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INTERNATIONAL REVIEW OF THE RED CROSS

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THE RED CROSS AND NON-INTERNATIONAL CONFLICTS

by M. Veuthey

Whilst from the outset the Red Cross was founded essentially to help the victims of conflicts between States, and the various Geneva Conventions since 1863 were relevant to conflicts of that kind, it must be recognized that internal conflicts have given rise to hundreds of thousands of victims who, all too often, could not effectively be helped due to legal or political barriers to Red Cross action.

The Red Cross could not be true to its mission and at the same time indifferent to the plight of victims of such conflicts, the horror and ferocity of which frequently exceeded those of the usual international wars.

Even before the 1949 Diplomatic Conference adopted provisions dealing with conflicts of that type, the Red Cross was concerned with what were still known as civil wars.

As early as 1912 one National Society suggested the drawing up of an international law to enable National Red Cross Societies to help the victims of internal conflicts. This project was ahead of its time and was rejected.

Five years later, however, after the Russian Revolution, an ICRC delegate, after a personal interview with Lenin, obtained agreement for a group of neutral Red Cross Societies, in concert with the Russian Red Cross, to create a "Political Red Cross" as it was known because it was assigned the mission of visiting political prisoners to provide them with relief and transmit news on their behalf.

This very important example was not an isolated case and the trend was to find clear expression in 1921 at the Xth International Conference of the Red Cross which adopted the following principles:

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The Red Cross, transcending all political, social, religious, racial, class and national competition, affirms its right and duty to take action to provide relief in civil war, social disturbances and revolutions.

The Red Cross recognizes that all victims of civil war or conflicts of the type mentioned are without exception entitled to assistance, pursuant to the general principles of the Red Cross.

Stressing the important role of the National Red Cross Society, in any country where civil war breaks out, in assisting impartially the victims, the Conference entrusted the ICRC with the “mandate of intervening in the work of relief in the event of civil war”.¹

In addition that same Conference “motivated by the grievous experience acquired by the Red Cross in countries where civil war had raged” launched a stirring appeal for the law of nations to be respected even in time of civil war.

Thus it is almost fifty years since expression was given to principles which may be considered basic for Red Cross action for the benefit of victims of conflicts which are not international.

The adoption of these principles, it is interesting to note, followed closely on the Hungarian Revolution in 1919 during which ICRC delegates intervened first to obtain authorization from the new government to enable the National Red Cross Society to carry out its humanitarian work without hindrance and secondly to give attention to the plight of political prisoners and foreigners. Only two months after its adoption, the 1921 Resolution went through a trial by fire in Upper Silesia. Later the war in Spain was also to entail intervention by the Red Cross (described by one of its delegates, Dr. Junod, in his book “Warrior without Weapons”) to such effect, indeed, that in 1937 a Commission of governmental experts convened by the ICRC unanimously recognized that the Red Cross principles should be respected in all circumstances even when the Geneva Conventions were not applicable. This opinion was reiterated by the XVIth International Conference of the Red Cross in 1938.

The Red Cross Conference in Geneva in 1946 (“Pre-Conference Meeting of National Red Cross Societies for the Study of the

¹ Agenda item XIV “Civil War”, IIIrd Commission, meetings of April 6 and 7, 1921.

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Conventions and the various problems related to the Red Cross”) voted the following recommendation: “In the event of armed conflict within a State, the Convention shall be applied equally by each of the opposing parties, unless one of them expressly refuses to do so”.

Other resolutions were adopted later by governmental experts and by the Stockholm Conference in August 1948. At the Diplomatic Conference to adopt the Geneva Conventions in 1949, the addition of one clause relating to internal conflict gave rise to very lengthy discussions.² It was only after three months that agreement was reached on the text of article 3 which is common to all four Conventions:

“In the case of armed conflict not of an international character occurring in the territory of one of the High Contracting 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 adverse 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.

² See *inter alia* J. Pictet, *The Geneva Conventions of 12 August 1949—Commentary published under the general editorship of J. S. Pictet*, ICRC, Geneva, 1952.

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

This article 3 was a triumph for the Red Cross because it no longer left to the arbitrary decision of parties to an internal conflict the respect and securing of respect for humanitarian principles; it gave official confirmation to certain basic rules and at the same time authorized the International Committee of the Red Cross to take action.

Since the adoption of this article 3—sometimes called the “ mini-convention ”, because it summarizes the essential principles of the Geneva Conventions—the Red Cross in general and the ICRC in particular have endeavoured to secure application of its provisions which, often with other articles of the Conventions, have been accepted in such conflicts as those of Algeria, Cuba, the Lebanon and the Yemen.

However, experience has shown this article 3 to be inadequate. Consequently three meetings of experts were convened in Geneva to consider the question in 1953, 1955 and 1962,³ whilst International Conferences of the Red Cross since 1957 have stressed how topical is the problem and how necessary it is to exert constant efforts to improve the application of humanitarian law in internal conflicts.

At the Istanbul Conference in 1969 the ICRC submitted a special report on “ Protection of Victims of Non-International Conflicts ”.⁴ It also dealt with this problem in one chapter of its

³ Commission of Experts for the Examination of the Question of Assistance to Political Detainees, Geneva, June 9-11, 1953. (Printed publication of the ICRC No. 453, 8 pages).

Commission of Experts for the Study of the Question of the Application of Humanitarian Principles in the Event of Internal Disturbances, Geneva, October 3-8, 1955. (Printed publication of the ICRC No. 481, 8 pages).

Commission of Experts for the Study of the Question of Aid to the Victims of Internal Conflicts, Geneva, October 25-30, 1962. (Printed publication of the ICRC No. 577, 11 pages).

⁴ XXIst International Conference of the Red Cross, Istanbul, September 1969—Report submitted by the ICRC, 1969.

report on "The Reaffirmation and Development of Law and Customs Applicable in Armed Conflicts".⁵ The fact that the main ICRC conclusions on non-international conflicts were endorsed in the UN Secretary-General's report on "Respect for Human Rights in Time of Armed Conflict"⁶ shows clearly that Red Cross action in this field is in keeping with concern more widely felt.

The advisability of developing article 3 has been the subject of several reports and resolutions. The XXIst International Conference of the Red Cross (Istanbul, 1969) adopted several resolutions implicitly in favour of such development. For instance, Resolution XIII ("Reaffirmation and Development of the Laws and Customs Applicable in Armed Conflicts") "underlines the necessity and the urgency of reaffirming and developing humanitarian rules of international law applicable in armed conflicts of all kinds, in order to strengthen the effective protection of the fundamental rights of human beings, in keeping with the Geneva Conventions of 1949"; Resolution XVII ("Protection of Victims of Non-International Armed Conflicts") states that "experience has brought out certain points on the basis of which this article (article 3) could be made more specific or supplemented" and "asks the ICRC to devote special attention to this problem within the framework of the more general studies it has started to develop humanitarian law, in particular with the co-operation of government experts".

All this development may be carried out without impairing the rule, considered essential, in the last paragraph of article 3, that "the application of the preceding provisions shall not affect the legal status of the Parties to the conflict".

As is clear from these above-quoted reports, the experience of the twenty years following the adoption of article 3 seems to show the following shortcomings:

More Extensive Protection of the Wounded and the Sick

The present version of article 3 does no more than restate, in general terms, the principle underlying the first 1864 Geneva

⁵ XXIst International Conference of the Red Cross, Istanbul, 1969. See especially pp. 97 to 121 and Bibliography (annex pp. 077 and 078).

⁶ A/7720, November 1969. See especially paragraphs 104 and 168 to 177.

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Convention, namely: "The wounded and sick shall be collected and cared for".

Article 3 makes no specific provision for respect of the Red Cross sign, of hospitals, military and civilian personnel, or the personnel of National Societies. The report submitted to Istanbul on "the Protection of Victims of Non-International Conflicts" refers to situations in which Red Cross or medical personnel contingents have hesitated to intervene for fear of not being protected against hostilities or of being subsequently reproached for relief activity on behalf of enemy wounded or sick.

As a result, the bombing of hospitals clearly marked with the red cross and the molesting of doctors for having treated or given medicines to an enemy have been too frequent for the omission from positive law of safeguards against such events to be allowed to continue.⁷

Combatants taken prisoner in internal conflict are hardly better protected; although provision is made for their "humane treatment" (forbidding murder, torture, humiliation and degrading treatment) and for at least minimum legal guarantees, there is nothing to prevent the execution of such combatants merely for having borne arms against the enemy. It can readily be understood that the slaughter of prisoners with or without legal proceedings can hardly satisfy humanitarian conscience. . . .

In that respect it is proposed to grant captured enemy combatants impunity and a status approaching that of prisoners of war under the IIIrd Convention.

⁷ See also Resolution XVII ("Medical Care"), which was adopted by the XIXth International Conference of the Red Cross, New Delhi, 1957:

The XIXth International Conference of the Red Cross,

considering the efforts already made by the International Committee of the Red Cross to minimise the suffering caused by armed conflicts of all types, expresses the wish that a new provision be added to the existing Geneva Conventions of 1949, extending the provisions of Article 3 thereof so that :

- (a) *the wounded may be cared for without discrimination and doctors in no way hindered when giving the care which they are called upon to provide in these circumstances,*
 - (b) *the inviolable principle of medical professional secrecy may be respected,*
 - (c) *there may be no restrictions, other than those provided by international legislation, on the sale and free circulation of medicines, it being understood that these will be used exclusively for therapeutic purposes,*
- furthermore, makes an urgent appeal to all Governments to repeal any measures which might be contrary to the present Resolution.*

Deferment or Even Annulment of Capital Punishment during Hostilities

This is a wider proposition than the previous one but, as recent conflicts have shown, the two are closely connected. Any capital punishment in time of conflict, in relation with the conflict, cannot fail to bring about an increase in tension, vigorous reaction from the enemy and even reprisals.

Family News and Relief to Detainees

People have been deprived for long periods of all contact with their family, of all moral comfort and all material relief. Whatever is granted to a captured enemy, consistent with international law—the IIIrd Geneva Convention, in the case in point—should not be denied to detained nationals. Security requirements and repression can never justify such severe measures, which are more likely to arouse high feeling. Experience with prisoners of war and the many political prisoners visited by the ICRC has shown that, in this field as in others, State security and humanity are not incompatible.

Relief to Non-Combatants

The blockade is a legitimate method of warfare. As stated in the “Commentary on the IVth Geneva Convention relative to the protection of civilians in time of war”: “The blockade has become a most effective weapon. A ban on all trade with the enemy or with any country occupied by the enemy, strict regulations governing trade with neutral countries, and an extension of the idea of ‘war contraband’ are measures whose object is to place the adverse party in a state of complete economic and financial isolation; such measures cause suffering to the population as a whole as they affect combatants and non-combatants indiscriminately.”

Provision has been made to allow in international conflicts “the free passage of all consignments of medical and hospital stores and objects necessary for religious worship intended only for civilians. . .” (article 23 of the IVth Convention). It has been suggested

that that provision should be inserted—or at least expressly referred to—in a supplemented article 3.⁸

Penal Prosecutions against War Criminals

Just as the Geneva Conventions (and other international laws) have defined the legal framework for the repression of breaches of the laws and customs of war in international conflicts, so, it has been thought, would it be useful in non-international conflicts to have a specific provision or reference to other legal instruments.

That provision—or reference—should cover both the punishment of offenders and the requisite judicial guarantees.

Included in the methods proposed—apart from any hypothetical international jurisdiction—was the appointment of international observers.

General Amnesty at the end of Hostilities

This was discontinued, by implication, at the 1949 Diplomatic Conference. Several delegates went so far as to say that article 3 would not prevent the taking of proceedings against captured or defeated insurgents. However, several non-international conflicts have since demonstrated that the proposition is topical. Although several victorious governments have taken severe repressive actions against insurgents reduced to their mercy by force of arms (insurrectionist or secessionist movements), others have been wise in declaring general amnesties to restore national unity through an appeal to feelings and reason.⁹

⁸ It may be of some interest to quote Resolution XIX ("Relief in the Event of Internal Disturbances"), which was adopted by the XIXth International Conference of the Red Cross:

The XIXth International Conference of the Red Cross, considering it necessary to ensure maximum efficiency and equity in the distribution of relief supplies in the event of internal disturbances,

declares that relief supplies of all types must be distributed equitably among the victims by the National Red Cross Society, without hindrance on the part of the local authorities ;

considers that, in the event of the National Red Cross Society being unable to come to the assistance of the victims, or whenever it may be deemed necessary or urgent, the International Committee of the Red Cross should take the initiative for the distribution of relief supplies, in agreement with the authorities concerned ;

requests authorities to grant the Red Cross every facility in carrying out relief actions.

⁹ See e.g. the recent examples of Iraq (after the end of the Kurds' insurrection) and Nigeria (after the defeat of the secessionist movement).

Assistance by a neutral body to help parties to an internal conflict to apply the humanitarian principles and provisions. The ICRC under article 3 may do no more than offer its services. Fortunately, in several internal conflicts both the government and the insurgents have recognized the usefulness of such co-operation which in no way affects the legal status of parties to a conflict but does greatly improve the application of the humanitarian principles and provisions and hence the chances of restoring peace.

The question arises whether it would not be useful to give this tradition the force of law in a supplemented article 3. The experts meeting in February 1969 expressed the hope that governments would thereby be bound to accept ICRC intervention with a view to the implementation of humanitarian regulations¹⁰.

Article 126 of the IIIrd Convention lays down the prerogatives of delegates of the Protecting Powers, including the right to visit places of their choice; it grants the same prerogatives to delegates of the ICRC. Those prerogatives which are by no means too far-reaching, are designed only to ensure genuine protection for victims and they are a guarantee for both Parties to the conflict that the ICRC is enabled to carry out its essential humanitarian duties. Several governments have admitted them during non-international conflicts, and experts have expressed the desire to see them recognized in any new regulations which might be adopted.

A further problem which we did not mention at the beginning of this paper because its solution in 1970 will differ from what it would have been at the beginning of the century, and even at the time the 1949 Geneva Conventions were signed, is the applicability of humanitarian law in non-international conflicts. The idea is by no means new, since already in the XVIIIth century a well-known European legal expert, Vattel, advocated the application of humanitarian principles to the treatment of rebels. Article 3 itself states that parties to a conflict "should endeavour to bring into force, by means of special agreements, all or part of the other provisions" of the 1949 Geneva Conventions.

¹⁰ See *Reaffirmation and Development of Laws and Customs Applicable in Armed Conflicts*, Report submitted by the ICRC to the XXIst International Conference of the Red Cross, p. 107.

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a) Application of the IIIrd Convention in Non-International Conflicts:

It is true that article 3 protects “members of armed forces who have laid down their arms and those placed *hors de combat*...”; it guarantees them certain minimum fundamental rights, but as we have seen earlier, it does not forbid the passing of sentences and the carrying out of executions of combatants (subject, it is true, to certain preliminary guarantees).

It will be recalled that the XXIst International Conference of the Red Cross at Istanbul, in Resolution No. XVIII (“Status of Combatants in Non-International Armed Conflicts”) considered “that combatants... who conform to the provisions of article 4 of the IIIrd Geneva Convention of 12 August 1949 should when captured be protected against any inhumanity and brutality and receive treatment similar to that which that Convention lays down for prisoners of war”.

That resolution thus advocates:

- 1) that the provisions of article 4 apply equally in internal conflicts;
- 2) that captured combatants complying with the requirements of those provisions be entitled to treatment similar to that afforded to prisoners of war.

