



REVUE INTERNATIONALE DE LA CROIX-ROUGE

SUPPLEMENT

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RESERVATIONS TO THE 1949 GENEVA CONVENTIONS

III

GENEVA CONVENTION RELATIVE TO THE TREATMENT OF PRISONERS OF WAR

Article 4

On signature, *Portugal* entered a reservation concerning this article and Article 13 of Convention I. It reads as follows :

The Portuguese Government makes a reservation regarding the application of the above Articles in all cases in which the legitimate Government has already asked for and agreed to an armistice or the suspension of military operations of no matter what character, even if the armed forces in the field have not yet capitulated.

Article 4 of Convention III defines the categories of persons who, if they fall in the power of the enemy, must be considered as prisoners of war, while Article 13 of Convention I lists the categories of persons to whom that Convention must be applied.

It seems that Portugal wishes to except from this definition those members of the enemy armed forces who continue fighting despite the conclusion of an armistice or truce by the legitimate Government.

¹ *Report of the Committee on Foreign Relations, D.E.F. and G., 82nd Congress, 1st session.*

² *Commentary, Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field, by Jean S. Pictet, page 387.*

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This case is covered by A (3) of Article 4 and (3) of Article 13, which refer to "members of regular armed forces who profess allegiance to a Government or an authority not recognised by the Detaining Power". Many experiences of the Second World War led the authors of the Convention to include these persons in the category of those who, if captured, are entitled to the status and treatment of prisoners of war. There have often been cases of troops continuing to fight despite an armistice or the total occupation of the territory. In so far as these troops fight in accordance with the laws of war, it seems only logical and fair to consider their individual members as combatants entitled to be treated as prisoners of war if captured. This, of course, does not apply to persons who, after an armistice or during a truce, commit hostile acts under cover of secrecy.

The reservation entered by Portugal thus runs counter to the general feeling that in these cases the interests of the individual take precedence over those of the State. This reservation was made on signature and it is to be hoped that Portugal will abandon it when she ratifies the Conventions.

Article 12

A number of States have made reservations concerning this article, which deals with the transfer of prisoners of war from one Power to another. The same States have made a similar reservation with regard to Article 45 of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, which deals with the same subject. We shall therefore discuss the two questions together. These reservations have been made by the following States: Albania, Byelorussia, Bulgaria, the Chinese People's Republic, Czechoslovakia, the German Democratic Republic, Hungary, Poland, Rumania, the Ukraine, USSR, the People's Republic of Vietnam and Yugoslavia. They all have the same purport, although the wording differs slightly. As an example, the following is the reservation made by the Ukraine:

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Article 12 :

The Ukranian Soviet Socialist Republic does not consider as valid the freeing of a Detaining Power, which has transferred prisoners of war to another Power, from responsibility for the application of the Convention to such prisoners of war while the latter are in the custody of the Power accepting them.

The responsibility for prisoners of war transferred from a Power to another was the subject of lively discussion during the Diplomatic Conference of 1949. The United States of America which, after the end of the Second World War, considered itself responsible for the prisoners it had transferred to Allied Powers, proposed that the transferring Power and the Power to whom the prisoners are transferred, should be jointly responsible. This proposal was supported by many delegations, including that of the USSR. Other delegations maintained that the Power which transfers prisoners of war to another Power also Party to the Convention, should be released from all responsibility for the application of the Convention to such prisoners. Finally, a compromise solution was proposed and accepted by majority vote. Without being jointly responsible, the transferring Power retains some obligations, which it must fulfil if requested by the Protecting Power.

What is the scope of this reservation? Is it possible in this way to impose on co-signatory States a wider responsibility than that envisaged by the Convention? We saw above that reservations cannot have this effect. It should be noted, in this respect, that the Convention does not free the transferring Power from all responsibility, since that Power remains obliged to correct the situation if there is failure in some important particular to apply the Convention to the prisoners, and that this obligation may involve a request on its part for their return. It is doubtful how joint responsibility could be exercised in any other way, unless pecuniary responsibility, to be determined later, is envisaged.

