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INTERNATIONAL COMMITTEE OF THE RED CROSS

THE INTERNATIONAL COMMITTEE IN PALESTINE

By the beginning of May, the Delegation of the International Committee, eight delegates and ten nurses, were on the spot in Palestine, ready to give those traditional services which are expected from the Committee in times of conflict and strife¹. It will be recalled that the Committee agreed to give its good offices to the belligerents on the unqualified condition that both Arabs and Jews signed an engagement to observe the principles of the Geneva Conventions of 1929, as applying to combatants as well as non-combatants. Plans had also been made for the organization of one or more safety zones in Jerusalem which would provide shelter for non-combatants, especially women, children and the infirm. There appeared, then, nothing to hinder the Delegation of the ICRC from carrying out effective work for the victims of that conflict between Arabs and Jews which was seen to be looming, and which broke out even before the mandatory Power had left Palestine. The facts, however, served to show that the task would prove greater and more dangerous than was feared by those who were the least sanguine.

After May 14, there was no law or order. The proclamation of the State of Israel called forth at once into action the Palestine Arab forces and those of the countries in the Arab League. There followed an involved political situation in some parts of the country and especially in Jerusalem. The delegates, stationed both in the Arab and the Jewish zones, were immediately besieged with appeals of every kind, some of them having no relationship to the traditional work and service of the International Committee. In their wish, however, to give the greatest help of which they were capable, to succour as many as possible of the victims of the fighting, to save lives,

¹ See *Revue internationale*, May 1948, pp. 329-340.

the delegates spared nothing. The incidents which arose whilst they went about their work, were without number. Some very nearly ended fatally. Mlle. Florence Cousin, a nurse, was seriously wounded by a bullet in the head and M. Robert Gouy, who was with her, narrowly escaped the burst of machine-gun fire. Another delegate, M. Pierre Gaillard, was also wounded when his car was fired on. A fourth delegate, Dr. Otto Lehner, was set on, fortunately with no ill effects, and a driver was hit by two bullets in the legs. Similar incidents continued with disquieting frequency, and it must be remarked that the members of the Delegation risked their lives many times a day in a spirit of restraint and self-sacrifice which deserves a sincere tribute.

What were those services expected of the delegates which they never failed to give, even though they were clearly beyond the limits of those assigned to them and outside their precise duty? A few instances will give the answer. At the request of the Arab Authorities on May 17, a Red Cross car had to take across the firing line two representatives of the United Nations Truce Commission, who were due to meet King Adbullah at Jericho for discussions on a possible truce in Jerusalem. The Red Cross car had to convey these two delegates to the old Arab city. At the same time, the Delegation of the ICRC then in the zone under Jewish control was no longer in direct touch with the Arab High Command, except by telephone, and it was necessary to restore the contact. Lastly the delegates had to apply to the Patriarchs who represented the Christian communities in the old City. These three facts seemed to justify an expedition of this kind through the lines, in defiance of the risks.

The delegates set out therefore with their two passengers, escorted as far as the front lines by a soldier of the Haganah. After they had gone several hundred yards across 'no man's land', following a circuitous track through the barricades, they emerged without hindrance in the Arab lines and there set down their passengers. The discussions with the Arab High Command were cordial. It was decided that for the purpose of making sure of closer contact, Dr. Lehner should remain behind in the old City and take up his quarters in the Austrian Hospice, now an Arab hospital under the protection of the flag of the

ICRC. The second delegate, M. Pierre Gaillard, looked into plans for his return to the headquarters of the Delegation, which he was going to undertake alone. He gave notice of his route to the Jewish authorities and announced it to the Arabs. The required orders were given that his car should be permitted to cross the lines. It was in the course of this return journey that M. Gaillard was wounded, an Arab soldier having sniped him in defiance of orders. Having been wounded in the head by glass splinters, he was picked up by Jewish soldiers and taken to a hospital. Fortunately the wounds were slight and in a few days he had completely recovered. The Arab authorities apologised for this incident, which they explained by the fact that the firing was started by soldiers who had lately arrived in Jerusalem and were not acquainted with the Red Cross emblem. Nevertheless, the incident was serious enough to raise grave anxiety for the lives of the delegates, constantly exposed as they were, both from the Jewish and the Arab side, to attack from irregular units who were undisciplined and conducting a kind of private guerilla. These men took no account of any agreements concluded to respect the Red Cross emblems, the immunity of the Red Cross delegates, or the protection of medical personnel bearing the Red Cross, the Red Crescent or the Shield of David ¹.