However, the Conference itself was well aware that it had not resolved all problems by that statement which, for the Conference, was but a provisional solution pending more thorough study, since, in its final paragraph, it requested the ICRC “to make a thorough study of the legal status of such persons and take the action in this matter that it deems necessary.”

b) Application of the IVth Convention in Non-International Conflicts

It will be recalled that the final paragraph of a draft Convention for the protection of civilian persons in time of war, submitted by the ICRC to the XVIIth International Red Cross Conference (Stockholm, 1948) provided that:

“In all cases of armed conflict which are not of an international character, especially cases of civil war, colonial conflicts, or wars of religion, which may occur in the territory of one or more of the High Contracting Parties, the implementing of the principles of the

present Convention shall be obligatory on each of the adversaries. The application of the Convention in these circumstances shall in nowise depend on the legal status of the parties to the conflict and shall have no effect on that status ”.

It is however certain that this provision, by itself, would not have been enough, for it is not possible to apply, without serious adaptations, the IVth Convention—the whole system of which is based on nationality—to an internal conflict. It is true that the provisions of Part II (“ General protection of populations against certain consequences of war ”, articles 13 to 26) and of section I of Part III (“ Status and treatment of protected persons ”, “ Provisions common to the territories of the parties to the conflict and to occupied territories ”, articles 27 to 34) can be applied to all civilian persons. On the other hand, for interned persons (detained or sentenced) a special system of rules should be provided: perhaps it might thus be possible to consider that persons detained or prosecuted for acts or attitudes in relation to the conflict should benefit, by analogy, from the provisions applicable in that field to the inhabitants of occupied territories.

c) Rules relating to the conduct of hostilities and the use of weapons¹¹

Unless there is a declaration of recognition of belligerency, the rules relating to the conduct of hostilities and to the use of weapons are not, in law, applicable in non-international conflicts.¹² When one thinks of the ferocity of such conflicts and the extent of the means employed on either side, which are no less than in inter-state conflicts, one cannot help finding this situation abnormal. Many voices have been raised to ensure respect for the rules in non-international conflicts. As Vattel already wrote in the XVIIIth

¹¹ These last two proposals were the subject of a conclusion read by Mr Henri Rolin following the conference on “ Humanitarian Law and Armed Conflicts ” which he presided, which was organized by the Centre de droit international de l’Université de Bruxelles, and which was held on 28-30 January 1970.

¹² It should be pointed out, however, that article 3 requires respect for “ persons taking no active part in the hostilities ”, which already implies certain limitations in the conduct of hostilities and the use of weapons. Resolution 2444/XXIII confirmed that interpretation and recognized “ the need for additional humanitarian international conventions or for other appropriate legal instruments to ensure the better protection of civilians, prisoners and combatants *in all armed conflicts and the prohibition and limitation of the use of certain methods and means of warfare* ”. (our italics).

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century: "A flatterer, or a cruel ruler, is quick to say that the rules of war are not made for rebels deserving of extreme penalties... But whenever a large group believes itself entitled to resist the sovereign, and finds itself in a position to take up arms, war between them should be conducted in the same way as between two different nations".

The question therefore arose whether the principle of article 3, with automatic entry into force as soon as certain conditions were objectively fulfilled, could not equally well be adopted for the rules relating to the conduct of hostilities and the use of weapons.¹³

But in what cases will belligerents—government or insurgent—recognize that article 3 is applicable? All too often, unfortunately, the authorities tend to deny its applicability. The tenor of article 3 is clear yet at the same time not very explicit: "armed conflict", "hostilities", "armed forces" suggest operations on no small a scale and lasting for some time (past or predictable future), a number of victims and possibly (an idea implied in some proposed amendments in 1949) a territory in the hands of the insurgents.

The Expert Commission to examine the question of aid to the victims of internal conflicts, meeting at Geneva in 1962, concluded that the existence of an armed conflict within the meaning of article 3 could not be denied if the hostile action directed against the government was collective and to at least a minimum degree organized. In the opinion of that Commission, account had to be taken of such factors as the duration of the conflict, the number of rebel groups, the extent to which they were under officer supervision, their entrenchment or action in part of the territory, the prevailing tension, the existence of victims and the efforts made by the government to restore order.

Other experts convened by the ICRC at Geneva in February 1969 reiterated these criteria, but stressed that they should not be too narrowly interpreted.

The UN Secretary-General's report on "Respect for Human Rights in Time of Armed Conflict" to the twenty-fourth General

¹³ See C. Zоргbibe, "De la théorie classique de la reconnaissance de belligérance à l'article 3 des Conventions de Genève", Rapport présenté à la Conférence "Droit humanitaire et conflits armés" ("Humanitarian Law and Armed Conflicts"), Brussels, January, 1970, Doc. R/4, 16 pages.

Assembly went even further. In paragraph 104 it stressed that “in situations of armed conflict which occurred in recent times the determination whether the conflict was or was not of an international character was often difficult to make. While, from the point of view of other branches of international law, e.g. from the point of view of the rights and obligations of neutral Powers, this distinction may be of great importance, this may not be so as far as the questions under consideration are concerned, i.e. the securing of minimum humanitarian standards under circumstances of armed conflict.”

These remarks are in keeping with the twenty-third UN General Assembly’s unanimous Resolution 2444 in December 1968 recognizing the “*necessity of applying the basic humanitarian principles in all armed conflicts*”.

In conclusion, there are no political or legal barriers to humanitarian law and it is to be hoped that a statement of principles like Resolution 2444/XXIII will lead to regulations applicable to this kind of conflict, and especially to more complete Red Cross action in them. As Professor Siotis wrote, “internal armed conflicts are steadily taking on the features of a struggle between the great social and national currents, and nothing short of regulations with a solid foundation in objective bases can subordinate the high feeling which they generate to respect for the principles of humanity and law”.¹⁴

Michel VEUTHEY

Member of the ICRC Legal Department

¹⁴ SIOTIS, Jean. *Le droit de la guerre et les conflits armés d'un caractère non international*, Paris, Librairie générale de droit et de jurisprudence, 1958, p. 229.

INTERNATIONAL COMMITTEE OF THE RED CROSS

THE MIDDLE EAST ACTIVITIES OF THE INTERNATIONAL COMMITTEE OF THE RED CROSS

June 1967—June 1970

INTRODUCTION

The armed conflict between Israel and the Arab States, in June 1967, has given rise to extensive humanitarian problems in spite of the short duration of the war. In order to meet those problems, the International Committee of the Red Cross (ICRC), which as early as 25 May 1967 had delegated several of its representatives to Israel and the Arab States, quickly set up an organization to alleviate as much as possible the suffering engendered by the conflict and by the occupation of certain territories.

Generally speaking, the ICRC, as the neutral agency of the Red Cross, acting in time of war to protect and assist the victims of hostilities, was able to carry out its activities: the Geneva Conventions were very widely applied and the ICRC delegates were in most cases able to fulfil their conventional duties.

However, while the problems related to the treatment of the wounded and the prisoners of war were settled relatively quickly, pursuant to the First and Third 1949 Geneva Conventions, the same cannot be said of those covered by the Fourth 1949 Geneva Convention for the pro-

tection of civilians, a detailed and complex legal instrument applicable for the first time in occupied territories.

As early as the beginning of July 1967, the ICRC informed the Israeli authorities that in its opinion the Fourth Convention was applicable and that the International Committee wished to examine with them the practical arrangements for the application of that Convention.

Whereas the Third Convention provided protection to several thousands of prisoners of war, most of whom were, incidentally, in Israel, the Fourth Convention was applicable to hundreds of thousands of civilians living in the occupied territories on the West Bank of the Jordan, in Gaza, in the Sinai and the Golan Heights. It was therefore to the implementation of that Convention that the ICRC directed its main effort.

One of the essential bases of the Geneva Conventions is the nomination of a Protecting Power or a substitute as the official body supervising the effective application of the Conventions. The States involved never having appointed such a body, the ICRC was in duty bound to offer increased assistance to the States parties to the conflict, and particularly to the Occupying Power, with a view to the implementation in as complete a manner as possible of the provisions of humanitarian law.

In addition, the resumption of hostilities, in spite of the cease-fire, brought further suffering in its wake and compelled the ICRC to intensify its efforts.

After three years work in Israel and the occupied territories, in the United Arab Republic, in the Syrian Arab Republic, in Jordan and in the Lebanon, the ICRC deems the time has come for it to put its considerable achievement on record.

* * *

Part I.

GENERAL PROBLEMS

I. Application of the Fourth Geneva Convention

On 5 June 1967, the ICRC reminded all parties to the armed conflict in the Middle East of the humanitarian obligations which they had assumed when they acceded to the four Geneva Conventions of 1949: Lebanon on 10 April 1951, Jordan on 29 May 1951, Israel on 10 April 1951, the United Arab Republic on 10 November 1952, the Syrian Arab Republic on 2 November 1953 and Iraq on 14 February 1956. This was also communicated on 6 June 1967 to all National Red Cross and Red Crescent Societies of States parties to the conflict.

In addition, on 6 and 7 July 1967, the ICRC again drew the attention of the Governments mentioned above to the plight of those civilians who were victims of war and were protected by the Fourth Geneva Convention, and requested them to help and give support to its delegates who had been instructed to further the application of this Convention.

After the parties to the conflict had accepted the cease-fire ordered by the United Nations, and the general repatriation of prisoners of war had been effected through the ICRC, it was essentially the Fourth Geneva Convention that should have been applied, especially in the occupied territories.

The Geneva Conventions have not provided for a body whose function would be to decide in what circumstances they are applicable. The application therefore results from the objective conditions fixed by the Conventions themselves, and it is the States themselves which are bound by these instruments and, in particular, those involved in an armed conflict which are responsible for their implementation. Moreover, it is provided that the Conventions shall be applied with the co-operation and under the scrutiny of the Protecting Powers. This question is dealt with in II below.

During the course of an armed conflict, of whatever nature it may be and however it is called, where a territory under the autho-

riety of one of the parties passes under the authority of an opposing party, there is "occupation" within the meaning of Article 2 of the Geneva Conventions.

The ICRC wished, therefore, already at the beginning of July 1967, to state clearly its position on this point by a memorandum in writing as well as by approaches made on various occasions by its Middle East delegation. Further, in a note dated 24 May 1968 addressed to the Government of Israel, it stated that, in its opinion, conditions were appropriate for the application of the Geneva Conventions and of the Fourth Convention, in particular, in the occupied territories. In its reply of 16 June 1968, the Israeli Government confirmed its desire that the ICRC should continue its humanitarian activities in the three occupied territories on an *ad hoc* basis and stated its readiness to grant to it all facilities required. But it added that it wished to leave the question of the application of the Fourth Convention in the occupied territories open for the moment.

The ICRC, for its part, has not modified in any way its viewpoint in this respect, and has always based itself on the Fourth Geneva Convention as a whole, within the limits of which the Israeli Government authorizes it to act. It has, in this way, obtained, in actual fact and in numerous fields, the effective application of this Convention in the occupied territories of the West Bank of the Jordan, the Golan Heights, Gaza and Sinai.

On several points, the Israeli authorities have responded to the ICRC's requests and have granted it the facilities it requires for its action under the Geneva Conventions. But on some other points, its efforts and interventions have come up against Israel's general reservations with regard to the applicability of the Fourth Convention; these points, such as the destruction of houses and the deportation of protected persons, are examined in detail in Part II of this paper.

The ICRC has brought up this problem of the applicability of the Fourth Geneva Convention in three of its published documents. First of all, on 22 October 1968 in a memorandum sent to Red Cross National Societies, it declared: "From the legal point of view, while the ICRC always maintained that the Fourth Convention was applicable in its entirety in the three occupied terri-

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tories, the Israeli Government declared, notwithstanding repeated representations on the part of the ICRC, that it wished to leave the question of the applicability of the Fourth Geneva Convention in the occupied territories open for the moment, preferring to act on an *ad hoc* basis by granting delegates practical facilities". The second and third statements were couched in similar terms, one in the 1968 Annual Report, and the other in Topical Red Cross News of 30 January 1969 (No. 114). These documents were made available in 1969 to the group of experts appointed by the United Nations Human Rights Commission, and, in 1970, to the special committee set up by the United Nations General Assembly to enquire into Israeli activities affecting human rights in the occupied territories.

At the XXIst International Conference of the Red Cross (Istanbul, September 1969), the representatives of Israel stated publicly their position as regards the applicability of the Fourth Convention. The Conference adopted a Resolution on this subject in which, *inter alia*, it deplored " any refusal to apply and implement the provisions of the Fourth Geneva Convention in its entirety".

II. Protecting Powers and Substitutes for Protecting Powers

The onus for applying effectively the Geneva Conventions lies primarily on the States themselves. In addition, the Conventions provide that they " shall be applied with the co-operation and under the scrutiny of the Protecting Powers whose duty it is to safeguard the interests of the Parties to the conflict " (Art. 8/8/8/9).¹

The authors of the Conventions have in this way shown the great importance attached to the scrutiny of the Protecting Powers, which is exercised in the interest of victims and so that their protection might be more extensive and efficacious. Moreover, provision was made for " substitutes ", where no Protecting Power has been designated, according to the procedure set forth (Ist, IInd and IIIrd Conventions, art. 10; IVth Convention, art. 11). In

¹ This abbreviation refers to the articles of the First, Second, Third and Fourth Conventions.

such cases, the Detaining Power shall request a neutral State or an organization which offers all guarantees of impartiality and efficacy to undertake the functions performed under the present Conventions by a Protecting Power. If such protection cannot be arranged, the Detaining Power shall then request or shall accept the offer of the services of a humanitarian organization, such as the ICRC, to assume the humanitarian functions performed by Protecting Powers.

The provisions of these Conventions, the essential parts of which are stated above, leave no uncertainty as to the possibility afforded to all States involved in armed conflicts to appoint at the beginning of hostilities a Protecting Power, or failing this, as to their obligation to request a State or neutral organization to assume the functions performed by such a Power.

However, none of these two possible steps has been carried out by any one of the Parties, neither during the fighting, nor after the cease-fire. In view of this situation, a note was sent by the ICRC on 4 April 1968 to the States directly involved in the Middle East conflict (Jordan, the United Arab Republic, Syria, Lebanon and Israel) with regard to the application of the Geneva Conventions. It drew their attention to the contractual possibilities and obligations of the Governments concerned that they should designate a Protecting Power or a substitute for it, as well as to the procedure to be followed. It added that, to its knowledge, no State or organization had been requested to assume this role.

The only official reaction to this note was from the Jordanian Government, which, in its letter of 31 May 1968, limited itself to stating that it did not accept the ICRC's viewpoint as set forth in the note.

Consequently, in the present state of affairs, the functions of scrutiny entrusted to Protecting Powers or their substitutes by the Geneva Conventions have not been, in the Middle East conflict, entrusted to the ICRC. Its action in this conflict is based on contractual provisions setting out explicitly some of its particular duties as well as on the general article (art. 9/9/9/10) which recognizes its right to take action with respect to humanitarian activities other than those explicitly provided for.

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On this basis, the ICRC endeavoured as much as possible to carry out its customary activities in favour of victims, even including such functions which, normally, would have fallen within the sphere of a Protecting Power, such as, in particular, investigations of the health situation in the occupied territory, of the destruction of houses and deportations, and enquiries into penal legislation and procedure. Nevertheless, the absence of Protecting Powers or of designated substitutes does not in any way discharge the States parties to the conflict from fulfilling their contractual obligations.

III. Respect for the Geneva Conventions during the present hostilities

So long as acts of war continue, the authorities that commit such acts must, in carrying out these operations, conform to the rules of humanitarian law in cases of armed conflict, in particular the First and Third Geneva Conventions for the protection of the wounded and of prisoners of war. The ICRC endeavours to come to the assistance of the victims of these recent incidents, notably by visiting captured persons.

