



# SUPPLEMENT

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REVUE INTERNATIONALE  
DE LA CROIX-ROUGE  
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BULLETIN INTERNATIONAL  
DES SOCIÉTÉS  
DE LA CROIX-ROUGE

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THE GENEVA CONVENTIONS AND CIVIL WAR<sup>1</sup>

Amongst the Articles common to the four Geneva Conventions is Article 3 which reads as follows :

“ 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 recognised as indispensable by civilised peoples.
- (2) The wounded and sick shall be collected and cared for.

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

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<sup>1</sup> Reference : *Revue internationale*, 1950, February, pp. 104-122 ; March, pp. 187-212.

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 is one of the most important of the new Conventions, and the most revolutionary. In plenary meetings of the Geneva Diplomatic Conference, in the Mixed Commission which dealt with the Common Articles and its Special Committee, and in successive Working Groups, it gave rise to the most protracted discussions. This does not imply that there was irreducible opposition to the principle of extending the Conventions to civil war and other non-international conflicts. On the contrary, the length of time taken is an index of the effort made by the Delegates, in a remarkable spirit of collaboration, to arrive at the most satisfactory formula. It meant finding in advance, if and how an international treaty could bind, inside a country, parties, groups, and provisional governments not yet in existence.

As the provisions of the above Article are entirely new and untried in practice, it is scarcely possible to put forward in a commentary the interpretation which could be accepted as being authoritative. Such is not our object. But it does seem worth while to recall the origin of these clauses, to survey what the Red Cross has done to extend the basic principles of the Conventions to conflicts not covered by any of these agreements. Moreover, it will be interesting to summarise the discussions and show the principal stages in the elaboration of Article 3. We give the text of various formulae put forward—not as aids towards the interpretation, since only the official text is valid and offers a basis for discussion. But previous drafts are interesting as a help in appreciating the difficulties Delegates had to face. A summary of the discussions and the stages through which the text passed, will convince critics who may find the final text either too definite or, on the contrary, inadequate or even inoperative, that the problem was regarded under all its aspects. It will be seen that no issue was side-tracked; the

actual wording was in reality the best compromise between humane requirements and the maintenance of security on the territory of sovereign States.

Civil wars are notoriously merciless. Even if less destructive of human life than international wars, they are the occasion of even more frequent violations of humanitarian principles. There is certainly more hatred in conflicts between those of the same stock than in wars against a foreign enemy, and fighting in a war waged for or against certain principles is often more bitter than a war of conquest, or one fought in the defence of material interests. The recent War, leaving millions of dead and wounded and endless ruin in its wake, was admittedly an unexampled outburst of hatred, but it was so for the reason that it was as much a sort of universal civil conflict as an international war. The parties to it were fighting for the conquest or the defence of living space, but also, and above all, for or against the inauguration of a new order in the relations between men, or between governments and governed.

There is no fundamental difference between a soldier who defends his country against an invader and one who, in a civil conflict, takes one side or the other. Why should the first alone be regarded under his uniform as a human being, and alone be entitled, if wounded or made prisoner, to care or assistance? Shall it be said that a conflict between two parties in the same country deprives women and children of the protection an invader is bound to grant them? A soldier, obedient to his oath, may defend his Government against insurgents, another may mechanically accept the orders of his superiors and find himself in rebellion against his own Government—are they criminals to whom all assistance should be denied if they are sick, wounded or prisoners, simply because the conflict in which they are engaged does not take on the character of a declared international war? In other words, is the principle of respect for the human person valid in all times and places; did it precede the Conventions, which are no more than its expression; or, in reality, does it exist only in virtue of the texts and signatures that go to make up these agreements?

Not all civil wars known to history have been equally brutal. Some ended before they caused great loss ; in others, the humanity of the leaders greatly reduced the number of victims. One of these is of particular interest for the Red Cross and the Conventions—the civil war of the *Sonderbund*, which divided Switzerland in 1847. Several confederated Cantons having formed a separate alliance—the *Sonderbund*—which imperilled the union of Switzerland, the Federal Government had recourse to arms to dissolve it<sup>1</sup>. General Dufour, Commander of the Federal Army, led his campaign with exemplary wisdom. He reduced the adverse party with really insignificant loss, through a combination of military ability, political acumen, and sense of humanity. He succeeded so well that what might have been a disastrous fratricidal war left neither bitterness nor hate when peace was restored, and he himself, the conflict once over, was saluted by his late opponents.