A second instance will show in what hazards the delegates worked during those weeks when the absence of stable authority began to be seriously felt. Between Bethlehem and Hebron there were five Jewish agricultural settlements, cut off in Arab territory and exposed to attack by the Arab forces. During the night of May 13 to 14, the Jewish Agency had asked for a cease fire. The head of the Committee's delegation, M. de Reynier, arranged for parleys between the Jewish Agency and the representatives of the Red Crescent and the Arab Higher Committee, with the object of getting agreement for the evacuation of the wounded and non-combatants, women and children, whilst men bearing arms were to be treated as prisoners of war.

¹ Jewish organization on the lines of the Red Cross, but not recognized as such and not displaying its emblem.

Two delegates of the ICRC, Dr. Otto Lehner and Dr. Pierre Fasel, were commissioned to go with Arab ambulances, to fetch the women and children of the settlements and bring them to safety in Jerusalem. They set off into the area of the fighting, that is, the zone of Kfar Etzion. On arriving, they found the settlements surrounded by Arab irregulars and armed civilians who occupied commanding positions on the neighbouring hills. The firing had almost died down and there were now only a few sporadic rifle shots. The delegates went forward right up to the Arab front line. Then two Jews came out from their entrenchment with the white flag of truce. Arrangements for the evacuation were then settled between Jews and Arabs through the mediation of the delegates. Suddenly, there was brisk firing from all sides on the group negotiating the truce, but it was impossible to say from which point the first shot came. Taking the wisest course, the delegates jumped into the car and made their way resolutely towards the Jewish positions. That action had an immediate effect; the firing ceased. When the delegates arrived on the spot, the Jewish combatants stated that they had indeed received the order to cease fire and had been promised that the women and children would be evacuated, whilst the men would become the prisoners of the regular Arab forces. They had no reason to doubt the good faith of these promises. Even so, they were convinced that Arab inhabitants of the neighbourhood and the irregular forces would disregard the agreement that had been reached and would attempt to massacre the inhabitants of the settlements. The only way to reassure these men was therefore to appeal to the Arab regular troops. During these talks, a detachment of Regulars fortunately arrived on the scene, and the evacuation was carried out with their protection and without any untoward incident. It had been a tense situation; members of the Arab medical personnel who accompanied the delegates were wounded at their side, and one Arab doctor was killed. It was due to the discipline of the Arab Legion that the evacuation of the settlement was carried out in good order: the women and children were conveyed to Hebron and the wounded to Bethlehem.

These two episodes serve to shew what confronted the delegation when it started its work on arrival in Palestine. It

had, in fact, been requested to act in the place of the national or local organizations, and even of the medical service of the combatant forces. Clearly, the tasks which it was hoped the delegates would take over were far beyond what was feasible for a handful of representatives of a private organization such as the ICRC ; they were also out of all proportion to the financial resources of the Committee. There would, of course, have been no hesitation about accepting big financial commitments in such circumstances, even without the certainty that these expenses would be covered in one way or another. Furthermore, such undertakings as mentioned earlier had no correspondence at all with those defined in the Statutes of the Committee and those of the International Red Cross, and with the Geneva Conventions of 1929.

For all that, the Committee's delegates were able to do much on both sides for the victims of the conflict. Though the combatants were well equipped for battle, they seemed to have given little attention to medical questions, as they counted on the civilian services to meet all needs of that kind. Neither on the Arab side nor the Jewish was there any real military medical service, in the true sense of the term. It fell therefore to the civil and private organizations to tackle this particular feature of the conflict. The parties to the conflict found themselves unprepared for the swift developments, and they therefore turned to the delegates of the ICRC, asking, for instance, that they should go out to pick up the wounded and the fallen between the lines, and bring both across the zones under fire. What, however, could eight men and ten nurses, scattered over the whole territory, do in such circumstances, even though, regardless of danger, they had the undaunted will to give help ?