These acts of war were carried out despite the cease-fire agreed to by the parties to the conflict at the behest of the United Nations on 12 June 1967. It is not for the ICRC to give an opinion as to the responsibility of the parties in this connection. However, it viewed this situation with concern, and sent to the Powers engaged, on 11 April 1970, a further appeal requesting them to apply, in all circumstances, the universally recognized rules of humanity. It urged them to give its delegates greater support and increased facilities for the discharge of their mission, and earnestly requested them to abstain from all acts likely to make efforts to find a peaceful solution to the conflict still more difficult.

Part II

ICRC ACTIVITIES IN FAVOUR OF PROTECTED PERSONS ¹

SECTION I: THE ICRC PRESENCE IN THE BELLIGERENT COUNTRIES

I. ICRC delegations

In view of the growing tension in the Middle East in May 1967, the ICRC thought it advisable to send a number of its delegates to Cairo, Tel-Aviv, Amman, Damascus and Beirut on 25 May.

On 7 June, the ICRC despatched an aircraft bearing the red cross emblem to the Middle East, carrying five more delegates and medical equipment. Since the end of June, the ICRC had about thirty delegates (not counting local recruitment) distributed in the countries directly involved in the conflict, namely, Israel, the United Arab Republic, Syria, Jordan and Lebanon. Besides the actual delegates, these various missions comprised doctors, specialists in relief and Central Tracing Agency specialists for tracing and making enquiries on behalf of families.

The number of delegates varied, especially in 1967, according to the needs. The largest group (between 10 and 16 delegates) was always in Israel and in the three occupied territories of Jordan West Bank, the Golan Heights and Gaza-Sinai. The other delegates (maximum number 15) were distributed between Nicosia, Cairo, Amman, Damascus and Beirut. From June to November 1967, the general delegation, centre of the ICRC's operations, was established in a neutral country, at Nicosia (Cyprus), from where the aircraft which the ICRC kept permanently on hand for four months could swiftly fly to the different countries concerned.

¹ Protected persons under article 4 of the Fourth Geneva Convention of 1949 are those "who, at a given moment and in any manner whatsoever, find themselves, in case of a conflict or occupation, in the hands of a Party to the conflict or Occupying Power of which they are not nationals". Nationals of a "neutral" State or of a co-belligerent State who do not enjoy the protection of a Protecting Power shall also be regarded as protected persons in the territory of a belligerent state.

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The ICRC Delegate-General, with instructions to co-ordinate operations as a whole, was based on Nicosia until November 1967, at which date the ICRC centre of operations was transferred back to Geneva.

At 31 May 1970, the situation could be summarized as follows:

Israel and the occupied territories — The ICRC delegation in Israel and the occupied territories is composed of 15 delegates sent from Geneva and an administrative staff of 21 persons, Swiss, Israelis and Arabs. Its headquarters is at Tel-Aviv, with four delegates, including those in charge of the service of visits to detainees and the prisoners of war department. The delegation includes also three sub-delegations, one at Jerusalem for the occupied territory of Jordan West Bank (5 delegates), one at Gaza for the occupied territories of Gaza-Sinai (5 delegates), and one at Kuneitra for the occupied Syrian territory of the Golan Heights and for Israelo-Lebanon frontier incidents (1 delegate).

Since they were opened, the ICRC offices have been visited by a large number of protected persons. For instance, nearly 40,000 persons went to the Gaza sub-delegation, not counting thousands of people who called at the ICRC office set up at El Arish in the Sinai Peninsula.

About 15,000 persons visited the Jerusalem office. There should be added to these a large number of protected persons who visited various local correspondents of the ICRC in the occupied territories (local Red Crescent branches, Women's Unions, Groups of Elders, locally-recruited staff of the delegation). These local correspondents receive an average of 150 visits a week, or 4,000-5,000 persons per year, if one takes into account those visitors who come more than once.

In addition to the work they do at their permanent bases, delegates systematically travel all over the occupied territories, by car and on foot, to see the persons under their care, and, since June 1967, they have covered 1.5 million kilometres.

Thus, they have been more than 250 times to the river Jordan, 80 times to the Lebanese frontier, nearly 300 times to El Arish and more than 100 times to the Suez Canal, El Qantara or Ismailia.

United Arab Republic. — The ICRC delegation in the United Arab Republic is composed of two delegates: the head of the delegation and his assistant. There is a staff of 7 persons, all Arabs. The headquarters of this delegation is at Cairo.

Jordan. — The ICRC delegation in Jordan is composed of three delegates: the head of the delegation and two assistants. The

staff includes a clerk and an Arab secretary. The headquarters of this delegation is at Amman.

Syrian Arab Republic. — The headquarters of the ICRC delegation in the Syrian Arab Republic is at Damascus. It consists of the head of the delegation, a locally-recruited clerk and a secretary.

Lebanon. — The headquarters of the ICRC delegation in Lebanon is at Beirut. It consists of the head of the delegation and a clerk. Local office staff consists of one person.

II. Special missions carried out by members or directors of the ICRC

On several occasions, the ICRC commissioned one or other of its members and directors to intervene on the spot with the Governments concerned and to lend their weight to their delegates' representations.

Mr. S. Gonard, President of the ICRC, went to Israel, the United Arab Republic, Jordan and Lebanon, between 10 and 19 July 1967. In these countries, he had several high-level meetings with the authorities and with the Committees of the National Red Cross and Red Crescent Societies.

Mr. P. Gaillard, assistant director, went in April 1968 to Israel and the occupied territories on a mission, in the course of which he had talks at the Ministries of Foreign Affairs and Defence.

Mr. J. Freymond, Vice-President of the ICRC, and at that time acting President, went on 9 and 10 March 1969 to Israel, where he had extensive discussions at the Ministry of Foreign Affairs and with the Minister of Defence.

From 23 May to 1 June 1969, Mr. Freymond went to the United Arab Republic and then to Jordan, in order to get directly in touch with the relevant senior Government officials and to clarify the position of the ICRC in the Middle East. In the United Arab Republic, he met the Minister of Foreign Affairs, the Minister of Health, the President of the Red Crescent Society, and the Secretary-General of the Arab League. In Jordan, he met H.R.H. Crown Prince Hassan, the deputy Prime Minister, the Minister of Foreign Affairs and Defence and the Minister of Reconstruction

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and Development. All the officials, in Jordan as well as in the United Arab Republic, who had talks with the ICRC Vice-President and who listened to his statements on humanitarian action in the Middle East, encouraged the ICRC to continue its work in this area.

On 15 and 16 October 1969, Mr. R. Courvoisier, Special Assistant to the President, flew to Cairo, with the object, *inter alia*, of obtaining, under the Third Geneva Convention, the authorization to visit an Israeli pilot captured on 12 September 1969. However, it was not until 26 October 1969, six weeks after his capture, that this authorization was granted.

III. Freedom of movement of delegates

In order that the ICRC should be able to accomplish its humanitarian mission pursuant to the Geneva Conventions, and the Fourth Convention in particular, it is essential that its delegates should be free to move about within the areas touched by the conflict and to converse freely with protected persons, in accordance with article 126 of the Third, and article 143 of the Fourth Convention.

The necessary authorizations were granted to ICRC delegates in August 1967. From that time, they moved about freely and talked without witnesses with the inhabitants of Jordan West Bank, the Golan Heights and the Gaza strip, except in military zones which were restricted essentially to regions near the cease-fire lines and for which applications had to be made in advance.

In Sinai, delegates were authorized to take part in the search for soldiers wandering about at the end of the war. In April 1968, they could go in the whole of the Sinai Peninsula and speak freely to the inhabitants. However, as most of this region is declared a military zone, an authorization must first be obtained, save for the El Arish area.

In each of the Arab States, ICRC delegates were able to travel, already from June 1967, throughout the whole country. But, while they had been at first granted authorization to visit prisoners of war, under the provision of the Third Convention, it was not always so in 1969 and 1970 in the United Arab Republic and Syria.

Delegates were not allowed to visit a certain number of prisoners of war who had been captured near the cease-fire lines.

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SECOND SECTION: ICRC ACTIVITIES PURSUANT TO THE FIRST
AND THIRD GENEVA CONVENTIONS

As soon as they arrived, the delegates brought to the notice of the authorities of States their obligations arising from the First and Third Geneva Conventions for the amelioration of the condition of the wounded and sick and relative to the treatment of prisoners of war.

When, on 27 May 1967, approaches had been made to the Israeli authorities, they solemnly declared that they would take all steps to apply scrupulously these two Conventions.

I. Search for dead or missing soldiers

A few days after the outbreak of hostilities, there arose the dramatic situation of the Egyptian army stranded in the Sinai peninsula. The ICRC approached the Israeli authorities so that they might accelerate search operations for the rescue of Egyptian soldiers lost in the desert. On 13 June 1967, its delegates were authorized to join in the search and helicopters were made available. It was thanks to this action undertaken by the Israeli authorities in co-operation with ICRC delegates that 12,000 men were able to return to their homes at last.

1. Dead soldiers

In June 1967 and July 1968, delegates several times flew by helicopter over the Sinai area. They made many enquiries of Bedouins in this region about missing Egyptian soldiers who

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might possibly have sought refuge with them, and about graves of Egyptian soldiers who might have died during or after the fighting. All these enquiries were fruitless.

On 11 April 1968, the head of the ICRC delegation in Israel requested the authorities to carry out a thorough survey of all hospitals in Israel and the occupied territories, and among all personnel in transit camps, in order to discover the names of all soldiers who might possibly have died there.

Although no new details were forthcoming, the ICRC delegation continues to investigate all tracing requests that are made. Every time that an accurate piece of information is supplied, delegates check the facts on the spot. On 7 August 1968, the Israeli Ministry of Foreign Affairs announced that all prisoners of war captured in June 1967 had been released and repatriated. It added later, on 16 August 1968, that in every case where the name of a soldier who was being traced did not figure on the official prisoners lists and where his death was not reported, the tracing card would bear the words: "Unknown in that name".

2. Tracing missing soldiers

Thousands of soldiers were reported missing after the June 1967 fighting. One of the foremost tasks of the ICRC was to trace these men.

Since June 1967, the different ICRC delegations in the countries involved in the conflict were flooded by requests to trace missing soldiers, which were passed on to the authorities of the countries concerned.

In accordance with article 122 of the Third Convention, countries holding prisoners of war provided the ICRC with lists of names which were transmitted to the various Powers of Origin of the prisoners. In Israel, the first list of prisoners of war was drawn up on 11 June 1967 and communicated soon after to the ICRC. The definitive list was completed on 9 October 1967 and immediately handed over to the ICRC. The Israel military authorities set up an official information bureau at the camp of Atlith as soon as it was opened. In this way, all applications for information with regard to prisoners rapidly received official answers.

3. *Soldiers reported missing*

When the camp at Atlith was closed down in February 1968, the information bureau for military personnel continued to follow up tracing requests sent to it by the ICRC. This office indicated whether the missing soldier had been a prisoner of war and, if so, gave the date of his repatriation. Where the answer was negative, the ICRC requested that he should be traced further among civilian detainees held in Israel or in the occupied territories. Thus, eight Egyptian ex-soldiers, who had been captured after the war, were found in prisons where they were kept with civilian detainees, as they had been wearing civilian clothes when arrested. After the ICRC had intervened on their behalf, they were repatriated in 1969.

4. *Repatriation of dead soldiers killed in action*

The Geneva Conventions do not provide explicitly for the repatriation of the bodies of soldiers killed on enemy territory. However, in response to several requests from the Governments concerned, the ICRC arranged for the repatriation of the mortal remains of a good number of soldiers. These operations were particularly numerous in July 1969 and in most cases took place on both sides of the front in the three occupied territories.

II. **Third Geneva Convention relative to the treatment of prisoners of war**

ICRC action, with regard to the Third Convention, consisted at first in visits to prisoners of war, in Israel as well as in the Arab States, and in securing and later organizing their repatriation. The Third Convention obliges States Parties to treat prisoners of war held by them according to precise and detailed standards. Article 126 provides, *inter alia*, that delegates of the ICRC "shall have permission to go to all places where prisoners of war may be", in order to verify that the rules laid down by the Conventions are not broken. If necessary, the ICRC may intervene with the Detaining Authorities, so as to bring about any necessary improvements in detention conditions.

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1. Soldiers captured during the fighting

a) Arab prisoners in Israel

Right from the beginning of hostilities, the head of the delegation at Tel-Aviv requested authorization to visit prisoners of war captured by Israeli armed forces. The authorities replied that all facilities would be granted as soon as the prisoners were transferred to the camp at Atlith. Syrian, Jordanian and Egyptian prisoners of war, who had been interned in different camps and prisons, were gradually sent to this camp. In the meantime, delegates had the opportunity to see some of the prisoners at the transit camps of El Qantara and Kusseima.

On 14 June 1967, ICRC delegates carried out their first visit to Atlith camp, which contained 6,120 men, including 5,611 prisoners of war. Nine other visits were later carried out, and, according to the customary procedure, delegates enquired into detention conditions, inspected all the quarters and had talks without witnesses with prisoners' representatives. They also arranged for a regular exchange of mail between prisoners and their families, encouraged the former to make use of the Red Cross cards that had been handed over to them for this purpose, and took upon themselves to forward messages, after they had been passed by the censors, in both directions across the cease-fire lines.

Each visit was followed by requests submitted to the Camp Commandant or to superior military authorities for improving, with regard to a number of points, conditions of detention and camp installations. Requests and suggestions were met in most cases by a positive response, on the part of the Authorities.

Reports on these visits were made and communicated officially by the ICRC to the detaining authorities and to the Governments of the countries of origin of the prisoners, namely, the United Arab Republic, Syria and Jordan. Several times, the ICRC provided its delegation in Israel with funds. It was thus able to distribute to prisoners various relief supplies: games, blankets, cigarettes, soap and sweets, for a total value of 90,000 Swiss francs.

Another group, consisting of 91 Egyptian prisoners of war held at the camp of Djebel-Libni in Sinai, was visited for the

first time on 15 October 1967, as its existence had not been notified earlier. At the request of the ICRC, these prisoners were all immediately transferred to Atlith Camp.

When two Egyptian prisoners of war were killed during incidents at Atlith Camp, the Detaining Power sent the reports of the enquiry to the ICRC, which transmitted them to the Power of Origin, in accordance with article 121 of the Third Convention.

b) Israeli prisoners in Arab countries

United Arab Republic. — On 13 June 1967, the delegates visited a group of 9 prisoners of war captured during the fighting. Subsequently, they repeated their visits at intervals, once every two or three weeks, and handed them parcels and messages sent by their families. Two members of the Israeli armed forces at sea, who had been taken prisoner in September 1967, joined the group of prisoners of war captured by the Egyptians during the fighting and were repatriated together with them.

Lebanon. — On 8 June 1967, the Lebanese Government, in response to the appeal which the ICRC had made to it on 6 June, declared that it was prepared to apply the Geneva Conventions. That same day, the ICRC delegate at Beirut requested authorization to visit the Israeli prisoner of war held there. The visit took place on 15 June (the prisoner was detained until 9 August 1967).

Syria. — On application to the authorities, the ICRC delegate at Damascus was authorized to visit on 15 June the Israeli prisoner of war held there. Visits took place on several other occasions until 17 July 1967, when the prisoner was repatriated.

Jordan. — On 23 June 1967, the ICRC delegate in Jordan was able to visit two Israeli prisoners of war, who were repatriated on 27 June 1967.

These visits were followed by requests to the respective authorities to improve conditions of detention. Reports on the visits were sent to the Detaining Powers and to the Power of Origin. Family mail and relief supplies were delivered to these prisoners, through the ICRC.