In consequence, this reservation cannot be considered binding on States which have not made it. Since it is not intended to limit or modify the obligations of the States which

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did make it, it constitutes in reality a unilateral declaration by those States, indicating the attitude they will adopt if the case arises. They are not entitled, however, to rely on the Convention for any demand that other States adopt the same attitude.

The same considerations are fully applicable to the transfer of civilians dealt with in Article 45 of the Convention relative to the Protection of Civilian Persons in Time of War.

Article 60

Portugal made the following reservation :

The Portuguese Government accepts this Article with the reservation that it in no case binds itself to grant prisoners a monthly rate of pay in excess of 50% of the pay due to Portuguese soldiers of equivalent appointment or rank, on active service in the combat zone.

The reasons for which Portugal made this reservation are not indicated. Article 60 provides for the payment of a monthly advance of pay to prisoners of war ranging from eight Swiss francs for the lowest category up to a maximum of seventy-five Swiss francs for general officers.

It must be stated that these amounts are very small. Furthermore, these advances of pay must be refunded to the Detaining Power after the end of hostilities. They are considered, according to Article 67, as made on behalf of the Power on which the prisoners of war depend. Finally, the last paragraph of Article 60 provides that if the amounts payable would be unduly high compared with the pay of the Detaining Power's armed forces, the Detaining Powers may temporarily limit the amount made available to sums which are reasonable, but which, for Category I, shall never be inferior to the amount that the Detaining Power gives to the members of its own armed forces.

These considerations will no doubt induce Portugal to abandon this reservation when she ratifies the Geneva Convention.

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Article 66

The *Italian Delegation* had made the following reservation on signature :

The Italian Government declares that it makes a reservation in respect of the last paragraph of Article 66 of the Convention relative to the Treatment of Prisoners of War.

This paragraph provides that the Power on which the prisoner of war depends shall be responsible for settling with him any credit balance due to him from the Detaining Power on the termination of his captivity. There may indeed be some room for criticism of the system inaugurated by the Convention, which releases the Detaining Power from its responsibility in this respect. However, the reservation was not maintained on ratification.

Articles 82 and following

Spain made the following reservation on signature :

In matters regarding procedural guarantees and penal and disciplinary sanctions, Spain will grant prisoners of war the same treatment as is provided by her legislation for members of her own national forces.

This reservation amounted to depriving the chapter on penal and disciplinary sanctions of all meaning. Fortunately, it was not maintained on ratification.

Luxemburg signed the Convention with the reservation "that its existing national law shall continue to be applied to cases now under consideration."

This reservation was probably unnecessary, since the Convention was obviously not intended to deal with situations which began before it was drawn up. In any case the reservation was withdrawn on ratification.

Article 85

Reservations were made in respect of this Article by the following states : Albania, Byelorussia, Bulgaria, the Chinese People's Republic, Czechoslovakia, the German Democratic Republic, Hungary, Poland, Rumania, the Ukraine, the U.S.S.R. and the People's Republic of Viet Nam. The purport of the reservations is the same in each case, although there are slight variations in wording. The following is the reservation entered by the U.S.S.R. :

The Union of Soviet Socialist Republics does not consider itself bound by the obligation, which follows from Article 85, to extend the application of the Convention to prisoners of war who have been convicted under the law of the Detaining Power, in accordance with the principles of the Nuremberg Trial, for war crimes and crimes against humanity, it being understood that persons convicted of such crimes must be subject to the conditions obtaining in the country in question for those who undergo their punishment.

It may be noted that the Polish reservation speaks of the "principles set forth at the time of the Nuremberg trials" and the Hungarian reservation of the "principles of Nuremberg".

This reservation, which is of considerable importance, calls for clarification. It may be wondered, indeed, what is meant by the "principles of the Nuremberg trial (or trials)". Is it a reference to the "principles of international law recognized in the Charter of the Nuremberg Tribunal and in the judgment of the Tribunal" which the United Nations General Assembly directed the International Law Commission to formulate? If so, war crimes are :

Violations of the laws or customs of war, which include, but are not limited to, murder, ill-treatment or deportation to slave labour or for any other purpose of civilian population of or in occupied territory, murder or ill-treatment of prisoners of war or persons on the seas, killing of hostages, plunder of public or private property, wanton destruction of cities, towns or villages, or devastation not justified by military necessity.