Still, the first assessment of what the Delegation has accomplished is remarkable. On the Arab side, the delegation took steps to secure protection for the hospitals, for refugees, the wounded, the sick and prisoners. It was beyond the powers of the Delegation to take over the control or administration of the hospital services. However, it exerted its influence to get an arrangement whereby government hospitals, which had lost their British staff, were transferred to the municipal authorities ; its efforts to that end were for the most part successful. The

government hospital in Jerusalem and two hospitals in Bethlehem, were placed under the direct protection of the flag of the ICRC. Formal agreement was made between the ICRC, the Government and the Arab Association, whereby the control and administration were committed to that particular medical body. On the strength of this agreement, the Arab personnel agreed to remain in these hospitals which for all practical purposes, although still keeping civilian patients, were placed at the service of the armed forces.

Other hospitals and dispensaries, such as the Infirmary at Bethany, the Italian Hospital and School, the Casualty Clearing Station of the American Colony and others, which belonged to foreign organizations, were handed over by these bodies to the Committee, which took them under the protection of its flag, and placed them at the service of the Arab Medical Association. An agreement with the Jews on this subject was secured by the Delegation, which also succeeded in persuading the Arab personnel to continue their work. At the request of the Delegation, the Government laboratories was handed over by the mandatory authority to the Committee, which kept it available for both sides. These laboratories were situated in the Jewish zone, which was obviously an advantage to the Arabs. Of medical service, too, we should mention the formation of a convoy of the Lebanese Red Cross, which was bound for the Hospital at Acre, and which passed without hindrance through Jewish territory.

The work of the Delegation included the care of refugees. On the day after the attack on Jaffa, its intervention with the Jewish authorities enabled more than 30,000 people to pass through the Jewish lines over an area of about six miles, without a single shot being fired, and to reach the Arab zone, where they wished to take refuge. On another occasion, the Delegation saw to the transport of 170 Egyptian citizens from Jerusalem to the Egyptian frontier, and later on, to the embarkation of about 3,000 Egyptians at Jaffa. An Egyptian civilian airman, who came down on Jewish territory and had been given up by the Jews, was taken back to Jerusalem under the care of the Delegation at Tel-Aviv and repatriated via Amann.

The Delegation undertook operations on several occasions

for the rescue of the sick and wounded. Thus, on April 8, at Deir-Yassim, in the course of an extremely hazardous mission, it had discussions with the Irgun in order to bring away three wounded and to bury 200 bodies. As a result, the Delegation was able to pass on to the Arab authorities an accurate plan of the places of burial.

Towards May 10, the delegate at Haifa went to Acre, where an epidemic of typhoid fever had broken out ; he was accompanied by a nurse, who remained there. The ICRC sent one of its delegates, M. Jean Courvoisier, to the region of Nablus and Nazareth, another, M. de Meuron, to Haifa, and a third, M. R. Gouy, to Tel-Aviv and Jaffa : thanks to this action, a few hospitals were able to carry on their work. One nurse was installed at Diet-Safafa, another at the Government Hospital in Jerusalem, also under Arab control, a third at Acre under an Arab deputy director, and two others at Jaffa. These nurses, possessing as they did the requisite professional qualifications, brought invaluable aid, for they were able to ensure such highly specialized services as those of the operating theatres and X-ray departments.

In the matter of protection for prisoners, the Committee's delegation was able to pass on to the Arab authorities the lists handed to it by the Jewish leaders ; it was also able to carry out visits to camps and arrange for the exchange of civilian internees. In the course of a mission which was especially risky, M. Jean Courvoisier went, on May 4-5, after long and troublesome bargaining, to search for and bring in the Arab dead at Katamon. The bodies were lying in the ' no man's land ' of the fighting zone, and the task was interrupted several times by gun fire.

The work in behalf of the Jews was no less important. Although the Jews were extremely well organized for health and medical care in time of peace, no services of this kind existed on a war footing. Their forces therefore relied on the civil organizations. The problem of transporting the wounded appeared almost impossible to solve, since they would have had to be moved across ground held by the other side.