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2. Notification of deaths of prisoners of war

Sixteen notifications of deaths of prisoners of war were communicated to the ICRC delegation in Israel, with regard to prisoners who died between 12 June 1967 and January 1968.

3. First general repatriation of prisoners of war captured before the cease-fire

The Third Convention provides for two types of repatriation: the unilateral release of severely wounded prisoners, provided for in article 110, and the repatriation of all prisoners of war after the cessation of active hostilities, in accordance with article 118. From June 1967, the ICRC undertook to carry out the measures that were found necessary.

a) Repatriation of Seriously Wounded Casualties

Article 110 provides that all incurably wounded and sick, or casualties not likely to recover within one year, shall be repatriated. The ICRC made proposals in that respect to the governments on 9 June 1967. All parties to the conflict stated that they were in favour of such repatriations. ICRC doctors therefore went to prison camps and subsequently submitted to the governments lists of wounded whose condition justified unilateral release. On 15 June 1967 an aircraft displaying the emblem of the red cross flew twenty seriously wounded casualties from Tel Aviv to Cairo. Other repatriation operations were carried out and in this way 260 serious casualties were repatriated in a dozen flights from Tel Aviv to Cairo and from Tel Aviv to Amman by ICRC aircraft. These flights were the first air-link between Tel-Aviv and the two Arab capitals. At the beginning of July 1967, the only casualties still in enemy hands were those whose condition precluded their being moved. A small number of wounded Jordanian and Egyptian prisoners of war interned at Atlith were repatriated in ensuing months. On 17 November 1967, ICRC delegates escorted 50 wounded Egyptians, released from the Atlith camp, by air to Cairo. This was the last group of seriously wounded prisoners to be repatriated.

b) *Exchange of Prisoners of War*

According to article 118 "Prisoners of war shall be released and repatriated without delay after the cessation of active hostilities".

General Repatriation: Immediately after hostilities, on 13 June 1967, the Israeli Minister of Defence submitted to the head of the ICRC delegation in Israel a proposal for the general exchange of civilian and military prisoners. The ICRC conveyed that proposal to the governments concerned. Except for the Government of the UAR, with which negotiations continued for several months, all soon gave their agreement. Repatriations were effected progressively with the conclusion of the discussions undertaken by the ICRC with each of the governments concerned.

Exchanges between Israel and Jordan. — Reciprocal repatriation of prisoners of war was organized in June; the first operation took place on 27 June 1967 across the Allenby Bridge, following an agreement signed by both governments under ICRC auspices. This first operation enabled 425 Jordanian prisoners of war and two Iraqi civilians to go east of the Jordan and two Israeli pilots to return to their own country.

A second exchange of 47 Jordanian prisoners of war, one Saudi civilian and two Iraqi students for two young Israeli civilians and the bodies of two Israeli pilots was effected on 31 December 1967. In September and October 1967 other repatriation operations had taken place across the Allenby Bridge, with fewer persons involved.

Exchange between Israel and Syria. — On 17 July 1967, 361 Syrian prisoners of war and 328 Syrian civilians were exchanged against one Israeli prisoner of war and three Israeli civilians.

Exchange between Israel and the Lebanon. — On 9 August 1967, 35 Lebanese civilians, one Israeli prisoner of war and four Israeli civilians returned to their own countries.

Exchange between Israel and the UAR. — The repatriation of Egyptian prisoners of war did not take place until January 1968 in view of the divergent opinions of the two governments on the persons to be exchanged. The Israeli authorities asked that some civilian detainees held by both parties should be included in the exchange, whilst the Egyptian Government desired the repatriation only of prisoners of war. Agreement was reached in December 1967. In January 1968 the UAR and Israel repatriated all prisoners of war taken since the June 1967 conflict. This operation, organized

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and supervised by ICRC delegates, included 4,098 Egyptian servicemen and nine Israeli. Irrespective of the negotiations for general repatriation, one Israeli pilot had been repatriated on 16 June 1967 and an Egyptian colonel on 20 June 1967.

4. Prisoners taken after the First General Repatriation

The general exchange in January 1968 of military prisoners taken during the June 1967 hostilities did not put an end to the ICRC's duties under the Third Geneva Convention. New prisoners were taken on various occasions by both sides in the course of operations subsequent to the cease-fire of 12 June 1967.

The number of military captives taken between January 1968 and May 1970 amounted to 77 Egyptians, 12 Jordanians, 11 Lebanese, 8 Syrians and 9 Israelis.

a) Arab Prisoners in Israeli Hands

aa) Members of Arab Regular Armed Forces. — In 1968 and 1969 ICRC delegates regularly visited eight Syrian and eight Egyptian prisoners of war who were subsequently repatriated. Since the beginning of 1970 they have provided comforts to eleven Lebanese and 69 Egyptian soldiers in captivity and to one Syrian captured on 27 May 1970. With the exception of one Egyptian pilot, who could not be visited until a fortnight after his capture, and of a soldier whose capture was notified with 10 days delay, ICRC delegates were able to interview without witnesses all members of Arab regular armed forces taken prisoner by Israel since January 1970, a few days after their capture and thereafter as often as they desired. The authorities co-operated with the delegates for the transmission of family messages, improvement in detention conditions and, in general, they respected the provisions of the Third Geneva Convention.

bb) Palestinians captured at El Karameh and in Southern Lebanon. —

On 21 March 1968, Israeli forces carried out an incursion to El Karameh in Jordan, from where they took back 130 prisoners. Twelve of them, soldiers of the regular Jordan army, were repatriated on 28 March and in the following weeks several tens of civilians were also repatriated. Pursuant to article 4 of the Third Geneva Convention, the ICRC demanded that all detainees not repatriated

be treated on an equal footing with prisoners of war. On 8 April 1968, the Ministry of Foreign Affairs replied by letter contesting the validity of the ICRC's arguments but authorizing ICRC delegates to visit them like any other civilian Arab detainees or internees.

On 12 May, sixteen of the prisoners were visited at the Jericho prison and on 9 June 62 others interned in the Jenin prison. Subsequently the ICRC delegation intervened to obtain for these prisoners special detention conditions and early release. Gradually the authorities released a score of these prisoners.

Following a further petition on 3 May 1970, 55 of the prisoners from El Karameh were released and conducted across the Jordan under ICRC auspices on 13 May 1970. By 31 May 1970, the Israeli authorities had released all but four of the prisoners from El Karameh who, according to the Israeli authorities were to be tried or had been sentenced for offences.

On 12 and 13 May 1970 the Israeli armed forces captured eight Palestinian fighters in south Lebanon. These prisoners were visited by the ICRC delegates on 31 May.

b) Israeli Prisoners in the UAR

After January 1968, seven Israeli servicemen were successively captured. Whilst in 1967 the UAR authorities acceded to ICRC requests to visit prisoners without delay, they did not do so in 1969. The ICRC made known its serious concern at this situation and ceaselessly insisted on visits by its delegates taking place as soon as possible after capture, in order, particularly, to reassure the families of prisoners and to forestall any unverified allegations of ill-treatment. In spite of the ICRC's persistent overtures, its delegate had access to these prisoners of war only after a period varying from 44 to 48 days following the capture.

During a mission in the UAR in the Spring of 1970, the Delegate-General for the Middle East was assured that ICRC delegates would be permitted to visit any new Israeli prisoner in the UAR two or three days after capture, whatever the prisoner's state of health. However, although new prisoners were taken towards the end of May 1970, the ICRC delegate has not been able to visit them.

c) Israeli Prisoners in Syria

On 2 April 1970, two Israeli servicemen were captured by the Syrian armed forces. In spite of the overtures by the ICRC and its Delegate-General to the Middle East, who went to Damascus in May 1970, these two prisoners, whose capture was notified to the ICRC, had still not been visited by 31 May 1970, that is to say two months after their capture.

5. Repatriation of Prisoners of War captured since January 1968

At the request of the governments concerned, the ICRC forwarded exchange proposals, sometimes relating both to civilians and to military personnel. It gave its support to those proposals in view of their humanitarian nature. By the beginning of December 1969, after three repatriation operations in 1968 and December 1969, there were no prisoners of war in any of the countries involved in the conflict. However, as mentioned above, further Israeli, Egyptian, Lebanese and Syrian prisoners were captured in December 1969 and during the first few months of 1970. The ICRC therefore again undertook, both in Israel and in the UAR, further negotiations for the repatriation of these prisoners.

The three repatriation operations mentioned above were the following:

Repatriation of 12 Jordanian Prisoners of War. — Among the prisoners taken at El Karameh in Jordan on 21 March 1968 by the Israeli armed forces there were twelve soldiers of the regular Jordanian army; they were released on 28 March 1968 and repatriated.

Exchange between Israel and the UAR. — On 27 July 1969, one Israeli prisoner of war was exchanged for two Egyptian prisoners of war and one Egyptian civilian.

Further General POW Repatriation Operation on 5 and 6 December 1969. — During these exchanges, eight Syrian, six Egyptian and two Israeli prisoners of war, as well as 52 Egyptian, five Syrian and two Israeli civilians were repatriated.

These two repatriation operations on 27 July and 5-6 December, particularly the latter, were carried on only after considerable efforts by the ICRC.

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THIRD SECTION : ICRC ACTIVITIES PURSUANT
TO THE FOURTH GENEVA CONVENTION

The importance of ICRC activities under the provisions of the Fourth Geneva Convention for the protection of civilians in no way diminished.

One of the ICRC's first concerns was to set up sub-delegations in each of the three territories occupied by Israel. On 4 July 1967 it was able to delegate representatives to Jerusalem for the occupied territory west of the Jordan, to Gaza for the occupied territories of Gaza and the Sinai, and to Kuneitra for the occupied Golan Heights. As a result of negotiations with the Ministry of Defence, its delegates were able to move about freely and visit the various localities in those regions.

I. Transmission of Family News

1. Organization

The ICRC first organized in the occupied territories a system of distributing civilian messages from one side of each cease-fire line to the other, particularly for the many families separated by the large-scale population movements which had occurred during hostilities. These messages were written on standard Red Cross forms providing space for two handwritten letters not exceeding 25 words each and intended for one two-way trip between correspondents. Exchange of family news is provided for in article 25 of the Fourth Geneva Convention.

2. ICRC Negotiations

a) Use of ICRC Forms

In June 1967 the Israeli relief society, the Magen David Adom, declared its willingness to collect and distribute family messages in the occupied territories. A difficulty arose however due to the fact that the Magen David Adom's printed forms bore the emblem of the Red Shield of David and were not accepted by the censor in most of the countries of destination. It was therefore impossible

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for the population of occupied territories to correspond with their relatives living on the other side of a cease-fire line.

Negotiations with the Israeli authorities were therefore started in June 1967. The ICRC delegation asked that it be permitted to collect, distribute and transmit family messages on ICRC forms to the Arab countries. On 11 July 1967, the Israeli Minister of Defence stated that orders had been given for the normal forwarding of ICRC messages. This assurance was renewed following further negotiations in 1968.

b) Censor

Normal censorship delaying mail, the ICRC undertook to speed control both in Israel and the Arab countries, and it managed to do so to some extent.

In the first few months after the outbreak of conflict in June 1967, the ICRC delegation in Israel and the occupied territories organized its own system for the collection and distribution of family messages. Red Cross letter-boxes (e.g. 18 in the Gaza strip) were provided in the occupied territories and the delegates themselves saw to the distribution. The system was maintained until the postal authorities in the occupied territories themselves undertook this work. At present the ICRC message forms may be obtained on request from the post offices in occupied territories. The same post offices also accept messages and relay them to the censor, who forwards them to the ICRC office in Tel-Aviv for despatch to the ICRC delegations in the Arab countries. The system is the same for mail from the Arab countries. The postal administrations in Israel and all the Arab countries transmit messages bearing the sign of the red cross free of charge.

From time to time the delegations carry out a check to see how long messages are held up by the various censors, and intervene where need be.

c) Result

From June 1967 to 31 May 1970 some 1,400,000 messages had been exchanged between the occupied territories and the Arab countries.

II. Repatriation of Civilians¹

Military operations resulted in the exodus of a large part of the population from territories now occupied by Israel. Among those who fled were many 1948 refugees.

After the hostilities, a considerable number of these displaced persons, living under difficult conditions, expressed the wish to return to their homes in occupied territory. In addition, many Egyptian civilians wished to leave the occupied Gaza and Sinai to return west of the Suez Canal.

One of the ICRC's first duties, once the emergency had passed, was to obtain authorization from the Occupying Power for displaced persons to return to the occupied territory of the West Bank of the Jordan and to discuss with the Government of the UAR arrangements for the return of its citizens. All these repatriation operations were carried out under the auspices of the ICRC and its delegates.

1. Return of Displaced Persons to the West Bank of the Jordan

The ICRC delegates asked that persons displaced by the conflict be authorized to return to their homes. In July 1967, the Israeli Government agreed to grant individual authorization to permit civilians to return to their homes on the West Bank of the Jordan. For that purpose, each head of a family was to apply on an appropriate form. There then arose the difficulty of finding a heading for forms which would be acceptable to the Governments both of Israel and of Jordan.

After lengthy negotiations, the ICRC proposed, and the Governments agreed, that a representative of the Jordanian Red Crescent should meet an Israeli civil servant various times under ICRC auspices by the Jordan. This led to an agreement which was signed in July 1967. The heading of the form included the name of both States beside that of the ICRC.

¹ A distinction should be made between the "repatriation of civilians" and the family "meetings" provided for in article 26 of the Fourth Geneva Convention.

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After examination and approval of applications by the Israeli authorities, who thus retained a supervisory power for security reasons, permits were issued to enable applicants to cross the Jordan with their families. These operations began on 18 August 1967 and were attended by representatives of the Jordanian Red Crescent, the Magen David Adom and the ICRC.

For some 140,000 persons, 35,184 repatriation applications were forwarded by the ICRC delegation to the Israeli Ministry of the Interior. By the end of the planned period for repatriations, 31 August 1967, the Ministry had approved 4,699 applications and the forms were sent to Amman through the ICRC. Some 19,000 persons were thus authorized to return to their homes. Of that number, 14,051 crossed the Jordan between 18 and 31 August 1967, i.e. a daily average of 1,000 refugees, among whom there were none of the 1948 refugees displaced a second time during the June 1967 conflict.

Faced with the occupying authorities' decision to discontinue the operation as from 31 August 1967, the ICRC appealed to the Israeli Government to extend the time-limit in order to enable all who wished to return to do so, or at least all whose applications had been accepted. The Israeli Government refused on 22 October 1967 but stated it was prepared to authorize family reunions in accordance with a procedure to be laid down.

In the autumn of 1968 the Israeli Government decided to permit the beneficiaries of the unused permits issued in 1967 to return to the occupied territory west of the Jordan. The operation, announced in the United Nations Security Council on 8 October 1968, was to take place from 24 November 1968 to 31 January 1969. Unfortunately only about a hundred persons returned during that period. The Israeli Government therefore decided to re-allocate, from case to case, to fresh applicants, permits not used by 31 January 1969.

The ICRC, which had considerably contributed to the implementation of the first phase of this repatriation operation, from that time on no longer had an active role; in this second phase the permits were issued to the beneficiaries in Jordan through Arab officials of the administration in the occupied territory who went regularly to Amman for that purpose.

2. *Return of Egyptian Citizens to the Nile Valley*

After the June 1967 conflict, the ICRC delegation estimated that there were about 6,000 unemployed Egyptians from the Nile Valley, in Gaza and the Sinai. All were temporary residents (civil servants, teachers, visitors, etc.) living in Gaza or El Arish with their families. They wished to return west of the Suez Canal and sought ICRC assistance. Consequently, at the end of June 1967, the ICRC asked the Occupying Power and the Egyptian Government to agree to the return of these persons to their homes.