In accepting the command of the Federal Army, Dufour had publicly declared that he would never forget that he was fighting against his countrymen. All his orders were informed by the humane spirit which he communicated to his troops and made them respect. In his *Recommendations to Divisional Commanders on the treatment of the population and of the Sonderbund forces*, dated November 4, 1847, he wrote : “ If the enemy is beaten, care for the wounded as for our own, and have for them all the regard due to the unfortunate.” The following day, he said in his Proclamation to the Army :

“ Confederates... I place in your keeping the children, the women, the aged, and the ministers of religion. He who raises a hand against an inoffensive person dishonours himself and tarnishes his flag. Prisoners, and the wounded above all, are entitled to your respect and compassion, the more so because you have often been with them in the same camps ”.

Some years later, in 1863, General Dufour, appointed Chairman of the Committee of Five which was to become the International Committee of the Red Cross, opened the Inter-

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<sup>1</sup> A like situation arose in America in 1861, when the eleven seceding States attempted to form a separate Union.

national Conference that gave birth to the Red Cross ; in 1864, he was elected President of the Diplomatic Conference from which came the first Geneva Convention.

Not until 1949 was the attitude which General Dufour and others before and after him spontaneously adopted, translated into an obligation in International Law ; in 1949, it marked the culmination of the persevering efforts of the Red Cross.

### THE RED CROSS AND CIVIL WAR

The International Conventions, those of Geneva and others, are the concern of Governments. It is Governments which discuss and sign Conventions, and theirs is the duty of applying them. Nevertheless, it is impossible to speak of the Geneva Conventions, and especially of their application to civil war, without recalling the part of the Red Cross.

The Red Cross has always been the precursor. For it, there is only one possible reply to the question, raised above, about the nature of the principles it defends. These principles are anterior to the Conventions and independent of them, and they are not the less indivisible because the Conventions express them only in regard to a given category of persons. They apply to the individual, irrespective of his uniform or clothing, and irrespective of any engagements the State of which he is a citizen may or may not have taken in his regard. In 1859, Henry Dunant had done Red Cross work before the Red Cross existed, and had applied in practice the principle which the Red Cross was afterwards to sponsor. The 1864 Convention did no more than, in response to Red Cross advocacy, express the principle in writing and give it legal executive force, side by side with the moral authority which had sufficed for Henry Dunant and his assistants. And again, this was done to the extent indicated by the practical experience from which the idea of an international Convention arose, namely, for the military wounded and sick of armies in the field only.

The Red Cross soon outstripped the original intention and, disregarding the limited character of the 1864 Convention, extended the application of the principle in succeeding wars.

It adapted to prisoners what Dunant had done for the wounded and sick. Such were its achievements in this field, and so remarkable was the success of the ICRC in camp visiting, co-ordination of relief, and, above all, the creation of Prisoner of War Information Agencies, that these, in turn, were written into International Law in the 1929 Prisoners of War Convention. Before this Convention was signed, the Red Cross had gone still further and had taken up the question of civilians—also affected by war. Something is known of what was done in this direction. In 1934 a Draft Convention for the protection of civilians—the fruits of the International Committee's work, and approved by the Tokyo International Red Cross Conference—was submitted to Governments. Today, many provisions in the new Conventions, covering various categories of war victims, give sanction to what the Red Cross, true to its principles but lacking any recognised legal basis, had already put into action, with its own limited means, through one or other of its constituent bodies.

The same applies in the case of civil war. It is no new interest of the Red Cross. For a very long time, in the course of various local conflicts, National Societies and the ICRC have done their utmost to bring relief<sup>1</sup>. But to the difficulties the Red Cross must expect whenever it operates outside the limits of existing Conventions, there was added the serious obstacle of the domestic politics of the State concerned. In civil war the legal Government—or that which considers itself to be the legal Government—is tempted to regard its adversaries as criminals simply, whose hostile acts fall, not under the provisions of the laws of war, but of the ordinary criminal code.