In this instance, too, the delegation of the ICRC gave its good offices to the full extent of its powers. Its first success

was in obtaining an assurance that the emblem of the ' Magen David Adom ' ¹ although it had no legal status should be accepted and respected not only by the Palestine Arabs, but by the Arab League. The hospitals under the flag of the MDA were therefore, in principle, respected by the other side. In Jerusalem, the Delegation intervened in behalf of the Hadassah Hospital, and, at the time of writing, discussions were going on for the formation of a third safety zone in Jerusalem, which would include the Hospital and the University of Hadassah. In a great number of instances, Jewish ambulances have been accorded immunity, at the request of the delegates of the Committee. The Hospital of the British Mission at Jerusalem was entrusted to the ICRC, which assigned it to the MDA for their use and management. The same action was taken in the case of the mental hospital of Bat-Yam at Jaffa.

The efforts of the Delegation for the sick and wounded did not stop short at an appeal to the other side to respect the emblem of the MDA: the delegates made every exertion to carry out at first hand the transport of the sick and wounded, and of the dead. Thanks to action taken by the Delegation, 52 wounded and 100 combatants of the Haganah were handed over to the Jewish Agency at Bethlehem, near the Well of Solomon.

The Delegation was able to get the Arabs to accept in principle the treatment of prisoners on the basis of the Geneva Convention of 1929. The question of exchanging prisoners is still a very difficult one, but it is hoped to achieve some positive results in time. It should also be mentioned that foodstuffs and milk for children were brought into the Jewish zone, and that the delegate at Tel-Aviv had instructions to enquire into local requirements and appeals for relief.

It is evident from these examples that the Delegation of the ICRC has been working in a spirit of complete neutrality and in accordance with the basic principles of the International Committee, to bring aid to the victims of the conflict on both sides. Proof of this is best seen in the establishing of the ' safety zones', a bold plan which is described in another paper of this

¹ Red Shield of David.

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¹ Red Shield of David.

number. The Committee has also been giving much thought to the conditions as they affect some of the inhabitants who are not Palestinians, such as the 400 German Templars of Wilhelma, and several score of European civilian internees, whose safety has been assured through action taken by the Delegation.

In point of fact, the only duty of the delegates, as laid down in the Conventions and in the Statutes of the ICRC, would have been to act in their capacity as neutral intermediaries. But they have gone far beyond this in practice and have taken an active part in the rescue of the sick and wounded in the fighting zone itself. It was on these occasions that the incidents described above took place, and it was the fact that the lives of the delegates were constantly in danger which led the Committee in Geneva to take a step which was without precedent in its history, when the newly-elected President of the Committee, M. Paul Ruegger, decided to see for himself the conditions in which the delegates had to work.

The journey of M. Ruegger, who was accompanied by Dr. Roland Marti and M. Max Wolf, was carried out according to plans made in Geneva and at all possible speed. On arriving in Jerusalem, the President held a Press Conference, in the course of which he referred to his primary object, which was to inform himself personally of the conditions in which the delegates had to carry out their duties. He told those present of the entire satisfaction and deep gratitude felt by all members of the International Committee at Geneva for the courage and devotion with which the Delegation had been carrying out its work in hazardous conditions. The negotiations and movements from place to place of the delegates had the full support of Geneva, where the problems connected with Palestine had been given much thought over a period of months.

M. Ruegger moreover wished to find out on the spot, by reports from the Delegation, the requirements in medical supplies and other forms of relief which were most needed in the country. He pointed out that the International Committee felt that it was vital that the respect for the Red Cross emblem should be given the support of all the authorities and all groups concerned. It was in these conditions only that their tasks of relief could be achieved by the Committee and its delegates, in

the spirit of the Geneva Conventions. If the ICRC were to come to the conclusion that the emblem of the Red Cross was not properly respected, it would be forced to reconsider the limits and possibilities of its work. It was essential that the letter and spirit of the Conventions, which especially ensure the protection of the sick and wounded, should be strictly observed by all concerned. The International Committee counted not only on the promised co-operation of all the authorities, whether *de jure* or *de facto*, but also on the adoption by them of all measures proper to ensure respect for the terms of the Conventions, including of course, respect for the Red Cross emblem. M. Ruegger also expressed his sincere thanks to all those who had helped the Committee in this spirit, especially the Arab and Jewish Medical Associations.

As a result of the President's journey, the International Committee found itself faced with a dilemma: should it allow the work to continue in conditions without precedent in the past history of the delegations, in which its representatives were called upon to work in the firing lines? Such work went beyond the true role of the ICRC and was also beyond the powers of its small delegation. Or should, on the other hand, the conditions and scope of the work itself be modified?