On 26 July 1967 the Israeli Government conveyed the following reply:

- a) All persons from the UAR living in the Sinai were authorized to go back to the Valley of the Nile, but would not be authorized to return.
- b) Women and children nationals of the UAR living in Gaza could also cross the Suez Canal. On the other hand, men between the ages of 18 and 65 would not be authorized (they were temporarily interned at El Arish).

The ICRC then drew up a list of Egyptians from the Nile Valley wishing to return there. It transmitted this list to the UAR and Israeli authorities for agreement to the return of these people to their homes. There were about 6,000 applications.

In the last months of 1967 several convoys were organized in which more than 4,000 Egyptians returned to the Valley of the Nile. Subsequently the internees were also included in the operation.

Since January 1970 a similar transfer operation has been under way for the benefit of the civilian population evacuated to El Arish from El Qantara on 8 January 1968 and now authorized to go to the Valley of the Nile.

3. *Return of Syrian Citizens to Golan*

See III: "Family Reunions"

4. *Return of Egyptian and Palestinian Nationals to the Sinai and Gaza respectively*

See III: "Family Reunions".

5. Results

Under the civilian repatriation programme in 1967 some twenty thousand persons were enabled to return to their homes on one side or other of the cease-fire lines, under ICRC auspices.

III. Family Reunions

Just as it involved the exodus of part of the population from occupied territory, the June 1967 war separated many families because a member was outside the territory when the war broke out or because the families scattered as the enemy advanced.

After having first tried to obtain from the Israeli authorities permission for the repatriation of the largest possible number of Palestinians who had fled east of the Jordan, and for Egyptian nationals to leave the occupied territory of Gaza, the ICRC began negotiations for the reuniting of separated families in all the occupied territories.

1. West Bank of the Jordan

The Israeli authorities raising no objection to the departure of inhabitants from the West Bank, the reuniting of families east of the Jordan required no particular intervention by the ICRC.

When repatriation operations ceased in August 1967 and the Israeli Government informed the ICRC that it did not envisage any resumption, the ICRC delegate sought ways and means of reuniting dispersed families. This was the more urgent as the number of families on the West Bank of the Jordan with one or more relatives beyond the cease-fire line was high and in many cases the separation was the cause of extreme hardship.

Even before any formal procedure was decided for family reunion operations, the delegation was able to arrange, with the agreement of the military authorities, a number of particularly urgent reunions: some 200 persons crossed the Allenby Bridge towards the West Bank in August 1967. The delegation also organized at that time the return of 170 children whose parents were resident east of the Jordan.

On 11 October 1967 the Israeli Government officially informed the ICRC delegation that a procedure for family reunions had been laid down. This decision was confirmed in writing by the Prime Minister on 22 October. Two procedures for family reunions were laid down: an ordinary one and a special one for hardship cases.

a) Ordinary Procedure

The delegates transmitted to the Jordan Red Crescent the authorizations granted by the Israeli Ministry of the Interior. In addition, at each crossing of the Allenby Bridge under ICRC auspices, delegates were present. The delegation sometimes intervened to speed up the granting of permits by the military authorities.

The system became effective towards the end of 1967 but due to an incident on the Allenby Bridge on 21 January 1968, in which two ICRC delegates were seriously wounded, the reuniting of families was suspended.

The ICRC then asked that full security measures be taken. However, the Israeli authorities considering they could not accept the security measures suggested by the ICRC, laid down a new procedure, namely that representatives of municipalities on the West Bank would convey the authorizations to Amman and would return accompanied by the beneficiaries of the authorizations.

From that time on, the ICRC delegates were no longer in attendance at the Allenby Bridge, but they nevertheless continued to intervene in many individual cases.

In addition, the head of the ICRC delegation, towards the end of 1968, appealed to the Ministries of Foreign Affairs, Interior and Defence for the broadening of the criteria for admission which had been stipulated for internal security reasons but which in practice deprived certain categories of persons, particularly adult males, from joining their kin in the occupied territory.

b) Special Cases

The Israeli Government in a letter on 22 October 1967 set forth a special procedure for cases considered worthy of priority on compassionate grounds (mothers separated from their children, old people with no support, etc.). However, in spite of the many

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overtures by the ICRC delegates to establish a quicker procedure, the long time required by the Ministry of the Interior to examine cases was sometimes hardly consistent with humanitarian requirements. Moreover, one-third of applications were refused although they had been selected on the grounds of urgency.

The delegates also intervened in certain very urgent cases (serious illness, death of a relative on the West Bank) for permits authorizing short visits. They personally submitted cases of sick persons residing outside the occupied territory wishing to go to the hospital in Jerusalem, for instance, and who had no family to submit their application to the Israeli authorities.

The ICRC delegation in Israel also saw to it that persons residing west of the Jordan but stranded east of the river could return to their homes even when they had lost their permit or allowed it to expire.

Although the number of cases under this special procedure was relatively few, the ICRC delegates spent a considerable part of their time dealing with them.

2. The Gaza Strip and the Sinai

As in the other occupied territories, the June 1967 war separated many families in Gaza and the Sinai, thousands of Palestinians having fled to the west of the Suez Canal, and many Egyptians were stranded in Gaza or the Sinai, suddenly separated from their families.

In July 1967, the Gaza sub-delegation petitioned the military authorities to allow Palestinians to join their families in the Gaza Strip. On 26 July 1967, the occupation authorities communicated the following decision to the ICRC: "Every Palestinian wishing to rejoin his or her family in Gaza may lodge an application which will be examined". Thereupon, the first series of applications collected by the ICRC delegation in Cairo were submitted to the occupying authorities. Two hundred were accepted and in November of that year most of the applicants had rejoined their families in Gaza.

On 22 February 1968, in view of the increasing number of applications, the ICRC delegation in Israel again appealed to the

Minister of Defence who stated that these family reunion operations could continue provided the UAR authorities also agreed to allow Egyptians in the Sinai to join their families in the UAR. It was agreed that these reunions would not be based on strict numeric reciprocity; the only condition stipulated was that the traffic be two-way. Negotiations were undertaken in Cairo and the UAR authorities gave their agreement.

The way being open, the ICRC delegations in Cairo and Tel-Aviv arranged a procedure which is still applicable, namely:

Candidates fill an application form in the ICRC offices in Cairo, El Arish and Gaza; through the intermediary of the ICRC the forms in respect of Palestinians are sent to the delegations in Israel and those relating to Egyptians are sent to the delegations in the UAR. These applications are then submitted to the authorities in each country who examine them before issuing authorizations to return. The delegations in Cairo and Tel-Aviv inform each other of the names of the persons so authorized to join their kin and they also inform the persons themselves so that they may make preparations to leave.

Every five to six weeks, the delegations, in co-operation with the respective military authorities, organize a convoy of some 200 persons. Rendez-vous is fixed in El Qantara and on the appointed day the Suez Canal for some 25 miles between Ismailia and El Qantara is considered a neutral zone. At the agreed time the two groups of people, one after another, cross the canal under ICRC auspices and on the same day return to their families either in the Gaza Strip or on the western bank of the Suez Canal.

So far, some 5,500 persons have taken advantage of the family reunion operations between the UAR and the Gaza Strip.

Negotiations were also undertaken to enable Palestinians in countries other than the UAR to return to the Gaza Strip. The case of some Palestinians in Jordan was submitted to the military authorities in Gaza in July 1968 but in spite of the many overtures to the authorities, no response has been received. Nevertheless, the ICRC delegations in Amman and at Gaza, in the first months of 1969, arranged the return of some 200 Palestinian children who had been evacuated to the east of the Jordan when war broke out and whose parents had remained in Gaza.

3. Syria and the Golan Heights

As a result of the June 1967 war some 100,000 Syrians fled from their homes on the Golan Heights to Damascus. At the beginning of 1968 it was estimated, according to the ICRC sub-delegation in Kuneitra, that the population on the Golan Heights comprised 6,848 Druzes, 388 other Moslems, 17 Christian Arabs and 5 Tcherkesses.

In 1967 and the beginning of 1968 the occupation authorities permitted practically no one to return to the occupied Syrian territory. However, in January 1969, the ICRC's efforts resulted in the Israeli authorities' giving their agreement in principle. The first family reunion operation took place in that same month under ICRC auspices. It was followed by eight more until they were suspended on 15 June 1969. Following further negotiations, they were resumed in January 1970. By 31 May 1970 more than 600 persons had been able to join their families on the Golan Heights.

IV. Deportations and Population Movements

1. Deportations

Article 49 of the Fourth Geneva Convention forbids for any motive whatsoever the deportation of protected persons from occupied territories. The ICRC is in no position to say whether allegations of expulsion during and immediately after hostilities are founded. On the other hand, its delegates have subsequently observed many cases of deportations outside of the occupied territories of Golan and the West Bank of the Jordan.

a) Golan Heights

The Moslem population of the Golan Heights, estimated to be 110,000 persons before the June war, was about 8,000 shortly after it, 1,000 people then being resident in Kuneitra. On 31 May 1970 the Arab population of Kuneitra was no more than 11 persons.

Consistent with the general principles of humanitarian law and particularly with Article 49 of the Fourth Geneva Convention,

the ICRC delegation in Israel, as early as 1967, several times attempted to put a stop to the various kinds of pressure exerted to force the remaining Arab inhabitants of the Golan Heights to leave for other parts of Syria.

The ICRC delegate in Kuneitra made numerous contacts with the military Government in the region. The head of the ICRC delegation had several interviews on the subject at the Ministries of Foreign Affairs and Defence. The official Israeli position was confirmed in writing on 7 April 1968, namely that the occupation forces were doing nothing to induce the population to leave the territory or to stay. The Government stated that there had been no deportations but voluntary departures which were understandable since there was no prospect of a normal life in the near future for the remaining families.

b) West Bank of the Jordan

Deportations from the West Bank of the Jordan recorded by ICRC delegates in Israel have all been mentioned in official publications issued by the Israeli authorities. These deportations, to the Eastern Bank of the Jordan, were of individuals accused of political activities hostile to the Occupying Power. The number of persons involved is about 80.

In this case too the head of the ICRC delegation in Israel made efforts to intervene, the main steps he took being as follows:

In November 1968 he emphasized that the recent deportation of ten persons was a breach of the Fourth Geneva Convention. The Israeli authorities replied that the persons concerned had been engaged in political activities detrimental to the interests of the State, that they would have been interned if they had not been deported and that of the two possibilities the second was the more humane; furthermore, it was not a case of deportation since the persons expelled were Jordanian citizens transferred to non-occupied Jordanian territory. The ICRC made it clear that it did not consider that interpretation to be consistent with the terms of article 49 of the Fourth Convention.

In January 1969 the problem of deportation was again debated but the standpoints adopted remained unchanged.

In May 1969, the head of the ICRC delegation handed to the Ministry of Foreign Affairs letters, which he supported, from two

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women deportees asking for permission to return to the West Bank of the Jordan. These requests had been based on a statement by the Ministry of Defence on 20 November 1968 that every application to return would be taken into consideration provided the applicants renounced, in writing, all political activity. After the negative response of the Ministry of Foreign Affairs, these cases were submitted to the military authorities which also replied negatively.

c) Gaza Strip

In July 1968 the population of Gaza complained to the ICRC delegation that pressure was being brought to bear on refugees in the UNRWA camp to induce them to settle east of the Jordan. After on-the-spot enquiries, the head of the ICRC delegation asked that the offices in the refugee camps which granted subsidies to voluntary emigrants should be closed. The Israeli authorities replied that, in view of the misunderstandings just mentioned, those offices would be closed.

2. Transfer of Populations within Occupied Territories

Article 49 of the Fourth Geneva Convention does not authorize an Occupying Power to evacuate any or all of a region unless the "security of the population or imperative military reasons so demand". It also stipulates that the persons thus removed shall be provided with proper accommodation.

a) West Bank of the Jordan

aa) *Removal of Inhabitants from the Al Sharaf District of Jerusalem.* — In April 1968 the Israeli authorities warned the inhabitants of the Al Sharaf district that their homes were to be expropriated against compensation. The ICRC sub-delegation in Jerusalem enquired thoroughly into the conditions of expropriation and transfer affecting some 670 families, or 3,500 persons.

In March 1969, the ICRC delegation learnt that most of the persons transferred had accepted the compensation. Consequently the delegation had no cause to intervene.

bb) *Evacuation of 5 houses in the old town of Jerusalem, in June 1969.* — The Israeli Government stated that this evacuation had been decided for security reasons, that it was a temporary measure,

and that the families would be allowed to return to their homes once security arrangements had been completed. The ICRC sub-delegation in Jerusalem verified that all the families affected were re-housed and compensated.

cc) *Beit Sahour*. — The delegation having been informed by the local population during the winter of 1969-1970 that the occupation authorities intended to expropriate a large part of the village of Beit Sahour, near Jerusalem, for military reasons, it intervened at various levels to induce the authorities to reduce to the maximum the area which they claimed it was essential for them to expropriate for military reasons.

dd) *Kirbit Beit Zacharia*. — Information was received that the Israeli authorities had decided to requisition an area of 1,345 "dunams" in the territory called Etzion in the hills near Hebron in the occupied West Bank, and to expropriate another 860 dunams in the same territory. These two measures therefore involved about 550 acres. The 860 dunam plot of land is inhabited by 80 Arabs who live in 10 houses and some small buildings—55 rooms in all—and who live on the product of the soil.

The ICRC delegation in Israel, to which the problem was submitted by the local population on 16 October 1969 intervened several times with the Israeli authorities. It also made several visits to the Kirbit Beit Zacharia inhabitants threatened with expulsion and met the lawyer appointed by them for the defence of their interests.

The object of these preliminary steps was to obtain full information and enquire into the military or other reasons for the action envisaged. This last point has still not been clarified and will be pursued further by the ICRC. On 31 May 1970, the inhabitants of this village were still in their own homes.

b) *Sinai*

aa) *Inhabitants of El Qantara-East*. — At the end of 1968 the town of El Qantara was almost daily under fire and the occupation authorities decided to evacuate 855 inhabitants to El Arish. The ICRC delegation in Israel was notified of this transfer which took place on 8 January 1969. The ICRC delegates were present when the people evacuated reached El Arish and they verified that the voyage had been carried out under reasonable conditions. They observed that the persons were rehoused in a satisfactory manner. They also arranged for the occupation authorities to help some of the families. In addition the occupation authorities generally found for the heads of the displaced families work comparable to that which they had had in El Qantara.

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bb) *Displaced Bedouins.* — At the beginning of 1969, thirteen Bedouin tribes from the western part of the Sinai were removed for military security reasons without the ICRC's having been informed. The number of persons involved was about 3,200.

As soon as they learnt of this operation, the ICRC delegates visited the displaced Bedouins whose living conditions they observed to be unsatisfactory. The ICRC delegation advocated their return to where they had come from and asked that their conditions be improved. On 3 March 1969 the Military Governor of North Sinai was asked to see to it that their water supply was improved, that they received food, and that they recovered the personal effects which they had been unable to take with them. The delegation also asked permission to provide them with tents and blankets.

