in the event of his being legally designated by the Security Council or the Assembly of the United Nations. Some legal experts have raised the question as to whether in such an event the aggressor could not be denied the benefit of the Geneva Laws, as a punishment. The
answer of Max Huber is against this idea, for "it would in no way modify the
deporable situation constituted by hostilities contrary to the regime of
collective security; it could only render them still more atrocious".(Max Huber;
Quelques considérations sur une Révision éventuelle des Conventions de La
Haye relatives à la guerre. Revue international de la Croix-Rouge, juillet
1938, p. 433).

But it is not only on the occasion of war or internal disturbances
that the spirit of the Geneva Conventions can be invoked for the good of
mankind. This spirit indeed retains its value also in peacetime, for in reality
it is a pacific spirit, since the Geneva Conventions result in extending peace
even into war, by the maintenance of the minimum of humanity they require.

Hence, faithful to the spirit of the Geneva Conventions, those
who devote themselves in peacetime to expending the activities of the Red
Cross by assisting invalids, orphans, the sick and all victims of the conse­
quences of war, quite naturally turn their attention to social work in their
own countries and to international mutual assistance, especially on the occasion
of natural disasters.

This makes it easier to understand how the principles and
spirit of the Geneva Convention, after having helped to humanize warfare
and then to appease conflict, remain a basic factor of human fellowship.

(to be continued)
Sino-Indian conflict

THE ACTION OF THE ICRC ON BEHALF OF INTERNED CIVILIANS
AND MILITARY PRISONERS

On December 12 the delegate of the ICRC in the Far East, Mr. André Durand, visited Deoli camp near Kota, between Delhi and Bombay, in which about 2,000 Chinese civilians were interned.

On December 19, the Chinese forces released 360 Indian wounded prisoners and sick at Dirang Kzong, in the extreme North East region of India. On this occasion, the Indian Red Cross handed to the representatives of the Chinese Red Cross 2,000 relief parcels destined for Indian prisoners in Chinese hands. The Chinese Red Cross has reported the despatch of 2,000 parcels of food and clothing for interned Chinese in India.

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Contributions from National Societies

In response to an appeal launched on December 4 and 5 by the League of Red Cross Societies, in co-ordination with the ICRC, on behalf of civilians evacuated from the North East frontier regions, of Chinese interned civilians, as well as of wounded and sick of the armed forces, the Canadian Red Cross announced a donation in kind of 5,000 dollars. The Australian Red Cross has decided to despatch a consignment of powdered milk and multivitamins to a total value of 500 pounds sterling. For its part the New Zealand Red Cross is contributing a sum of 200 pounds.

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Laos

FURTHER VISIT TO DETAINNEES

The delegate of the ICRC in Laos, Mr. Jacques Ruff, has announced that he has been authorized to make, during the last days of the year, a further visit to civilian and military detainees in the camp of Savannakhet. The resolution formulated by all those taking part in the Expert Commission which met at the ICRC in Geneva, at the end of last September, served as a basis for the representations which had been made for this visit.

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Japan

ICRC DELEGATES ON A TOUR OF INSPECTION

The members of the special mission of the ICRC in Japan, paid visits in November and December to local committees of the Japanese Red Cross and the authorities of a number of provinces. During the course of this journey, they informed themselves about conditions under which Koreans in Japan can register for repatriation to the People's Democratic Republic of Korea. They assured themselves that all persons concerned were able to make their own decisions in all liberty.

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German Federal Republic

VISIT TO POLITICAL DETAINNEES

During the course of his brief mission in the German Federal Republic in mid-December, Mr. H.G. Beckh, delegate of the ICRC, visited four prisons, where he spoke freely and without witnesses with sixteen political detainees.

The respective authorities of the Hamburg and North Rhine-Westphalia Länder made everything possible to facilitate these visits.
In Hamburg, Mr. Beckh was received by Mr. H. Thomsen, former Minister and President of the Hamburg Regional Committee of the Geneva Red Cross in the Federal Republic. He was thus able to obtain information about that branch's very extensive activities.

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The Puerto Rico Conference

THE NATIONAL SOCIETIES AND INTERNAL DISTURBANCES

The measures to be taken by the National Red Cross Societies in the event of civil war and internal disturbances were the subject of an important speech by Mr. Henri Coursier, Adviser in the Legal Department of the International Committee, at the 7th Inter American Red Cross Conference held in Puerto Rico at the beginning of November. This speech contained numerous indications on the way in which National Societies should organize themselves to be able to carry out their action in the event of serious disturbances. As Mr. Coursier pointed out in particular, their leaders must very strictly abstain from all political activities; the National Society must endeavour to conclude agreements with the Government assuring it of the means of carrying out its humanitarian action in co-operation with the armed forces and with the support of the police and the authorities; it must also be able, whatever the situation, to have at its disposal the essential means of transport and anticipate the general outlines of its action on behalf of the victims.

After the Puerto Rico Conference, Mr. Coursier went on to the United States, at the request of the American Red Cross, to explain to numerous people and to several important chapters (San Francisco, Denver, St. Louis and Washington) the present position of the ICRC and its activities within the framework of the Geneva Conventions.

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ICRC HEADQUARTERS

Influx of visitors in 1962

More than 1,800 people visited the Headquarters of the International Committee of the Red Cross in 1962, and the organization, in welcoming these guests, took the opportunity of informing them and documenting them on its past and present activities. Numerous meetings were organized for them with ICRC officials specializing in the various fields likely to be of particular interest to them. The groups of visitors had frequent opportunities to hear talks
on the history and work of the ICRC and of the Geneva Conventions.