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The International Law Commission defined crimes against humanity as :

Murder, extermination, enslavement, deportation and other inhuman acts done against any civilian population, or persecutions on political, racial or religious grounds, when such acts are done or such persecutions are carried on in execution of or in connexion with any crime against peace or any war crime ¹.

It may be noted incidentally that this text has not been adopted by the United Nations General Assembly and that the subject is still under consideration.

The crimes covered by the reservation do not include the crimes against peace also mentioned in the Charter of the Nuremberg Tribunal and the judgment of that Tribunal. This is quite important, since on various sides anxiety has been expressed in case, by means of general accusations against a whole category of prisoners of war, they might be deprived of their status and the treatment to which the Convention entitles them, by being condemned, for example, for having taken part in an aggressive war. Mention has also been made to the Penal Code of the U.S.S.R. which, in Article 58 (4) permits the punishment of any support given to the section of the international bourgeoisie which does not recognize the legal equality of the Communist and capitalist systems and which tries to bring about the downfall of the Communist regime, or support given to groups or organisations under the influence of this bourgeoisie or organised directly by it.

Some authors have thought that the extension of this provision to apply to prisoners of war belonging to a country with a very different political system from that of the U.S.S.R. might lead, in fact, to many persons losing their rights as prisoners of war as a result of sentences inflicted on them ².

As we have seen above, even supposing that the U.S.S.R. were to apply this Article of her Penal Code to prisoners of war,

¹ *Report of the International Law Commission covering its Second Session, 5 June-29 July 1950 General Assembly, Official Records: Fifth Session, Supplement No. 12 (A/1316).*

² See, in particular, Dr. Otto Lachmayer, *Juristische Blätter*, Vienna, 1956, No. 4, pages 85-87.

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the offences in question would not be either war crimes or crimes against humanity and consequently the reservation would not apply. Furthermore, even while it is true that a fairly large number of German or Austrian prisoners of war was sentenced in the U.S.S.R. after the Second World War on the basis of this Article of the Penal Code, it is extremely improbable that it could again be applied now that the U.S.S.R. is bound by the new Geneva Conventions. The U.S.S.R. is Party to these Conventions, whereas she was not bound by the 1929 Convention relative to the Treatment of Prisoners of War. Both the letter and the spirit of the 1929 Convention are against a prisoner of war being sentenced for a political attitude held, or a political activity carried on, before his capture.

Moreover, some States considered that the words used in the Soviet reservation did not indicate clearly from what moment the benefits of the Convention would be withdrawn from prisoners of war under sentence. They also wished to know of which of the rights provided for in the Convention, the prisoners of war under sentence would be deprived. These States requested the Swiss Federal Council, as depositary of the Geneva Conventions, to ask the Government of the U.S.S.R. for an explanation of the exact interpretation to be placed on this reservation. The Swiss Government undertook to do so and received from the U.S.S.R. Ministry of Foreign Affairs a note which was communicated to all the States Signatory or Party to the Geneva Conventions. The following is an English translation :

As is shown by its wording, the reservation made by the Soviet Union concerning Article 85 of the Geneva Convention of 1949 relative to the Treatment of Prisoners of War means that prisoners of war who have been convicted under Soviet law for war crimes or crimes against humanity must be subject to the conditions applied in the U.S.S.R. to all other persons undergoing punishment after conviction by the courts. Consequently, this category of persons does not benefit from the protection of the Convention once the sentence has become legally enforceable.

With regard to persons sentenced to terms of imprisonment, the protection of the Convention will only apply again after the sentence has been served. From that moment onwards, these persons will have the right to repatriation in the conditions laid down by the Convention.

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Moreover, it should be remembered that the conditions applicable to all persons undergoing punishment under the laws of the U.S.S.R. are in every way in conformity with the requirements of humanity and health, and that corporal punishment is strictly forbidden by law. Furthermore, the prison authorities are obliged, under the regulations in force, to transmit immediately to the Soviet authorities concerned, for investigation, complaints of convicted persons with regard to their sentences, or requests for a review of their cases, and any other complaint whatsoever. — Moscow, 26 May 1955.