As a result of these efforts some of the Bedouins recovered their personal effects, the military authorities putting a lorry at their disposal. Moreover, nine of the thirteen tribes were authorized to return temporarily to the area they had come from in order to tend their date-palms. In May 1969, eight of the tribes were permitted to return definitively to the regions where they had previously lived. The five remaining tribes are now in receipt of food from the Israeli Ministry of Social Affairs. The ICRC delegation in 1969, provided them with 40 tarpaulins and 800 blankets. These same Bedouins were also included in the distribution of 700 tons of foodstuffs in August 1969 in the Sinai. The delegation is continuing its efforts nevertheless with a view to improving the living conditions of these tribes who have not yet been authorized to return to the land which they had to leave.

cc) *Expropriation at Shaikh Zuwaid.* — Some 40 families living near the village of Shaikh Zuwaid received notice to quit their homes in the beginning of 1969. The occupation authorities invoked security to justify this displacement of the population. The ICRC delegation intervened several times with the military authorities to ensure that this transfer was effected in conformity with the provisions of article 49 of the Fourth Convention. The problem has still not been settled, as the people concerned refuse compensation.

dd) *Expropriation at El Mansoura.* — In July 1969, the ICRC delegation learnt from the local population that some 1,000 persons living at El Mansoura were to be removed from an area of some 12 to 15 square miles, a third of which was under cultivation.

The ICRC delegates immediately visited the persons due to be evacuated. On 9 July 1969 the head of the delegation asked that the area from which they were to be removed be restricted to the size strictly required for security reasons and that arrangements be made for their satisfactory re-housing and compensation.

The occupation authorities replied in writing on 24 July 1969 that they would indemnify and help the inhabitants of the El Mansoura region to find new land. At present, all these people are grouped outside the evacuated area, the extent of which has been considerably reduced.

ee) *Palestinians in the Sinai*. — In 1969, for security reasons, three groups of Gaza Palestinians, respectively 3, 10 and 6 persons, were temporarily exiled and placed in assigned residence in the Sinai. The ICRC delegate visited them and enquired into their living conditions. The necessary improvements were requested, on the basis of articles 78 and 39 of the Fourth Geneva Convention. Reports on these visits were conveyed to the Detaining Power and to the persons' own Government.

3. Conclusions

The absence of a Protecting Power and the Israeli Government's guarded attitude to the applicability of the Fourth Geneva Convention have resulted, *inter alia*, in the occupation authorities' spontaneously notifying the ICRC of their decisions to transfer protected populations only in the case of El Qantara-East.

When intervening for strictly humanitarian reasons in situations to which article 49 of the Fourth Geneva Convention applies, the ICRC was concerned only with problems directly affecting the living conditions of protected persons. It is for that reason that it did not intervene when the Occupying Power transferred some of its own civilian population to the occupied territories unless such transfers were immediately detrimental to the Arab residents.

[To be continued]

*EXTERNAL ACTIVITIES***ICRC President visits USSR**

At the invitation of the Alliance of Red Cross and Red Crescent Societies of the USSR, the President of the ICRC left Geneva on 22 June 1970 to go for a week to the Soviet Union. He was accompanied by Mr. Melchior Borsinger, ICRC Delegate General for Europe.

On 23 June they were received at the headquarters of the Alliance where they met Professor Fiodor Zakharov and Dr. Zoïa Maïorova, Vice-Presidents of the Executive.¹ On the same day the President visited the Alliance's medical school and the Moscow University.

Accompanied by Dr. Zoïa Maïorova and Mrs. Lilia Tcherkasskaya, director of the Alliance's International Relations, the ICRC delegation was in Leningrad on 24 and 25 June where it was welcomed by Dr. Tatiana Grakova, President of the Leningrad district Red Cross Committee and Member of the Presidium of the Alliance. It was also received by Mr. F. Kokourov, Assistant Mayor of Leningrad, and by Dr. S. Burenkov, Director of the town's public health service. The delegation of the International Committee also visited the holiday camp for young "Molodeznoe" pioneers where it had the opportunity to see some activities of the Junior Red Cross.

Riga, the capital of Latvia, was the next town visited, on 26 to 28 June. The President and Mr. Borsinger there met Dr. Tamara Bush, President of the Latvia SSR Red Cross and Member of the Alliance Presidium.

¹ *Plate.*

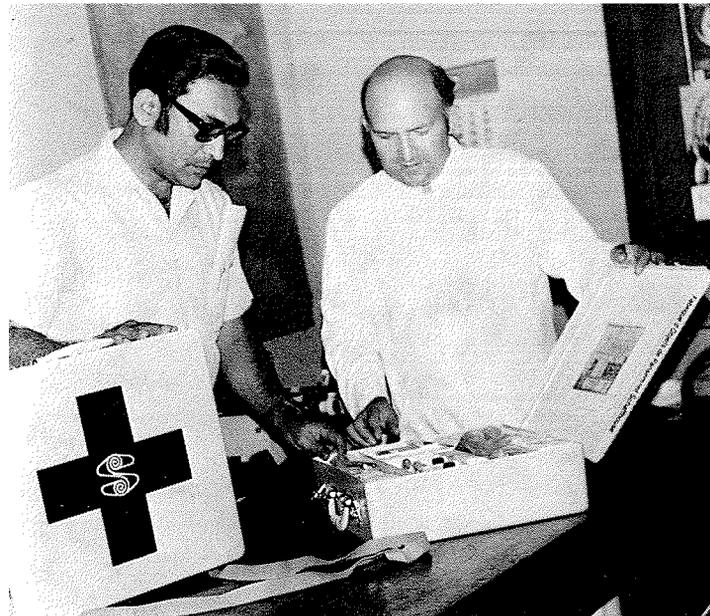
U S S R



Mr. N. Podgorny, President of the Presidium of the Supreme Soviet of the USSR (**right**) welcomes Mr. M.A. Naville, President of the ICRC.

The President of the ICRC is welcomed by Professor F. Zakharov (**centre**) and Dr. Z. Maïorova (**right**), vice-presidents of the Alliance of Red Cross and Red Crescent Societies of the USSR, at the Executive Committee headquarters of the National Society.





The Director General of the Nicaraguan Red Cross, Mr. R. Bermúdez (left), hands over two first-aid kits, a gift from the ICRC, to the President of the León local branch.

Indonesia — An ICRC delegate, Mr. Laverrière, presents pupils of a Bandung primary school with copies of the textbook "The Red Cross and My Country".



At the governmental level, they had a long audience with Mr. V. Kruminj, first Vice-Chairman of the Council of Ministers and Minister of Foreign Affairs of the Latvia SSR, and with Professor V. Kanep, the Latvian Minister of Public Health. They also met Dr. G. Orlean and Mr. L. Grundulis, Vice-Ministers of Public Health and of Education respectively.

Whilst in Latvia, the ICRC delegation visited the spa of Kemerī and the monument to the memory of the Salaspils concentration camp victims, south of Riga.

On 29 June, the President of the International Committee and the Delegate General were received in audience by Mr. Nikolai Podgorny, President of the Presidium of the Supreme Soviet of the USSR.¹

In the course of their stay in the Soviet Union, they and the leaders of the Alliance of Red Cross and Red Crescent Societies of the USSR had fruitful discussions bearing in particular on the extension of contacts and co-operation, as well as on joint action for the benefit of war victims and for the development of international humanitarian law.

Greece

In June, the ICRC continued the mission it started on 24 November 1969, consistent with the agreement it reached with the Greek Government. Its delegates successively visited Kalami prison in Crete and that of Chalkis in Euboea (gendarmerie, on 2 and 3 June), the Aghios Pavlos and Aghios Savas Hospitals and the Athens General Hospital (Athens police, on 4 and 5 June), the Bouboulinas Street police commissariat in Athens (Athens police, on 9 June), the Korydallos prison, the women's and men's sections of the Averoff prison and the Corfu prison (Athens police, on 10, 11, 12, 24 and 26 June). The delegates also visited persons under house arrest at Samothrace, Cythera and Aghios Nikolaos Kinourias (gendarmerie, on 16, 22 and 23 June). In all these places of detention, the ICRC delegates were able to move about freely and to talk without witnesses with detainees of their own choosing.

¹ *Plate.*

Middle East

Israel and the occupied territories

Visits to prisoners of war. — On 17 June, ICRC delegates in Israel visited the prison of the Sarafand military camp and saw 69 United Arab Republic prisoners of war and a Syrian prisoner captured on 27 May 1970. The latter was visited a second time on 30 June, together with 10 Lebanese prisoners of war who had been interned in the same prison. In addition, representatives of the ICRC visited one of 38 Syrian soldiers made prisoner on 26 June by Israeli armed forces during the fighting on the Golan Heights in occupied territory. He had received very severe wounds, and was being treated in a hospital.

The ICRC immediately communicated to the Damascus authorities the list of prisoners which had been transmitted by the Israeli authorities to the ICRC delegation at Tel-Aviv.

Repatriation of civilians. — On 15 June, ICRC delegates in Israel and the occupied territories carried out at the Allenby Bridge the repatriation of two Jordanian civilians who had been captured in Jordan by Israeli troops on the night of 13 to 14 June 1970. A further repatriation operation on 18 June permitted two other Jordanian nationals to return to their country.

Visit to Syrian prisoners of war. — On 9 July 1970, the ICRC delegates in Israel visited 38 Syrian prisoners of war, captured by Israeli armed forces on 29 May last. Capture cards were filled in by the detainees and handed to the ICRC delegates who saw to it that they were delivered to the families concerned.

United Arab Republic

Visits to prisoners of war. — On 24 June and 9 July the ICRC delegate visited four Israeli prisoners of war and on 7 July another who had been captured on 29 May and was in a Cairo hospital for treatment of his wounds.

Repatriation of the dead. — On 29 June 1970, at Ismailia, on the Suez Canal, the bodies of eight soldiers of the United Arab

Republic, killed in recent fighting, were repatriated, under the auspices of the ICRC.

Lebanon

ICRC mission. — Following numerous incidents on the Southern Lebanon border, the ICRC sent to that area a socio-medical team to bring, in collaboration with the Lebanese Red Cross, assistance to victims. The team, which consists of a delegate, Mr. J.-P. Kern, a doctor-delegate, Dr. J.-E. Ryser, and a male nurse, Mr. H. Kilchenmann, left Geneva on 14 July.

Its mission is, on the one hand, to tend those wounded in military operations and to evacuate them to the rear, and, on the other hand, to ensure medical and social aid to civilians in isolated villages who are cut off from all relief of this kind.

Repatriation of fishermen. — On 3 July, ICRC delegates in Israel and Lebanon carried out at Roshanikra the repatriation of four Lebanese fishermen whose boat had drifted into Israeli territorial waters.

Syria

An operation for reuniting families, organized on 22 June by the ICRC, made it possible for 11 persons from Syria to rejoin their relatives in occupied territory on the Golan Heights.

The Yemen Arab Republic

The ICRC artificial limb workshop in Sana'a was opened at the beginning of June. It has now been extended by a physiotherapy room with equipment for the re-education of amputees. At present 42 amputees registered at the centre are being trained in groups preparatory to their being equipped with artificial limbs.

Saudi Arabia

On 23 June 1970, a delegate of the ICRC again visited, at the military camp at Riyadh where they are held, the 24 Southern Yemeni prisoners of war, who had been captured in November

1969 by Saudi Arabian armed forces, at the time of the Wadihia fighting.

People's Republic of Southern Yemen

ICRC delegates once more visited on 6 June 1970 the 37 Saudi prisoners of war captured by Southern Yemeni armed forces at the time of the Wahidia fighting. In addition, from 2 to 11 June 1970, they visited at the Mansoura prison about 200 detainees, imprisoned for political reasons or political offences.

Republic of Vietnam

From 1 December 1969 to 31 May 1970, ICRC delegates paid 77 visits to 70 places of detention, namely: 23 collecting points operated by the armed forces of Korea, Thailand, Australia and America; 14 interrogation centres; 19 re-education centres; 6 prisoner-of-war camps maintained by the armed forces of Vietnam; and 8 American and Vietnamese military and civilian hospitals. Then, during the last fortnight of June 1970 they visited the re-education centres of Vinh Long and Tan Hiep (Bien Hoa), the national prisons of Thu-Duc and Saigon (Chi Hoa), the Qui-Nonh prisoner-of-war camp, and the Hué interrogation centre of the Vietnamese armed forces.

They enquired into detention conditions at all places. As usual their reports are conveyed to the detaining authorities.

Cambodia

Despatch of relief — In July 1970, the ICRC sent the Cambodian Red Cross nearly 4½ tons of medical supplies including anaesthetics, antibiotics, analgesics, blood substitutes and dressing material, supplementing local purchases, and valued at 55,000 Swiss francs. This ICRC contribution was in addition to its emergency allocation, immediately after the outbreak of hostilities, of 200,000 Swiss francs for local purchases.

Visits to refugee camps. — On 24 June 1970 the ICRC and League delegates, accompanied by the Secretary-General of the Cambodian Red Cross, visited two centres for Vietnam refugees

at Phnom Penh, where there were respectively 2,000 and 3,000 people. They also went to two centres for Cambodians who had been evacuated from the Rattanakiri province. On 6 July they attended to newly arriving refugees at Phnom Penh from the region of Rattanakiri. Some 4,000 were taken to these centres and were assisted jointly by the ICRC and the League.

Brazil

The International Red Cross medical team—which Dr. B. Aakerren left at Manaus to return to Europe—is still working among the Indian tribes of the Amazon. It started the second half of its mission at the beginning of July, taking blood samples and administering medicaments at each stage.

From the small town of Benjamin Constant near the Brazil-Peru border, the doctors went to Tabatinga and the island of Aramaça. They then visited Marubos tribes in the region of Cruzeiros do Sul, some 250 miles south-east of Aramaça.

On 8 July they returned to Manaus, the capital of the State of Amazonas, before proceeding towards Boa Vista, the capital of Roraima State on the Venezuelan frontier. In that region they met, from 10 to 20 July, several Makuxis and Waikas tribes.

IN GENEVA

New Accession to the Geneva Conventions

The International Committee of the Red Cross was informed by the Swiss *Département politique fédéral* of the accession to the Geneva Conventions of 1949 by the Yemen Arab Republic. Notification thereof was received in Berne on 16 July 1970, the number of States bound by these Conventions thereby being increased to 126.

M I S C E L L A N E O U S

FIFTIETH ANNIVERSARY OF THE INTERNATIONAL UNION FOR CHILD WELFARE

On 18 June 1970, the commemoration of this anniversary, in which the ICRC joined wholeheartedly, took place at Geneva. It is well known that the ICRC was one of the three institutions that founded the Union. Moreover, several of its members and senior officials played an important role in drafting and proclaiming, in 1923, the Declaration of the Rights of the Child, commonly known as the Declaration of Geneva. It was replaced by a new Declaration of the Rights of the Child, which was adopted, in 1959, by the General Assembly of the United Nations¹.

At the official ceremony, after the ten principles of the Declaration had been read out, several speakers took the floor. They included Mr. M. A. Naville, who spoke, in the following terms, on behalf of the ICRC, of which he is President:

In 1919 a war—claimed to be a war to end wars—had hardly ceased. As always, those who bore the brunt of the bloodthirsty violence of men were the children, the wide-eyed innocent victims of conflicts that leave behind nothing but ruins.

With the advent of peace, people's consciences began to stir. At Geneva, Eglantyne Jebb, who, a few months before, had launched the "Save the Children Fund", a movement for providing aid to children, met Dr. Frédéric Ferrière, Vice-President of the International Committee of the Red Cross. He had witnessed in Vienna the physical and moral distress of children after the war, and had just completed a report which was an appeal to all countries to collaborate in child welfare.

His call was heeded: on 6 January 1920, at the Athénée Building, in the same hall where the Red Cross was born, the "Save the Children International Committee" of Berne joined the London "Save the Children Fund" to form the "Save the Children International

¹ See *International Review*, October 1962 and May 1963.

Union". In 1946, the Union merged with the "International Association for the Promotion of Child Welfare", under the title "International Union for Child Welfare".