Thus, Government authorities have, at different times, considered Red Cross relief to the adverse party as indirect aid to "law-breakers". Attempts of foreign Red Cross Societies to assist have, on occasion, been taken as inadmissible interference in domestic affairs. This conception, which seriously

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<sup>1</sup> See Report of the ICRC to the XVIth International Red Cross Conference, London, June 1938, Document No. 10: *The Role and Work of the Red Cross in time of Civil War.*

limited Red Cross intervention, was still prevalent in 1912. During the IXth International Red Cross Conference in Washington (1912), the American Red Cross Delegation had submitted a Report on "The role of the Red Cross in civil war or insurrection", which went so far as giving a draft for an international Convention. The representative of the then Russian Government objected even to the discussion of the Report, considering, as he said, that "Red Cross Societies can have no duty to fulfil with respect to insurgent bands or revolutionaries, whom the laws of my country cannot regard otherwise than as criminals". He was merely expressing the general opinion of the time. The Commission, which was asked to specify what should be the functions of the Red Cross in case of civil war, approved this point of view by a majority vote, and the Conference ended without even having discussed the subject.

Thereafter, during various civil wars and disturbances, Red Cross interventions, having no legal sanction, were necessarily limited and very often met with official opposition. Far from being discouraged, the ICRC seized every opportunity to defend its principles in action and to propagate them in writing. Thus, for instance, the ICRC and the National Societies of neutral countries collaborated with the Russian Red Cross during the Revolution; at the time of the Hungarian Revolution in 1919, ICRC Delegates intervened with the new Government to allow the National Red Cross to carry on its work without hindrance; they also looked after political prisoners and hostages and protected foreigners<sup>1</sup>.

The problem of civil war was therefore placed on the Agenda for the Xth International Red Cross Conference in 1921 (Geneva). This time, the question was widely discussed; a Resolution was passed, which marked a step forward. There was no question as yet, in the Resolution, of proposing the text of a Convention; but at least the Red Cross proclaimed its right and duty to give relief in civil war and in social or revolutionary disturbances, and the right of all the victims of civil war and of such disturbances, without exception, to be assisted in accord-

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<sup>1</sup> See *Revue internationale*, Dec. 15, 1919, pp. 427 et seq.

ance with general Red Cross principles. The Resolution furthermore laid down the duties of the National Red Cross Society of the country in question and, should it be unable to act, the procedure to be followed by the ICRC and other National Societies to ensure that relief might be given.

Two months only after its adoption, the 1921 Resolution was put to the test in the disturbances which broke out in the plebiscite territory of Upper Silesia. On the strength of the Resolution, ICRC Delegates obtained authorisation from the leaders on both sides to carry out their mission, to visit prisoner and internee camps, and to assist children, women and old people. Better still, they induced both sides to agree that the protection of the Geneva Convention should extend to the medical units organised by the combatants. Both sides undertook to have their forces respect enemy personnel wearing the Red Cross armlet stamped by the ICRC, and to apply in full the provisions of the Geneva Convention, for the duration of the disturbances. For the first time in history, thanks to Red Cross intervention, the two parties in a civil war explicitly declared themselves bound—even if only temporarily—by the Geneva Convention.

The ICRC had less success during the civil war in Ireland. Its attempts to have the International Conventions respected were at first rejected as an “unfriendly act”<sup>1</sup>. The Spanish War was to mark a new step towards the application of the Conventions in civil war. The ICRC Delegate sent to the adverse parties, at Madrid and at Burgos, obtained the most encouraging declarations from both Red Cross Committees, and from the governmental authorities on both sides. The Madrid Government replied as follows:

“The Spanish Government, having received and heard Dr. Marcel Junod, representing the International Red Cross Committee, agreed

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<sup>1</sup> It is only fair to say that this refusal by the Irish Free State Government, on January 26, 1923, was followed by negotiations which led to the arrival in Dublin, in April, of an ICRC Delegation. The Committee's representative was able to visit prisons and camps where several thousand members of the Republican Party were detained. The Delegate's Report was published by the ICRC in the *Revue internationale de la Croix-Rouge*, May 1923, pp. 607-616.

to the latter sending two Delegations, one to act in Madrid and Barcelona, and the other at Burgos and Sevilla. Their mission shall be to protect the Red Cross emblem and have it respected by both sides, and to facilitate the humanitarian work of the organisation.