It follows clearly, as the text of the reservation does indeed state, that the benefits of the Convention are applicable to prisoners of war accused of war crimes or crimes against humanity up to the moment when the sentence becomes legally enforceable, i.e. until the moment when all means of appeal have been exhausted. They will therefore have the benefit of all the legal guarantees provided for in the Convention during their trial and in particular of the assistance of the Protecting Power. The Convention will again become applicable to prisoners of war sentenced to terms of imprisonment when they have completed their sentence. These details are very useful, for the reservation had raised some doubts.

The substance of the reservation is in line with the trend of opinion during and after the Second World War, to the effect that those who have violated the laws of war cannot claim their protection. Many Allied tribunals, in a series of judgments, for this reason refused prisoners of war accused of war crimes the benefit of the 1929 Convention. The attitude of the Anglo-Saxon Powers has varied considerably in this respect. Whereas in 1947 at the Conference of Governmental Experts the ICRC had had some difficulty in persuading them to agree that the benefits of the Convention should remain applicable to prisoners of war until such time as *prima facie* evidence of guilt was produced against them, in 1948 at the XVIIth International Red Cross Conference in Stockholm, the Powers whose experts had raised objections abandoned them and themselves proposed the text of Article 85 finally adopted. The International Committee had not thought of going so far. It had restricted itself to the proposal that prisoners of war accused of these crimes

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should remain entitled to the benefits of the Convention until such time as sentence had been pronounced on them, a proposal which closely corresponds to the reservations entered by the U.S.S.R. and other States.

This apart, it is certain that the rights provided for in the Convention with regard to prisoners of war under sentence are only a minimum, which will be found with slight variations in the laws of all the civilized countries. The only important novelty introduced in the Convention is the participation of a supervisory body—the Protecting Power. Is it desirable to leave prisoners of war convicted of war crimes or crimes against humanity bereft of all international supervision after the sentence which has finally pronounced them guilty? The answer to this question is an unhesitating negative. Indeed, during the regional conflicts which have occurred since the Second World War, accusations of violations of the laws and customs of war have been made on an increasing number of occasions and there is a risk that such accusations may be made systematically against the whole of a country's armed forces or certain important categories of them. In these circumstances, a check on the treatment of prisoners of war undergoing punishment even for war crimes or crimes against humanity, seems necessary, especially when the sentences have been inflicted during hostilities.

Of course, such a check could be considered as an infringement of the sovereign exercise of national justice; but surely the Geneva Conventions as a whole constitute an abandonment of national sovereignty in many spheres.

Article 99

Spain entered the following reservation with regard to this Article :

Under 'International Law in force' (Article 99), *Spain* understands she only accepts that which arises from contractual sources or which has been previously elaborated by Organizations in which she participates.

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This reservation, which was entered on signature, was confirmed on ratification in 1952. It is not our purpose to describe here Spain's international position during the years which followed the war of 1939-1945. It is impossible, however, not to think that the reservation has direct relation to that position. Since then, the situation has developed and Spain has become a member of the United Nations and its various specialized agencies. Probably the reasons behind the reservation have disappeared or at least have greatly lessened in importance. In this sphere, moreover, apart from the new Geneva Conventions and the Hague Convention of 1954 for the Protection of Cultural Property, international law has not been the subject of other international agreements. As has been seen, the Nuremberg principles, as stated by the International Law Commission, have still not become positive law any more than the code of offences against the peace and security of mankind drawn up by the same Commission.

GENEVA CONVENTION RELATIVE TO THE PROTECTION OF CIVILIAN PERSONS IN TIME OF WAR

Article 44

Brazil made the following reservations on signature :

Brazil wishes to make two express reservations, in regard to Article 44, because it is liable to hamper the action of the Detaining Power...