On that day of 6 January 1920, the International Committee of the Red Cross was closely linked to the foundation ceremony of the Union, whose fiftieth anniversary we celebrate today. The two founder members of the SCIU, anxious to strengthen their action, and recognizing the need for recourse to an entirely neutral institution, had placed the new society under the patronage of the ICRC, while Mr. Horace Micheli, a member of the International Committee, was elected one of the presidents of the foundation session.

Another member, Mr. Georges Werner, was chairman of the Union's first Executive Committee, while its Secretary General was Etienne Clouzot, Head of the ICRC Secretariat. Together with Eglantyne Jebb, they drafted the "Declaration of the Rights of the Child", known as the "Declaration of Geneva", which constitutes a veritable charter of the obligations to children, a charter which Gustave Ador, former President of the Swiss Confederation and President of the ICRC, proclaimed to the world from the Eiffel Tower radio transmitter, and which was adopted by the League of Nations on 26 September 1924.

In co-operating with the Union, through concrete action in the field, ICRC delegates have bound it to the ICRC with extremely close ties. The origin of these ties may be traced back to the common ideal which had united the two institutions from the very first, and which, through the diversity of their duties, led them to serve men, women and children, treating them with the respect and dignity which they deserve and which are theirs by right.

It is fifty years since the International Union for Child Welfare has been striving at the side of the International Committee of the Red Cross, and other organizations, for this respect and this dignity. This shows that these fundamental rights of human beings are still too often insufficiently known, overlooked and even flouted. It also shows the significance of the struggle that has still to be carried on and the scope of the task that must be pursued.

It gives me particular pleasure on this anniversary to pay tribute, on behalf of the International Committee of the Red Cross, to the part which the International Union for Child Welfare plays in this struggle.

MISCELLANEOUS

Sir Colin Thornley, Director of the "Save the Children Fund" and founder member of the IUCW, recalled the principal milestones in the history of the Union, from the date when it was founded through the drive of that remarkable woman, Eglantyne Jebb (1876-1928), up to the time, in 1946, when the "Save the Children International Union" (SCIU) merged with the "International Association for the Promotion of Child Welfare". A new institution, under the name of "International Union for Child Welfare", had now arisen, and the speaker pointed out the constant progress in the activities which it undertakes on behalf of children, who are victims of poverty and of disasters of all sorts that continually descend upon the earth.

Congratulatory messages were read by Mr. G. Sicault on behalf of UNICEF, and by Mr. W. Dabney, Deputy Secretary General of the League of Red Cross Societies, representing Mr. H. Beer, its Secretary General, on behalf of the League. He stated, on this occasion, that "many Red Cross National Societies work in close contact with national IUCW Committees, and that this collaboration has been most fruitful on the medico-social plane."

Finally, the President of the IUCW, Mr. L. W. Mayo, pointed out the institution's present and future tasks and stressed the significance of actions of co-operation carried out on a local, national or international scale by member organizations. These have been set up in 52 countries and employ professional or voluntary workers who are active in all spheres pertaining to child welfare: nutrition, health, physical and mental hygiene, emergency relief through reconstruction programmes set up in devastated areas and relief assistance to children and adolescents.

*

To mark its fiftieth anniversary, the IUCW has issued a special number of its "International Child Welfare Review" (June 1970, No. 7). This issue, lavishly illustrated and attractively presented, describes the wide range of activities carried out in favour of children at different periods and in various places. It also evokes memories of several early helpers including such names, cherished by the Red Cross movement, as Suzanne Ferrière and Etienne Clouzot. The extensive part played by Gustave Ador and George

Werner, who were at that time, respectively, president and member of the ICRC, in the foundation and development of the IUCW, may also be seen. Various articles describe, in lively fashion, the tasks of the Secretariat General and of member organizations, and set out guidelines for the future.

As Mrs. Gordon M. Morier, Honorary President of the IUCW, wrote in the foreword: "to save lives is an imperious duty, but to help those children to become responsible adults is a yet more serious task. They must be taught self-denial, tolerance and love of their neighbour—three moral values essential in education."

CENTENARY OF THE SOCIETY SOLFERINO SAN MARTINO

This Society was founded with the object of securing a fit burial-place for those who fell at the battles of Solferino and San Martino in June 1859, and is presided by Count Papafava dei Carraresi. At both Solferino and San Martino, it caused ossuaries and museums to be built, and at San Martino, a tower 74 metres high, regarded by Italians as a national monument¹, was also erected. In addition, commemorative stones were placed by the Society at the spots where the bloodiest fighting took place, and it is on its property that a Memorial dedicated to the Red Cross idea was set up and inaugurated in 1959. These historic sites are placed under its custodianship.

On 24 and 25 June 1970, the Society Solferino San Martino celebrated its hundredth anniversary. A number of ceremonies were held at Solferino, San Martino and, also, at the Red Cross Memorial, where, to the left of the tree-lined alley leading to the monument, a stele bearing an inscription recalling the achievement of Henry Dunant was unveiled. Those present, including the President of the Italian Red Cross, Ambassador Quaroni, the Vice-President of the French Red Cross, Baron Cochin, and Mr. Pilloud, Director of

¹ See the article by Mr. Willy Heudtlass, which appeared in the *International Review* of June 1959.

the ICRC, who represented the founder committee of the Red Cross, then proceeded to Castiglione delle Stiviere where they visited the International Red Cross Museum.

FOR THE DISABLED

Progress over the last twenty years in the rehabilitation of the disabled, both in medicine and teaching techniques, is well known. But there are still external factors—social, material, financial, legislative—which are obstacles for the disabled. One of these is described below¹ by Mr. Denys Droin, several of whose articles on the subject we have published:

The problem at present receiving the attention of specialists in all countries is the "architectural barriers". This is a tricky question because it confounds some basic principles of architecture which so far seemed only rarely to have had to take into consideration, both inside and outside buildings, the free movement of wheel-chairs operated manually or electrically by the occupants themselves.

There is no need to remind doctors and their assistants that the proportion of re-educated and re-adapted disabled persons in the population is constantly increasing. There are two contradictory and inter-related reasons for this; the one negative, the other positive. On the one hand there is the increasing number of accidents on the road, at work and in sporting events and, on the other hand, there is the progress in medicine which makes for survival of the seriously injured and sick—formerly ineluctably condemned—but leaving some of them with a permanent injury yet to some extent compensated for by artificial limbs, functional re-education and vocational re-adaptation.

Rehabilitation as conceived since the last war has so far been considered in relation to the disabled person himself. To-day there

¹ See *Médecine et Hygiène* Geneva, No. 897. (The extract given here is our own translation.)

is a further step to be taken, that of building up an environment about the disabled person which enables him to get the utmost from the independence he has achieved through the care he has received and his own patience and determination.

It is for our generation to take in hand this post-medical extension of rehabilitation. Although at this stage the doctor is not directly concerned, he should be informed in order for him to give the weight of his authority to the social and technical revolution which the progressive provision of that environment implies, a socio-psychological revolution in the thinking of a wide public which must become accustomed everywhere to associating as a fellow man and on equal terms with those they previously considered handicapped; it is a technical revolution for the builder who has always been accustomed to drawing up plans in terms of an upright *homo sapiens* and who henceforth in all buildings must take into account this new species, *homo faber* in a wheelchair or walking with crutches.

Mr. D. Droin would like to see what he calls "a town open to all". He discussed the methods advocated and those already put in practice so that wheelchairs may freely circulate inside and outside buildings. Although these are projects of concern primarily to the architect and the town planner, there is an initiative under way in that direction and which we bring to the attention of our readers for their information.

Rehabilitation International recently adopted a sign identifying buildings and places in which ready access for the disabled has been planned. That sign consists of a stylised silhouette of a person sitting in a wheelchair. In a news release, the Society expresses the hope that the symbol will become international and, when recognized everywhere, make life easier for the handicapped.

In announcing the adoption of the new symbol, Norman Acton, Secretary General of Rehabilitation International, stressed that modern rehabilitation methods have greatly increased the mobility of many disabled persons, but that staircases, narrow doorways and other barriers frequently deny access to public buildings, shops, transportation, restaurants, theaters, churches and other facilities. Campaigns to eliminate such barriers should be accom-

MISCELLANEOUS

panied by steps to identify accessible areas, and that is the function of the new symbol.

“ The tremendous increase in international travel by disabled persons makes it important to agree upon an international symbol which will convey its message without the use of words,” he said.

Member organizations of Rehabilitation International in 61 countries throughout the world have been requested to seek acceptance of the symbol of access by their governments and by private enterprises. The world organization is urging its use by international bodies concerned with all means of transportation, housing and other facilities essential to daily life.

On 22 March 1970, world day of remembrance for the disabled, the International Federation of Disabled Workmen and Civilian Cripples (FIMITIC) drew attention to the need for practical efforts by society to rehabilitate the disabled. It launched an appeal, the gist of which is as follows :

By rehabilitation we mean the professional and social reintegration of the handicapped into society. In the first place rehabilitation is assistance to the handicapped persons' own effort. His determination and willingness to co-operate actively are fundamental to success. But rehabilitation is also a call to fulfil a humanitarian task.

FIMITIC has from the outset served the cause of rehabilitation. The individual being the centre of all efforts, professional and social rehabilitation are inseparable.

Rehabilitation is a duty which society must guarantee by appropriate legislation, by the right to medical, professional and social reintegration. It should be undertaken early enough and continued to the end. Already in hospital there should be co-ordination between future action on the medical and vocational level. Better training of doctors in accident surgery would facilitate vocational rehabilitation.

We are living in a time of intensive industrialisation. Rehabilitation of the seriously disabled is possible if the problems related to their family, homes and access to workplaces could be solved.

FIMITIC therefore appeals to society to increase its efforts to eliminate architectural barriers wherever they may be and its Congress at Copenhagen in May 1969 highlighted the difficulties which those barriers constitute for the seriously handicapped. Its Congress on protected work-shops at Warsaw in November 1969 demonstrated that rehabilitation of seriously disabled persons can be facilitated by close co-operation between doctors, instructors and rehabilitation specialists.

Social reintegration of the disabled is no less important. Society should also enable the seriously disabled to live in dignity; it should grant them social security and the benefits of technical progress. The economic security of the disabled person and his family is the pre-condition for well planned social integration.

It must also not be forgotten that successful rehabilitation lightens society's burden, for the disabled person again becomes an active member of that society instead of, as formerly, a passenger.

A study of the total working environment of the handicapped in Europe, commissioned by the Scottish Branch of the British Red Cross, has just been published in book form, under the title of " A Place at Work ". It covers schools, hospital facilities for medical treatment and rehabilitation, rehabilitation centres and occupational therapy units. Special attention is given to the sheltered workshop and workshop design.

BOOKS AND REVIEWS

HENRY W. DUNNING:
"ELEMENTS FOR THE HISTORY OF THE LEAGUE OF RED CROSS
SOCIETIES"

On the occasion of the fiftieth anniversary of its foundation, commemorated last year, the League entrusted Mr. Henry W. Dunning who, it may be recalled, was its Secretary General from 1958 to 1960 with the task of outlining the main events of its history. He has set them out, in lucid and vivid fashion, in a work so filled with precise and significant facts that it does not lend itself easily to an adequate review.

We shall therefore restrict ourselves here to the list of chapter-headings: I The Genesis of the League of Red Cross Societies. II Birth of the League of Red Cross Societies. III Changes in Leadership and Direction. IV Formation of the International Red Cross. V War Years. VI Rejuvenation. VII Expansion. VIII New Departure in the Relief Field. IX The League Branches Out.

Towards the end of the book, the author stresses the importance of the technical assistance programme adopted by the League Executive Committee in 1962, and gradually implemented in line with the priorities established. This programme comprised also the organization of study centres and seminars for leaders of future National Societies, the continuation of the programme of study visits and the despatch of material to Societies making such a request. Mr. Dunning recalls that much useful work was also achieved on the plane of ideas; the seven fundamental Principles of the Red Cross, drafted jointly by the League and the ICRC, were given the final seal of approval by the XXth International Conference of the Red Cross.

Further, the speeches delivered at the fiftieth anniversary in Geneva, an account of which had been given in the May issue of the *International Review*, displayed a steadfast faith in the future, notwithstanding the existing state of the world where appeals to humanity have so much difficulty in obtaining a hearing.

But, as Mr. Beer, Secretary General of the League, said at the time, "it is just such conditions which require the Red Cross to make a special effort, often doomed to failure, but which must be repeated again until at last success is obtained".

J.-G. L.

W. STEENSMA: "DE RADIO MEDISCHE DIENST VAN HET NEDERLANDSCHE ROODE KRUIS VOOR DE SCHEEPVAART" ¹

The medical leader of the Radio Medical Service of the Netherlands Red Cross took his degree as a doctor of medicine with the defence of this thesis, based on daily experience for two years (1967/68). In the first chapter some regulations for the medical care of ships crews and passengers are quoted. It is clear that the development of communication has a great influence: the presence of a doctor on a ship is no longer a first necessity. Introduction of the Amver (Automated Merchant Vessel Report) for the Atlantic Ocean in 1958 and the Pacific in 1966 has proved very helpful. Two examples of medical advice by telephone or telegram give a clear picture of the course of things and it appears that the treatment so advised and applied may be optimal.

In chapter II the training of a ship's officer for medical service on board is discussed. Dr Steensma emphasizes the necessity of an interneeship in a hospital for at least three weeks. It is quite obvious that the smooth functioning of the radio medical service largely depends on the medical knowledge and skill of the man on board.

Nautical experience is a must for the physician in charge of the RMS. This is proved in chapter III describing the present working method of the Netherlands radio medical service, a

¹ Thesis Amsterdam, 1969.

BOOKS AND REVIEWS

specialized autonomous branch of the Netherlands Red Cross like the other scientific services of this national society. Since 1967 this service is provided by only two regular physicians. Formerly there was only the hospital-doctor on duty, as is still the case elsewhere. The advantages of the new form are obvious. In this chapter also information is given about the situation in other countries as far as this could be obtained. Unfortunately there exists a great lack of co-ordination in method and medical registration. The author can give some details and figures about Norway, Israel, the USA, France, Germany (Fed. Rep.) and Italy. In this last country Dr Steensma visited the Centro Internazionale Radio Medico that is well known throughout the world, about which an article appeared in the International Review of the Red Cross of April 1968. As can be expected he strongly defends the system applied in the Netherlands and in Norway where one or two regular doctors are responsible for the RMS.

In the next chapters a few medical cases are treated more in detail, while at the end of the book we find statistical data of the cases in which medical advice was given: 203 in 1967, 280 in 1968; the number of contacts with a vessel being 488 and 622, as well as the text of a helicopter evacuation check list.

J. H. Rombach

EXTRACT FROM THE STATUTES OF
THE INTERNATIONAL COMMITTEE OF THE RED CROSS

(AGREED AND AMENDED ON SEPTEMBER 25, 1952)

ART. 1. — The International Committee of the Red Cross (ICRC) founded in Geneva in 1863 and formally recognized in the Geneva Conventions and by International Conferences of the Red Cross, shall be an independent organization having its own Statutes.

It shall be a constituent part of the International Red Cross.¹

ART. 2. — As an association governed by Articles 60 and following of the Swiss Civil Code, the ICRC shall have legal personality.

ART. 3. — The headquarters of the ICRC shall be in Geneva.

Its emblem shall be a red cross on a white ground. Its motto shall be "Inter arma caritas".