The Committee was in favour of the second alternative. After the tough period which the Delegation in Palestine had experienced, in the course of which it could deal only with the most urgent questions, sometimes by acting in place of the national Red Cross Societies or their local branches, it was time to return to the customary forms of work of the Committee, such as visits to prisoners' camps, the drawing up of lists of prisoners, the organization of relief and so on.

In accordance with the decision in principle thus taken, the Delegation of the ICRC was reorganized as from June 10. Since Jerusalem is no longer a centre of government where it is possible to keep in permanent contact with the responsible Authorities, only two doctors and four nurses will remain there; they will have the task of seeing to the proper working of the safety zones. The central Delegation will have its headquarters both at Tel-Aviv and at Amann. For practical reasons, and in order to keep in liaison with the regional delegations in the

Arab and Jewish zones, the central Delegation will also maintain a permanent office in Beirut. Its principal task will be to co-ordinate the work of the regional delegations, to maintain a liaison with them and with countries abroad, to arrange the exchange of lists of prisoners and, where required, the despatch of messages, and finally, to be a centre for receiving and distributing relief supplies.

The two regional delegations will have the duty of ensuring and developing contacts with the supreme civil and military authorities, and of carrying out the mission as a whole of the International Committee in Palestine, that is to say, the protection of the hospitals, the protection of prisoners in accordance with the Conventions, and the protection of the civil population, especially by means of the safety zones.

In the Jewish zone, the delegates will be living at Tel-Aviv, Haifa and Jaffa, and those in the Arab zone at Ramallah, Gaza and Tiberias. The ten nurses will be attached to the safety zones or to the staff of the various delegates.

In the matter of relief supplies, the International Committee has appealed to several of the National Red Cross Societies, and to various international welfare organizations. It has already received replies agreeing to help, and substantial support, particularly from the American, Australian, British, French, Swiss and South African Red Cross Societies, from the Turkish Red Crescent, and from the League of Red Cross Societies and the Y.M.C.A. An additional delegate has just left Geneva ; he will have the task of organizing the receiving and distribution of these relief supplies.

It seems that the scope of the International Committee's task in Palestine may now be defined in unmistakable terms, and that such aims can be pursued with success. It is thus clear that its activity is free of any kind of political consideration and is based only on principles of a strictly humanitarian character ; it remains true to a tradition which has enabled the ICRC, in the course of successive conflicts, to fulfil its office of charity, even when the passions roused by war appear to render it impossible. "*Inter arma caritas.*"

SAFETY ZONES ESTABLISHED IN PALESTINE UNDER THE FLAG OF THE ICRC

The plan of establishing safety zones for the purpose of giving greater protection to the civil population from the effects of war, and especially against bombing and shelling is not a new conception. It was Henry Dunant himself, from whom the Red Cross derives, who first put forward the idea. The ICRC has given its attention to the subject from the legal point of view over a period of many years, and it has also consulted Commissions of international experts on the problem. Lately, the Committee has inserted clauses for the formation of such zones into the new Draft "Convention for the protection of civilians in time of war". On two occasions, before the outbreak of the second World War, safety zones were established: in China and also in Spain. It is in Palestine, however, that for the first time since 1939 the experiment has been really effective. Although the zones in Palestine have indeed a special character, having been improvised within the fighting area, this experiment will nevertheless provide a valuable guide for the future.

The delegation of the ICRC in Palestine, concerned to safeguard the lives of non-combatants, made the first move to establish places of refuge in Jerusalem. These were called "neutral safety zones under the flag of the ICRC". They had been under preparation for a long time and became effective on May 14, 1948, the date on which the British Mandate for Palestine came to an end.

An agreement on the operation of these zones was made between the delegation of the ICRC and the two parties in conflict, by which they pledged themselves in writing to observe the terms. These are the main points:

(1) The delegation of the ICRC is responsible for the safety of these zones, on the basis of formal undertakings made on May 9 and 17 by the two parties in conflict. The general control, as well as the administrative and medical direction inside the buildings, fall to the ICRC.

The safety zones are open to all refugees without distinction of nationality, race or religion. Within the zones, however, the refugees belonging to one side are separated from those of the other.