Fortunately, this reservation was not maintained on ratification. Furthermore, its meaning was not very clear since Article 44 simply provides that the Detaining Power shall not treat as enemy aliens exclusively on the basis of their nationality *de jure* of an enemy State, refugees who do not, in fact, enjoy the protection of any government. Its object is to protect *bona fide* refugees against restrictive measures which might be applied to them in their capacity, even though a theoretical one, as enemy aliens.

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Pakistan made the following reservation :

Every protected person who is national de jure of an enemy State, against whom action is taken or sought to be taken under Article 41 by assignment of residence or internment, or in accordance with any law, on the ground of his being an enemy alien, shall be entitled to submit proofs to the Detaining Power, or as the case may be, to any appropriate Court or administrative board which may review his case, that he does not enjoy the protection of any enemy State, and full weight shall be given to this circumstance, if it is established whether with or without further enquiry by the Detaining Power, in deciding appropriate action, by way of an initial order or, as the case may be, by amendment thereof.

It is difficult to say whether this is a real reservation. It seems, above all, that Pakistan wished to explain the way in which she has decided to act if the case arises with regard to enemy aliens who are in fact refugees without the benefit of the protection of any enemy State. Thus, this reservation may be termed rather a statement of interpretation. Furthermore, the procedure proposed by Pakistan seems quite logical and in line with a reasonable interpretation of Articles 43 and 44. It is obviously to the Detaining Power in the first place, i.e. to the authorities who take the decision to place in assigned residence or to intern a refugee of enemy nationality, that he should submit his case with the necessary proofs. If the decision to intern him or place him in assigned residence has already been taken, the papers in the case will naturally be put before the court or administrative tribunal which reconsiders the decision taken.

Article 46

Brazil entered the following reservation on signature :

Brazil wishes to make two express reservations,... in regard to Article 46, because the matter dealt with in its second paragraph is outside the scope of the Convention, the essential and specific purpose of which is the protection of persons and not of their property.

The paragraph in question provides, in effect, that restrictive measures affecting the property of protected persons shall be

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cancelled in accordance with the laws of the Detaining Power as soon as possible after the close of hostilities.

During the Diplomatic Conference, this provision, introduced at the suggestion of a delegation, was criticized, particularly by the Brazilian delegation. The reservations entered by Brazil, however, were not maintained on ratification.

Article 68

According to paragraph 2 of this Article, the death penalty may be imposed on a protected person only in cases where the person is guilty of espionage, of serious acts of sabotage against the military installations of the Occupying Power, or of intentional offences which have caused the death of one or more persons, provided that such offences were punishable by death under the law of the occupied territory in force before the occupation began. This paragraph was the subject of long and lively discussions during the Diplomatic Conference, but was adopted by majority vote. A number of States considered it necessary to reserve their position with regard to the reference to the legislation of the occupied territory. They were: Argentina¹, Canada, the Netherlands, New Zealand, Pakistan, the United Kingdom and the United States of America. The following is the text of the United States reservation.

The United States reserve the right to impose the death penalty in accordance with the provisions of Article 68, paragraph 2, without regard to whether the offences referred to therein are punishable by death under the law of the occupied territory at the time the occupation begins.

After the Second World War a very strong feeling arose against the numerous death sentences inflicted on inhabitants of occupied territories and there was a general desire that the possibility of inflicting capital punishment should be as restricted as possible. This is the reason for the text of paragraph 2 of

¹ The reservation entered by Argentina was not confirmed on ratification.

Article 68, which only permits the death penalty for a small number of specially listed crimes and then only when the same penalty would have been inflicted under the law of the occupied territory for the same crimes.

In its *Commentary* on the IVth Convention, the International Committee of the Red Cross showed that "law of the occupied territory in force before the occupation began" should be interpreted as meaning the actual penal law ruling in the territory when the occupation began. This expression includes special war-time laws, whether special legislation has been enacted at the beginning of the conflict, or such legislation was already in existence and came automatically into force in time of war¹.