ART. 4. — The special rôle of the ICRC shall be:

- (a) to maintain the fundamental and permanent principles of the Red Cross, namely: impartiality, action independent of any racial, political, religious or economic considerations, the universality of the Red Cross and the equality of the National Red Cross Societies;
- (b) to recognize any newly established or reconstituted National Red Cross Society which fulfils the conditions for recognition in force, and to notify other National Societies of such recognition;

¹The International Red Cross comprises the National Red Cross Societies, the International Committee of the Red Cross and the League of Red Cross Societies. The term "National Red Cross Societies" includes the Red Crescent Societies and the Red Lion and Sun Society.

- (c) to undertake the tasks incumbent on it under the Geneva Conventions, to work for the faithful application of these Conventions and to take cognizance of any complaints regarding alleged breaches of the humanitarian Conventions;
- (d) to take action in its capacity as a neutral institution, especially in case of war, civil war or internal strife; to endeavour to ensure at all times that the military and civilian victims of such conflicts and of their direct results receive protection and assistance, and to serve, in humanitarian matters, as an intermediary between the parties;
- (e) to contribute, in view of such conflicts, to the preparation and development of medical personnel and medical equipment, in cooperation with the Red Cross organizations, the medical services of the armed forces, and other competent authorities;
- (f) to work for the continual improvement of humanitarian international law and for the better understanding and diffusion of the Geneva Conventions and to prepare for their possible extension;
- (g) to accept the mandates entrusted to it by the International Conferences of the Red Cross.

The ICRC may also take any humanitarian initiative which comes within its rôle as a specifically neutral and independent institution and consider any questions requiring examination by such an institution.

ART. 6 (first paragraph). — The ICRC shall co-opt its members from among Swiss citizens. The number of members may not exceed twenty-five.

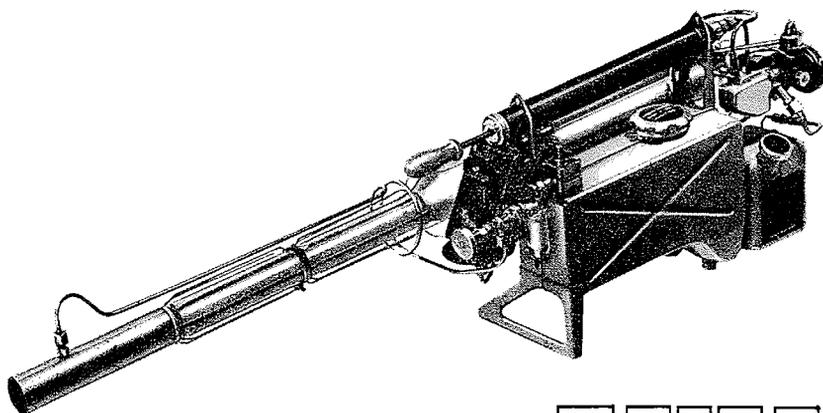
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ADDRESSES OF CENTRAL COMMITTEES

- AFGHANISTAN — Afghan Red Crescent, *Kabul*.
- ALBANIA — Albanian Red Cross, 35, Rruga Barrikadavet, *Tirana*.
- ALGERIA — Central Committee of the Algerian Red Crescent Society, 15 bis, Boulevard Mohamed V, *Algiers*.
- ARGENTINE — Argentine Red Cross, H. Yriogoyen 2068, *Buenos Aires*.
- AUSTRALIA — Australian Red Cross, 122-128 Flinders Street, *Melbourne, C. 1*.
- AUSTRIA — Austrian Red Cross, 3 Gusshausstrasse, Postfach 39, *Vienna IV*.
- BELGIUM — Belgian Red Cross, 98, Chaussée de Vleurgat, *Brussels 5*.
- BOLIVIA — Bolivian Red Cross, Avenida Simon Bolivar, 1515 (Casilla 741), *La Paz*.
- BOTSWANA — Botswana Red Cross Society, P.O. Box 565, *Gaborone*.
- BRAZIL — Brazilian Red Cross, Praça da Cruz Vermelha 12 cz/86, *Rio de Janeiro*.
- BULGARIA — Bulgarian Red Cross, 1, Boul. S.S. Biruzov, *Sofia*.
- BURMA — Burma Red Cross, 42, Strand Road, Red Cross Building, *Rangoon*.
- BURUNDI — Red Cross Society of Burundi, rue du Marché 3, P.O. Box 1324, *Bujumbura*.
- CAMBODIA — Cambodian Red Cross, 17, Vithei Croix-Rouge, P.O.B. 94, *Phnom-Penh*.
- CAMEROON — Central Committee of the Cameroon Red Cross Society, rue Henry-Dunant, P.O.B. 631, *Yaoundé*.
- CANADA — Canadian Red Cross, 95 Wellesley Street, East, *Toronto 284* (Ontario).
- CEYLON — Ceylon Red Cross, 106 Dharma-pala Mawatte, *Colombo VII*.
- CHILE — Chilean Red Cross, Avenida Santa Maria 0150, Correo 21, Casilla 246 V., *Santiago de Chile*.
- CHINA — Red Cross Society of China, 22 Kanmien Hutung, *Peking, E*.
- COLOMBIA — Colombian Red Cross, Carrera 7a, 34-65 Apartado nacional 1110, *Bogotá D.E.*
- CONGO — Red Cross of the Congo, 41, Avenue Valcke P.O. Box 1712, *Kinshasa*.
- COSTA RICA — Costa Rican Red Cross, Calle 5a, Apartado 1025, *San José*.
- CUBA — Cuban Red Cross, Calle 23 201 esq. N. Vedado, *Havana*.
- CZECHOSLOVAKIA — Czechoslovak Red Cross, Thunovska 18, *Prague I*.
- DAHOMEY — Red Cross Society of Dahomey, P.O. Box 1, *Porto Novo*.
- DENMARK — Danish Red Cross, Ny Vestergade 17, *Copenhagen K*.
- DOMINICAN REPUBLIC — Dominican Red Cross, Calle Juan Enrique Dunant, Ensanche Miraflores, *Santo Domingo*.
- ECUADOR — Ecuadorean Red Cross, Calle de la Cruz Roja y Avenida Colombia 118, *Quito*.
- ETHIOPIA — Ethiopian Red Cross, Red Cross Road No. 1, P.O. Box 195, *Addis Ababa*.
- FINLAND — Finnish Red Cross, Tehtaankatu 1 A, Box 14168, *Helsinki 14*.
- FRANCE — French Red Cross, 17, rue Quentin Bauchart, *Paris (8^e)*.
- GERMANY (Dem. Republic) — German Red Cross in the German Democratic Republic, Kaitzerstrasse 2, *Dresden A. 1*.
- GERMANY (Federal Republic) — German Red Cross in the Federal Republic of Germany, Friedrich-Ebert-Allee 71, 5300 *Bonn 1*, Postfach (D.B.R.).
- GHANA — Ghana Red Cross, P.O. Box 835, *Accra*.
- GREAT BRITAIN — British Red Cross, 9 Grosvenor Crescent, *London, S.W.1*.
- GREECE — Hellenic Red Cross, rue Lycavittou 1, *Athens 135*.
- GUATEMALA — Guatemalan Red Cross, 3.º Calle 8-40 zona 1, *Guatemala C.A.*
- GUYANA — Guyana Red Cross, P.O. Box 351, Eve Leary, *Georgetown*.
- HAITI — Haiti Red Cross, Place des Nations Unies, B.P. 1337, *Port-au-Prince*.
- HONDURAS — Honduran Red Cross, Calle Henry Dunant 516, *Tegucigalpa*.
- HUNGARY — Hungarian Red Cross, Arany Janos utca 31, *Budapest V*.
- ICELAND — Icelandic Red Cross, Ølduggøtu 4, *Reykjavík*, Post Box 872.
- INDIA — Indian Red Cross, 1 Red Cross Road, *New Delhi 1*.
- INDONESIA — Indonesian Red Cross, Tanah Abang Barat 66, P.O. Box 2009, *Djakarta*.
- IRAN — Iranian Red Lion and Sun Society, Avenue Ark, *Teheran*.
- IRAQ — Iraqi Red Crescent, Al-Mansour, *Baghdad*.
- IRELAND — Irish Red Cross, 16 Merrion Square, *Dublin 2*.
- ITALY — Italian Red Cross, 12, via Toscana, *Rome*.
- IVORY COAST — Ivory Coast Red Cross Society, B.P. 1244, *Abidjan*.
- JAMAICA — Jamaica Red Cross Society, 76 Arnold Road, *Kingston 5*.
- JAPAN — Japanese Red Cross, 5 Shiba Park, Minato-Ku, *Tokyo*.
- JORDAN — Jordan National Red Crescent Society, P.O. Box 10 001, *Amman*.
- KENYA — Kenya Red Cross Society, St Johns Gate, P.O. Box 712, *Nairobi*.
- KOREA (Democratic People's Republic) — Red Cross Society of the Democratic People's Republic of Korea, *Pyongyang*.
- KOREA (Republic) — The Republic of Korea National Red Cross, 32-3 Ka Nam San-Donk, *Seoul*.
- KUWAIT — Kuwait Red Crescent Society, P.O. Box 1359, *Kuwait*.
- LAOS — Lao Red Cross, P.B. 650, *Vientiane*.
- LEBANON — Lebanese Red Cross, rue Général Spears, *Beirut*.

ADDRESSES OF CENTRAL COMMITTEES

- LIBERIA** — Liberian National Red Cross, National Headquarters, Corner of Tubman boulevard and 9th Street Sinkor, P.O. Box 226, *Monrovia*.
- LIBYAN ARAB REPUBLIC** — Libyan Red Crescent, Berka Omar Mukhtar Street, P.O. Box 541, *Benghazi*.
- LIECHTENSTEIN** — Liechtenstein Red Cross, FL-9490 *Vaduz*.
- LUXEMBOURG** — Luxembourg Red Cross, Parc de la Ville, C.P. 234, *Luxembourg*.
- MADAGASCAR** — Red Cross Society of Madagascar, rue Clemenceau, P.O. Box 1168, *Tananarive*.
- MALAYSIA** — Malaysian Red Cross Society, 519 Jalan Belfield, *Kuala Lumpur*.
- MALI** — Mali Red Cross, B.P. 280, route de Koulikora, *Bamako*.
- MEXICO** — Mexican Red Cross, Avenida Ejército Nacional, n° 1032, *Mexico* 10, D.F.
- MONACO** — Red Cross of Monaco, 27 Boul. de Suisse, *Monte-Carlo*.
- MONGOLIA** — Red Cross Society of the Mongolian People's Republic, Central Post Office, Post Box 537, *Ulan Bator*.
- MOROCCO** — Moroccan Red Crescent, rue Benzakour, B.P. 189, *Rabat*.
- NEPAL** — Nepal Red Cross Society, Tripureshwar, P.B. 217, *Kathmandu*.
- NETHERLANDS** — Netherlands Red Cross, 27 Prinsessegracht, *The Hague*.
- NEW ZEALAND** — New Zealand Red Cross, 61 Dixon Street, P.O.B. 6073, *Wellington* C.2.
- NICARAGUA** — Nicaraguan Red Cross, 12 Avenida Noroeste, 305, *Managua*, D.N.
- NIGER** — Red Cross Society of Niger, B.P. 386, *Niamey*.
- NIGERIA** — Nigerian Red Cross Society, Eko Akete Close, off. St. Gregory Rd., Onikan, P.O. Box 764, *Lagos*.
- NORWAY** — Norwegian Red Cross, Parkveien 33b, *Oslo*.
- PAKISTAN** — Pakistan Red Cross, Frere Street, *Karachi* 4.
- PANAMA** — Panamanian Red Cross, Apartado 668, *Panama*.
- PARAGUAY** — Paraguayan Red Cross, calle André Barbero y Artigas 33, *Asunción*.
- PERU** — Peruvian Red Cross, Jiron Chancay 881, *Lima*.
- PHILIPPINES** — Philippine National Red Cross, 860 United Nations Avenue, P.O.B. 280, *Manila* D-406.
- POLAND** — Polish Red Cross, Mokotowska 14, *Warsaw*.
- PORTUGAL** — Portuguese Red Cross, General Secretaryship, Jardim 9 de Abril, 1 a 5, *Lisbon* 3.
- RUMANIA** — Red Cross of the Socialist Republic of Rumania, Strada Biserica Amzei 29, *Bucarest*.
- SALVADOR** — Salvador Red Cross, 3a Avenida Norte y 3a Calle Poniente 21, *San Salvador*.
- SAN MARINO** — San Marino Red Cross, Palais gouvernemental, *San Marino*.
- SAUDI ARABIA** — Saudi Arabian Red Crescent *Riyadh*.
- SENEGAL** — Senegalese Red Cross Society, Bid. Franklin-Roosevelt, P.O.B. 299, *Dakar*.
- SIERRA LEONE** — Sierra Leone Red Cross Society, 6 Liverpool Street, P.O.B. 427, *Freetown*.
- SOMALI REPUBLIC** — Somali Red Crescent Society, P.O. Box. 937, *Mogadiscio*.
- SOUTH AFRICA** — South African Red Cross, Cor. Kruis & Market Streets, P.O.B. 8726, *Johannesburg*.
- SPAIN** — Spanish Red Cross, Eduardo Dato 16, *Madrid*, 10.
- SUDAN** — Sudanese Red Crescent, P.O. Box 235, *Khartoum*.
- SWEDEN** — Swedish Red Cross, Artillerigatan 6, 10440, *Stockholm* 14.
- SWITZERLAND** — Swiss Red Cross, Taubenstrasse, 8, B.P. 2699, 3001 *Berne*.
- SYRIA** — Syrian Red Crescent, 13, rue Mahdi Ben Baraka, *Damascus*.
- TANZANIA** — Tanganyika Red Cross Society, Upanga Road, P.O.B. 1133, *Dar es Salaam*.
- THAILAND** — Thai Red Cross Society, King Chulalongkorn Memorial Hospital, *Bangkok*.
- TOGO** — Togolese Red Cross Society, Avenue des Alliés 19, P.O. Box 655, *Lomé*.
- TRINIDAD AND TOBAGO** — Trinidad and Tobago Red Cross Society, 48 Pembroke Street, P.O. Box 357, *Port of Spain*.
- TUNISIA** — Tunisian Red Crescent, 19, rue d'Angleterre, *Tunis*.
- TURKEY** — Turkish Red Crescent, Yenisehir, *Ankara*.
- UGANDA** — Uganda Red Cross, 57 Roseberry Street, P.O. Box 494, *Kampala*.
- UNITED ARAB REPUBLIC** — Red Crescent Society of the United Arab Republic, 34, rue Ramses, *Cairo*.
- UPPER VOLTA** — Upper Volta Red Cross, P.O.B. 340, *Ouagadougou*.
- URUGUAY** — Uruguayan Red Cross, Avenida 8 de Octubre, 2990, *Montevideo*.
- U.S.A.** — American National Red Cross, 17th and D Streets, N.W., *Washington* 6 D.C.
- U.S.S.R.** — Alliance of Red Cross and Red Crescent Societies, Tcheremushki, J. Tcheremushkinskii proezd 5, *Moscow* W-36.
- VENEZUELA** — Venezuelan Red Cross, Avenida Andrés Bello No. 4, Apart. 3185, *Caracas*.
- VIET NAM (Democratic Republic)** — Red Cross of the Democratic Republic of Viet Nam, 68, rue Bà-Trièz, *Hanoi*.
- VIET NAM (Republic)** — Red Cross of the Republic of Viet Nam, 201, duong Hông-Thập-Tu, No. 201, *Saigon*.
- YUGOSLAVIA** — Yugoslav Red Cross, Simina ulica broj 19, *Belgrade*.
- ZAMBIA** — Zambia Red Cross, P.O. Box R. W. 1, Ridgeway, *Lusaka*.