Two zones have been set up. One takes in the buildings, annexes and grounds of the King David Hotel, and the Y.M.C.A. and Terra Santa Hostels. The other includes the buildings and grounds of Government House, the Arab College, the Jewish Agricultural School and the married quarters of the Allenby Barracks.

A third zone comprising the Italian Hospital and School ceased to have the status of a safety zone on May 27, 1948, as the required conditions had not been fulfilled. This followed after due notification by the delegation of the Committee, recording the agreement of the parties in conflict that this zone should no longer serve.

(2) In each of the safety zones, the respective authorities assume responsibilities of administration, covering the food supply and the maintenance of order in respect of the refugees within their jurisdiction, under the supervision of the ICRC.

(3) Those who are to have advantage of the safety zones are selected in general by the Authorities who have jurisdiction over them. The rule is that the refugees must not come individually to the entrance of the zones, but shall be escorted and supervised by their own particular officers all the way from their place of residence to the nearest safety zone.

(4) All persons are considered as refugees who live in a district exposed to military operations. When the fighting is at an end, they no longer have that status: only women and children and, temporarily, wounded and sick can be admitted into the safety zones. As a provisional measure and subject to sanction by the ICRC at Geneva, the delegation in Palestine has felt bound, in its constant effort to save life, to allow also other categories of non-combatants to have the shelter of the zones, always on the understanding that they stay there in a strictly private capacity and that they refrain from any activities.

(5) In regard to the arrangements for the refugees, the sick will be assigned available rooms by priority and the serious cases will have to be taken away to a hospital. If there is a big influx, and if the weather is mild and the stay of the refugees in the zone relatively short, then those who are in good health will live out of doors under canvas, or in the open.

(6) Refugees, once they have entered a zone, will not be able to pursue any activity there, and they will not be able to leave except upon a formal agreement of the three parties concerned (the Arab Authorities, the Jewish Authorities and the ICRC).

Buildings in the Safety Zones.

The buildings in the safety zones, in the same way as other buildings in Jerusalem, were completely handed over, with their equipment and their annexes, to the ICRC by their legal owners upon a written agreement. The taking over by the delegation of this property, furniture and equipment came into effect only after formal agreement had been concluded by all the authorities concerned, that is, the Mandatory Power in Palestine, the Arab authorities, and the Jewish authorities, and (on the assumption that the resolutions of the U.N. would be confirmed) after the representative of United Nations, M. de Ascarate, had been consulted and had given his consent.

It was agreed concerning Government House that this building would be handed over by the ICRC only to the legally constituted Government, and at the formal request of its predecessor, the Mandatory Government, after preliminary agreement with the Arab and Jewish authorities.

The King David Hotel was handed over by the mandatory Government to the ICRC by a letter of April 23, 1948, signed by Sir Henry Gurney, which specified that the delegation of the Committee should have the use of all the rights of the British Government in this building, which rights would expire in July 1948. It was however agreed verbally, and as a result of a gentlemen's agreement of April 17, between M. de Ascarate, acting for United Nations, and the head of the delegation of

the ICRC, that when a legal Government or an authority legally representing it was established in Jerusalem and requested to have the use of this building, the delegation should remove its flag, after agreement between the two parties, and after official notification had been given.

Guests in a private capacity of the ICRC.

On May 20, 1948, the doyen of the Consular Corps in Jerusalem asked the Delegation of the ICRC that certain members of the Consular Corps might have permission to live in the safety zones. It was agreed, as a special concession, and bearing in mind the exceptional conditions existing in Jerusalem, that Consul-Generals, Consuls and Vice-Consuls put forward by the doyen should be the private guests of the delegation of the ICRC ; the Consular staff, however, were not be included.

In order to respect the engagements given by the delegation concerning the safety zones, the guests undertook to carry on no activity of any kind within the zones, and to do their official work only outside the limits. It was also stipulated that no arms or ammunition should be introduced into the zones, and that no flag other than that of the ICRC should be hoisted. This hospitality was given free of all charge, but the members of the Consular Corps undertook to see that their Governments should provide contributions to the relief funds of the ICRC.

As the United Nations Commission had also requested to be included in the hospitality of the ICRC, the application was granted by the delegation on the same conditions asked of the other guests. This Commission likewise had its offices outside the safety zones.