Several National Red Cross Societies took the initiative, this autumn, of sending members of their Central Committee to Geneva for study visits of several days at the ICRC and the League of Red Cross Societies. It was thus that the ICRC was pleased to welcome Mr. A. Diop, Secretary-General of the Senegalese Red Cross, Mr. B. T. Dovi, Secretary-General of the Togolese Red Cross and Mr. A. Momboulou, Secretary-General of the Congolese Red Cross (Leopoldville).

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THE INTERNATIONAL COMMITTEE OF THE RED CROSS AND ITS HISTORY

Since its foundation a hundred years ago, the International Committee has continuously brought relief to war victims. To fulfil this particular vocation, it has sent delegates all over the world, who have intervened, frequently at great personal risk, between the armed and the unarmed, detainer and detainee, combatant and wounded, the strong and the weak.

In order to carry out its action more effectively and to ensure its smooth running, the Committee has, right from the outset, felt the need to fix and define its doctrine which belongs to the whole of the Red Cross. Gustave Moynier, its first President, laid the foundations, which Max Huber and then Jean Pictet have built upon. What they have provided is an instrument of work, a kind of formula of action, a pledge of endurance.

But the Committee has never rested on its laurels. Only now, with its Centenary approaching, has it realized that its history still remains to be written.

It is worth writing and not only because it throws light on the history of all the National Societies, and all the other Red Cross institutions, but because the history of the Committee is also a particular approach to the whole of history. It begins with A Memory of Solferino. This book caused a sensation because it showed war in an unusual light. It depicted the other side of war, the dark and unknown side.

Since 1869, innumerable conflicts have arisen. Almost without interruption, the Committee has carried on a work to which millions of men owe their lives without knowing it. In fact, the Committee is a silent witness and a discreet actor. In preparing to open its archives, it is perhaps departing somewhat from a course of conduct from which it has rarely swerved. But in the interest of the victims of war, it has a duty not only to make itself better known but to give a perpetual reminder of what war is, viewed from close quarters.
The rôle of the Committee has been immense in the field of the law of war, of which it is the most fruitful source. Through the Geneva Conventions, it is also its influence which makes itself felt, some of its spirit which penetrates the closed world of barbed wire and watch towers. This action through law holds a big place in the history which the Committee is going to make available to what it hopes will be a large public.

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Continuation of the model course by Mr. Henri Coursier

the Geneva Conventions (Part. 19)

THE WOUNDED AND SICK

(First and Second Geneva Conventions of August 12, 1949)

The respect for soldiers who have fallen in battle dates back to antiquity. As regards tending the wounded it should be recalled that Pyrrhus, King of Epirus, who was victorious over the Romans at Heracles and Asculum (280, 279 B.C.) arranged for the wounded to be collected and the dead to be buried after each battle. This generous attitude can be compared with that of King Açoka who at about the same time conquered Central India and converted it to Buddhism. When his triumphal chariot was driving over the last battlefield he heard the cries of the dying and noticed several "gautanis" (Buddhist nuns) looking after the wounded. Moved by this sight he gave orders to his troops to respect the wounded to whichever side they belonged and to help those caring for them (See Jules Bloch - "Les inscriptions d' Açoka", Paris, 1951). As far as Rome was concerned, the laws of war were softened under the influence of the philosophers of the Stoics in particular. The noble saying quoted by Buret: "Hostes dum vulnerati fratres" already forecasts the famous "Tutti fratelli" of the women of Solferino, who after the battle cared with the same devotion for their own wounded compatriots, French allies and Austrian enemies.

In the Middle Ages, the Order of the Knights of St. John of Jerusalem, whose statutes were regularized in Rome in 1113 and which was to become the Order of Malta from its beginning consecrated itself to caring for the wounded and sick. After the recapture of Jerusalem from the Crusaders in 1187, Saladin, who was a magnanimous victor, authorized the Knights to treat the wounded of the Christian army.

This chivalrous attitude is not unlike the Bushido "code of military honour" of old Japan (See Jugi Enomoto, "La naissance des idées humanitaires au Japon", Revue internationale de la Croix-Rouge, 1956, pp. 496 et seq.).
From the end of the XVIth Century in Europe, quite a number of Conventions were concluded between belligerents, "cartels" for the exchange and ransom of prisoners of war, "capitulations" for the surrender of fortresses and "armistices", laid down the rules to be observed in the treatment of the wounded and sick. These texts, most of which were collected and published in 1873 by Dr. E. Gürit, Professor of Surgery at the University of Berlin, generally stipulate that the wounded and sick will not be considered as being prisoners of war, will be cared for at the expense of the army to which they belong and returned with the necessary safe-conducts once they have been cured. No distinction is made between those who will be able or unable to resume fighting.

The French Revolution, in keeping with its universalist principles, decreed ... "the obligatory and legal treatment of enemies and of one's own forces in military hospitals" (Decree of the Convention of May 25, 1793).

When one considers these examples and those who treated and cared for the wounded, whether they were friend or enemy, such as the surgeon Palascianc during the siege of Messina in 1848, Florence Nightingale and Prince Demidoff during the Crimean War, one can see international custom increasingly asserting itself in favour of the principles which were to be ratified by the First Geneva Convention, at the instigation of Henry Dunant and the Red Cross movement.

(to be continued)