"The Government is pleased to see the creation, under the responsibility of the said Delegations, of a Prisoners of War and Civilian Information Section, and admits the possibility of an exchange of certain non-combatants, especially women and children."

The following was the Burgos declaration :

"The Burgos National Defence Council, after having received and heard Dr. Marcel Junod, representative of the International Red Cross Committee, and having taken note of the agreement made with the Red Cross of Madrid and the Government of that city, thanks the International Committee for its action and acknowledges the high ideals which motivate its intervention.

"The Burgos National Defence Council approves the complete and immediate entry into action of the agreement between the National Red Cross and the International Red Cross Committee at Geneva.

"It accepts with the deepest gratitude, all relief in money or in kind from foreign Red Cross Societies, and particularly relief in the form of medical equipment.

"Its declares itself ready to observe and respect the Geneva Convention concerning the war wounded, the sick and prisoners, as it has always done and as it continues to do at all times."

There was therefore, on the part of the Madrid Government an implicit recognition of the Geneva Convention on the Wounded and Sick, and for the creation of an Information Agency, as provided for in the 1929 Prisoners Convention ; while, on the part of the Burgos Council, there was an explicit intention to observe and respect the Geneva Conventions.

These agreements provided the ICRC with a sufficient basis for its work. We cannot here go into details about what was done for the victims on both sides in the Spanish war. The reader is referred to the reports published on the subject<sup>1</sup>.

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<sup>1</sup> See : XVIth International Red Cross Conference, London 1938, Documents No. 12 and 12 B : *General Report of the ICRC for the period August 1934 to March 1938*, pages 100 et seq. — *Complementary Report of the ICRC on its Activities in Spain*. — Furthermore : XVIIth International Red Cross Conference, Stockholm 1948 : *Complementary Report on the Activity of the ICRC in the Civil War in Spain (June 1, 1938, to August 31 1939) and its consequences*.

Let us simply note that its activity saved many and permitted thousands of families to remain in communication, in spite of battle fronts.

The war in Spain, still continuing at the time, naturally led the XVIth International Red Cross Conference (London, 1938) to take up and go deeply into the question of the role of the Red Cross in civil war. Paying tribute to the work spontaneously undertaken by the ICRC and expressing confidence that the Committee, assisted by the National Societies, would continue its action with the object of ensuring, in case of civil war, respect for Red Cross principles, the London Conference, in its XIVth Resolution,

“ Request[ed] the International Committee and the National Red Cross Societies to endeavour to obtain :

- (a) The application of the humanitarian principles which were formulated in the Geneva Convention of 1929 and the Xth Hague Convention of 1907, especially as regards the treatment of the wounded, the sick, and prisoners of war, and the safety of medical personnel and medical stores.
- (b) Humane treatment for all political prisoners, their exchange and, so far as possible, their release.
- (c) Respect of the life and liberty of non-combatants.
- (d) Facilities for the transmission of news of a personal nature and for the re-union of families.
- (e) Effective measures for the protection of children.”

This time, the Conference aimed expressly at the application by the parties to a civil war, if not of all the provisions of the Geneva Convention, at least of the principles they contain. Results obtained on two occasions—in Upper Silesia and in Spain—and the invitation in the above Resolution encouraged the ICRC to continue its study of the question. Already, a Commission of Government Experts, convoked in 1937 by the ICRC, had unanimously advised that the Geneva Convention should apply in all cases of armed conflict between States, even if not preceded by a declaration of war, and that its humanitarian principles should be respected in all circumstances, even when there was no legal obligation. The Commission

recommended the introduction of this idea into the Final Act of the Diplomatic Conference, fixed for 1940, which was to revise the Conventions. The ICRC accordingly took up the idea of the 1937 Commission and also that which had been unsuccessfully put forward at the 1912 Washington Conference, of inserting an obligation in the Conventions with regard to the parties to a civil war. When the National Red Cross Societies met at Geneva in the Preliminary Conference of 1946, the ICRC emphasised in its documentation the necessity of finding a solution to this problem.