In effect, the fears of the States which made this reservation are illusory. There is no country, it appears, which in war-time does not have laws punishing with death the crimes listed in Article 68, especially when they are committed against military personnel or military property. Nevertheless, if there were a country to which the idea of the death penalty was so repugnant that it banned capital punishment even in war time, would it be fair to impose the penalty on it through occupation? As resolute adversaries of the death penalty, we do not think so. Furthermore, the events of the Second World War showed such abuses in this sphere that the greatest possible precautions are necessary.

Article 70

New Zealand made the following reservation:

In view of the fact that the General Assembly of the United Nations, having approved the principles established by the Charter and judgment of the Nuremberg Tribunal, has directed the International Law Commission to include these principles in a general codification of offences against the peace and security of mankind, New Zealand reserves the right to take such action as may be necessary to ensure that such offences are punished, notwithstanding the provisions of Article 70, paragraph 1.

¹ *Commentaire de la Convention de Genève relative à la protection des personnes civiles en temps de guerre*, Geneva 1956, pages 370-371.

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The paragraph concerned provides that nationals of the occupying Power who, before the outbreak of hostilities have sought refuge in the territory of the occupied State, shall not be arrested, prosecuted, convicted or deported from the occupied territory, except for offences committed after the outbreak of hostilities or for offences under common law committed before the outbreak of hostilities which, according to the law of the occupied State, would have justified extradition in time of peace.

This paragraph is of a very special nature. It is the only passage in the Convention where some protection is granted to nationals of the occupying Power. At first sight, it seems that the reservation is easily reconcilable with the text of the Article, since the offences envisaged would certainly be considered as offences under common law justifying extradition.

Furthermore, it should be noted that the task of codifying the law in this sphere undertaken by the United Nations is far from being finished. When it is finished, its acceptance by the various States will still be necessary. It is therefore to be hoped that when New Zealand ratifies the Convention, she will abandon this reservation.

CONCLUSIONS

Having examined all the reservations made to the Geneva Conventions, it is important that we should draw from this examination some practical conclusions. These may be listed as :

I. — So far, none of the reservations made has given rise to dispute. Thus, all the States which have ratified or acceded to the Conventions are without any shadow of doubt Parties to these Conventions.

2. — Some of the reservations entered are important, especially those which concern Article 85 of the Convention relative to the Protection of Prisoners of War and Article 68 of the Convention for the Protection of Civilian Persons in Time of War. However, none of the reservations is essential.

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or incompatible with the aims and objects of the Conventions. That is probably why no objection has so far been raised to the reservations made.

3. — Several of the reservations made could easily be waived by their authors since they are only of very small importance. With regard to the more important reservations, negotiations between the States concerned could probably bring about their waiver also. Hope must not, therefore, be abandoned of reaching the very desirable position when all States will be bound, without reservation and in a uniform manner, by all four Geneva Conventions of 1949.

Claude PILLOUD
Head of the Legal Department
ICRC

INTERNATIONAL COMMITTEE OF THE RED CROSS

RECOGNITION OF THE MOROCCAN RED CRESCENT

GENEVA, August 7, 1958.

421st Circular
to the Central Committees of the National Red Cross
(Red Crescent, Red Lion and Sun) Societies

LADIES AND GENTLEMEN,

We have the honour to inform you of the official recognition of the Moroccan Red Crescent by the International Committee of the Red Cross.

Until Morocco became an independent State, the French Red Cross carried out its activity in this country.

The new Society, founded in 1957 under the name of « Moroccan Red Crescent », applied for recognition by a letter dated February 19, 1958. In support of this application, it supplied the text of the government decree (*Dahir*) of December 24, 1957 (1st jourmada 11 1377) giving official recognition to the new Red Crescent and its Statutes.

A study of these documents in conjunction with the Secretariat of the League of Red Cross Societies, has shown that the ten conditions which govern the recognition of the new Society by the International Committee of the Red Cross, have been fulfilled. The International Committee is therefore pleased to accord this recognition, which is a further step towards the universality of the institution, and brings the number of members of the International Red Cross to eighty-one.

In 1956 the Kingdom of Morocco, as an independent State,

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acceded to the Geneva Conventions of 1949. By the governmental decree of December 24, 1957, the Moroccan Red Crescent is recognised as an auxiliary to the public authorities, in particular the Army Medical Service. In addition and in accordance with its Statutes, the Society intervenes in the event of public disasters, assists in campaigns against epidemics and the prevention of disease and trains nursing personnel and first-aid workers. Mr. Hadj Mohamed Sebti is the President of the Moroccan Red Crescent; the headquarters of its Central Committee are in Casablanca.

The International Committee of the Red Cross has much pleasure in admitting this new Society into the International Red Cross, accrediting it by the present notice to all other National Societies and recommending it to their kind attention. It would also like to express its best wishes for the Society's future and for the success of its humanitarian work.

Yours sincerely,

FOR THE INTERNATIONAL COMMITTEE
OF THE RED CROSS:

LEOPOLD BOISSIER

President

ASSISTANCE BY THE ICRC
FOR YOUNG WAR-DISABLED AUSTRIANS

In the wake of the Second World War the ICRC has in recent years continued to undertake certain tasks connected with that conflict. One such task, which requires assistance of a very practical kind, is the assistance of war victims. The ICRC War Disablement Section takes a keen interest in all activities connected with rehabilitation and endeavours to co-operate in this important undertaking with the public and private institutions concerned.

In September 1954, the head of the ICRC delegation in Austria, Mr. G. Joubert, forwarded to the International Committee a request for assistance for young Austrians who had been injured by the explosion of war material in 1945-1946. 995 children had suffered physical incapacity and were in need of special treatment. The ICRC asked its delegation in Vienna to establish a list of those cases which, because of economic hardship, were particularly deserving of special assistance from the Red Cross. With the co-operation of the public administrations concerned in the various "Länder", Mr. Joubert selected about one hundred young people who were in particularly difficult circumstances.

The International Committee allocated Sw. fr. 10,000.— for this undertaking, which lasted for several years. In the first place, the enquiries by the welfare workers of the various Länder took some time, and then each case proposed was

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examined by the Social Assistance Offices, which interviewed either the young victim or his legal representative, in order to determine the most appropriate form of assistance.

The ICRC subsequently decided to help 115 other young war-disabled Austrians by contributing towards their education and apprenticeship, or by purchasing text books for them, thus assisting them to find a place in the normal economic and social life of the community. Some of them were given a period of convalescence, others received equipment which they badly needed, for example orthopaedic footwear or, for the blind war-disabled, Braille watches. Lastly, the War Disablement Section asked welfare workers who were looking after the children in Austria to purchase linen and clothing for them, while more clothing and new linen was sent from Geneva. All this work was done through the ICRC delegation in Vienna.

The number of young persons benefiting from this undertaking was thus increased considerably, and the work which made great demands on the ICRC delegation in Vienna, is still continuing. It has achieved the results which the ICRC, the Vienna delegation and the Austrian social welfare administration had hoped for, and has brought assistance in practical form to children and young people who were the victims of tragic accidents which still occur in many countries devastated by the Second World War.

A MISSION OF THE ICRC
IN THE GERMAN FEDERAL REPUBLIC

A delegate of the International Committee of the Red Cross, Mr. H. G. Beckh, paid a further visit to West Germany at the end of July 1958.

He was granted two interviews with Mr. Güde, "General Bundesanwalt" of the German Federal Republic in Karlsruhe, who stated that he would give all possible support to requests presented by the ICRC to the authorities concerned in connection with the treatment afforded to political detainees.

Mr. Beckh ascertained that the period of detention for persons awaiting trial had, in general, been shortened considerably and, moreover, that the authorities would be prepared to give their favourable consideration to requests submitted by the ICRC in connection with the release of some political detainees whose health is seriously affected.

He also visited four large prisons and was able to converse freely, without witnesses, with some twenty political detainees serving sentences or awaiting trial. He duly noted their requests of which he informed the prison directors and the representatives of the ministries concerned.

During these visits the delegate of the ICRC was accompanied by representatives of the Red Cross of the German Federal Republic.