It suggested the following formula :

“The present Convention shall be applicable between the combatants as soon as hostilities actually break out, even if there has not been a declaration of war, and irrespective of the form the armed intervention may take.

*“In the case of civil war inside a State, the interested parties are invited to declare that they will, under reserve of reciprocity, apply the principles of the Convention.”*

As can be seen, this suggestion was still very cautious. Eighty years experience had taught the ICRC that while it should always aim high, it must at the same time be realist, and, as far as the Conventions were concerned, it must proceed step by step, if anything was to be achieved. The object was to procure legal recognition for what the ICRC had done, on its own initiative, to obtain the application of the principles of the Convention. In asking that the parties in conflict should make such explicit declaration, the ICRC hoped they would range themselves on the humanitarian side.

The 1946 Conference did not limit itself to approving the suggestion, but went much further<sup>1</sup>. The first Recommendation voted reads as follows :

“The Commission recommends the introduction at the beginning of the Geneva Convention of an Article on the following lines :

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<sup>1</sup> See *Report on the Work of the Preliminary Conference of National Red Cross Societies for the study of the Conventions and various problems connected with the Red Cross. (Geneva, July 26 to August 3, 1946.)* — International Committee of the Red Cross, Geneva, January 1947, pp. 14 et seq.

“The present Convention shall be applicable between the Contracting Parties as soon as hostilities actually break out, even if there has not been a declaration of war and irrespective of the form the armed intervention may take.

“*In the case of armed conflict inside a State, the Convention shall automatically be applied by each of the adverse parties, unless one of them should expressly refuse to do so.*”

It was difficult to go any further <sup>1</sup>. It might even have been said that a text of this sort had no chance of being accepted by any Diplomatic Conference. Nevertheless, the 1946 Conference is to be congratulated for having voted this Recommendation. As we have said above, the Red Cross must know how to be realist; the engagements in current legislation which it asks Governments to undertake should not be exaggerated. At the preliminary stage of simple recommendations (as it was in 1946), the Red Cross should sometimes affirm to the full the principles to which it is attached.

The above Recommendation was therefore useful, in that it showed the objectives to be aimed at: complete application of a principle—which, as we have said, is indivisible—and modification in the very character of the Conventions. The Conventions are not, and should not, as are commercial treaties, be founded on reciprocity. In 1864—and even in 1906—Governments could not, it is true, be asked to engage themselves beyond what was entered into by the other Contracting Parties. If it was still natural at that time to make the Conventions subject to the *clausula si omnes*, it was the duty of the Red Cross to bring Governments, step by step, to consider the Conventions as solemn declarations of principle, rather than as reciprocal engagements. When it is a question not of commercial exchanges but of human lives; when it is a question of expressing a vital principle, it should be possible some day for Governments to engage themselves unconditionally. The Contracting Parties will then be less reciprocating partners than witnesses of a solemn and irrevocable engagement.

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<sup>1</sup> The Conference also expressed the opinion that the provisions of the Prisoners of War Convention should be applied “in principle” in case of civil war (*loc. cit.*, pp. 70 et seq.).

The 1929 Conventions were thus, in renouncing the *clausula si omnes*, a great improvement on those of 1906. Under them, the Contracting Parties involved in a conflict remain engaged as between themselves, even if one or several of their allies or adversaries are not party to the Conventions. The Recommendation of the 1946 Conference showed the way which was still to be travelled, even if it had to be done in several stages. The Recommendation was therefore excellent, even if not feasible. It had the advantage of replacing the suspensive condition by a resolute condition: instead of making the application subject to the ordinary reciprocity clause, which often makes treaties inoperative—each Party waiting until the adversary first carries out his obligations—it binds each until the other expressly refuses to apply the Conventions. In doing so, the Conference considered that no regular Government and no insurrectionary party would dare to proclaim in the face of the civilised world its refusal to observe universally recognised humanitarian principles, and that thus the victims of the conflict would be better protected.