A MISSION OF THE ICRC IN HUNGARY

From August 1 to 7, Mr. E. Fischer and Mr. J.-P. Maunoir, delegates of the ICRC, visited Hungary where they discussed various problems with the Hungarian Red Cross, particularly in connection with the liquidation of the relief action carried out in 1956-1957, the equipment of a new artificial limb factory in Budapest and the reuniting of dispersed members of families in Hungary and those abroad.

During their visit the delegates were received by Mr. Istvan Sebes, Deputy-Minister for Foreign Affairs. They also visited several hospitals in Budapest, beneficiaries of gifts entrusted to the ICRC for distribution.

A DELEGATE OF THE ICRC IN CUBA

September 9, 1958. — A delegate of the International Committee of the Red Cross, accredited to the Cuban Red Cross, left Geneva today for Havana. The delegate, Mr. Maurice Thudichum, a Swiss national, will study with the Cuban Red Cross the means of ensuring in behalf of all the victims of the events the protection and assistance provided by Article 3 common to the four Geneva Conventions of 1949.

to the Greek Red Cross; 134 replies gave positive information while the others reported negative results of the searches undertaken by the Alliance.

French Section. — The events in Algeria caused an increase in the work of this Section which, at the request of French families who are without news of men missing in Algeria, makes enquiries through authorities which may be in a position to supply information.

Italian Section. — The principal work of the Italian Section still continues to be the identification of combatants, prisoners of war and civilian internees who died during the Second World War. At the request of the Italian authorities, this Section devotes its efforts to this work with satisfactory results. The Section also searches for combatants who disappeared during the hostilities on the Eastern Front. The Alliance of Red Cross and Red Crescent Societies of the USSR, which deals with these enquiries, gave replies to many of them in 1957.

German Section. — In 1957 the German Section received 43,746 postal items (i.e. 12,000 more than in the previous year), relating to searches for the missing, identification of deceased persons etc. In 1957 it issued 12,568 certificates of captivity to former prisoners of war. As a consequence of mass movements and transfers of the population and the shifting of frontiers, much of its work is also concerned with the tracing of civilians.

The Section also deals with numerous cases of "Volksdeutsche" living in various East European countries who wish to join relatives in Germany, Austria and other parts of Europe, and abroad. In 1957 this work was also carried out on behalf of "Volksdeutsche" in Rumania.

Korean Section. — In the last months of 1956 and early in 1957 the Korean Section sent to the Red Cross of the Democratic People's Republic of Korea in Pyongyang 7,034 enquiries concerning South Korean civilians who disappeared during the hostilities. This National Society sent 337 replies to the ICRC which were forwarded to the Red Cross of the Republic of Korea in Seoul. It also transmitted 14,132 enquiries concerning North Korean civilians, which were sent on to Seoul through the Central Agency.

Middle East Section. — This Section, set up in November 1956 following the Suez conflict, continued to seek for Egyptian military personnel missing or captured during hostilities and the transmission of civilian message forms (containing 25 words concerning family news only) sent through the Central Prisoners of War Agency of the ICRC. As a result of the renewal of postal communications and the repatriation of prisoners the Section has less work. It continues nevertheless to receive enquiries from Egyptian families who are without news of men who disappeared during the fighting.

Stateless Persons Section. — During the last quarter of 1956 the Central Agency set up this Section for the purpose of assisting stateless persons leaving Egypt. This Section was very active in 1957 and assisted numerous persons wishing to emigrate.

Hungarian Section. — With the cooperation of National Red Cross Societies in the countries of asylum, the Central Agency made a census of Hungarian refugees and set up a central card-index which, at present, contains over 310,000 cards. With the information thus collected, the enquiries opened and the transmission of civilian messages, the Hungarian Section was able to place in contact thousands of persons who were without news of near relatives.

In addition 27,000 civilian messages were broadcast over the ICRC wave-length during the interruption in postal communications with Hungary.

This Section received 55,303 postal items in 1957 and sent out 61,588.

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The Central Agency's other Sections are still engaged in activities on a more limited scale but for an equally useful purpose.

Enquiries are still received concerning nationals of various countries enrolled in the French Foreign Legion who have ceased to give news. Enquiries are opened to obtain news of these men and inform their families.