*(To be continued)*

## *VISITORS TO THE INTERNATIONAL COMMITTEE*

On June 29, the International Committee was visited by Mr. Thomas J. Watson, President of the International Business Machines Corporation, who was accompanied by some of his principal associates. The party was received by the President of the ICRC and Mme Ruegger, and members of the Committee.

In greeting the guests, M. Ruegger recalled the invaluable services to the Central Prisoners of War Agency and to the ICRC Relief Division which have been given through the generosity of Mr. Watson in loaning a number of machines during the War; these had greatly speeded up the tracing, enquiry and recording of information about victims of the War.

The same day, a Japanese delegation of 70 members, who had taken part in an industrial Conference organised by the Moral Rearmament Movement at Caux, was also received at ICRC headquarters.

The delegation included the Mayors of Osaka, Hyogo, Hiroshima, Nagasaki and Nagano, who are also acting as honorary Presidents of Japanese Red Cross Sections in these towns. This is the first time since the War that official representatives of the Japanese Red Cross have visited the ICRC.

The President of the ICRC and senior members of the staff welcomed the Japanese delegation and Dr. Frank Buchman, founder of the Moral Rearmament movement, who had accompanied them to Geneva.

Geneva, June 30, 1950.

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*THE INTERNATIONAL COMMITTEE OF THE  
RED CROSS IN ISRAEL*

The political situation existing between Israel and the Arab States remains unsettled. Diplomatic relations have not been established, and there are still incidents at the frontier, which is guarded on both sides. Moreover, there are military prisoners and civilians in both Israel and the Arab States who are without normal diplomatic protection. For these various reasons, the offices of the Committee's Delegates are often required.

The Delegate in Israel, for instance, is frequently called upon in cases where Arab civilians have clandestinely crossed the frontier in an attempt to regain the dwellings and lands they abandoned during the conflict. The Tel-Aviv Delegate, with the consent of the Israeli authorities, tries to give them what assistance he can.

Another important part of this Delegate's duties consists in bringing together or repatriating families, Israeli and Arab, dispersed during the fighting. His work is helpful in preparing actual repatriation, which is also one of the functions of the United Nations Armistice Commissions.

Geneva, August 3, 1950.

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## *NEWS OF NORTH KOREAN PRISONERS*

The Central Prisoners of War Agency, Geneva, has just received the first capture cards for North Korean Prisoners in American hands — thirty-one cards which have arrived by air-mail from South Korea. Each card is filled in by the prisoner in Korean; the same details are repeated in English. The usual items are given, following the model introduced by the International Committee, and include information about the prisoner's health at the time of capture, and his present address in a prisoner of war camp. Of the thirty-one cards, fourteen refer to civilians, seventeen to military.

We may recall that, at the beginning of the war in Korea, the International Committee offered its services to the parties concerned, and opened a new Service in the Central Agency (which has remained in existence since the Second World War) for civilians and military taken on either side.

Geneva, August 6, 1950.

*NEWS OF AMERICAN PRISONERS  
IN NORTH KOREA*

The Central Prisoners of War Agency, Geneva, has received from Pyong-Yang the first list of American prisoners of war captured by North Korean Forces.

The telegram to the International Committee of the Red Cross is signed by Mr. Pak Heung Young, Minister of External Affairs of the People's Democratic Republic of Korea. It states that the fifty names given constitute a first list of military personnel captured by the People's Army of the Democratic Republic, and gives the usual details about the prisoners—date of birth, rank, service number, etc. The prisoners are at present in a camp in Pyong-Yang itself.

Following usual practice, the list was at once transmitted to the United States Government at Washington.

Geneva, August 18, 1950

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## *THE CONFLICT IN THE MOLUCCAS*

Differences which have existed for several months between the central authorities in Djakarta of the United States of Indonesia, and those of the Southern Moluccas at Ambon, have recently developed into armed conflict.

The International Committee of the Red Cross at Geneva has therefore asked the Djakarta Government to authorise its Delegate there, Dr. Lehner, to proceed to Ambon in order to see to what extent the good offices of the International Committee may be necessary to protect any civilian or military victims of the present troubles. Such intervention would come under new clauses in the 1949 Geneva Conventions, which make provision for such humanitarian action by the Committee, not only in case of war, but also of civil war or disturbance.

Geneva, August 7, 1950.

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