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MISSION OF THE INTERNATIONAL COMMITTEE IN PALESTINE

In pursuance of a request made by the Government of the mandatory Power in Palestine, the International Committee of the Red Cross in Geneva, who had previously been authorized to visit the camps of persons detained in consequence of recent events, have despatched a special mission to Palestine. This mission has been instructed to study, in co-operation with all parties, the problems arising from the humanitarian work which appears to be indispensable in view of the present situation.

The Committee's delegates have met on all hands with a most friendly reception. During the last few weeks, they have had talks with the Government Authorities and the Arab and Jewish representatives; they have offered to all concerned the customary services of the Committee as a neutral intermediary, having in mind especially the protection and care of wounded, sick and prisoners. During their tour of the country the Committee's delegates visited a large number of hospitals and refugee camps, and collected information on the present needs in hospital staff, doctors and nurses, as well as in ambulances and medical supplies.

After the conclusion of this enquiry, the delegates laid before all parties a plan of action which includes the recruiting by the Committee of a staff of delegates and of senior nurses, who would be placed in the various zones of the country. This plan can be put into operation (subject to the settling of certain material questions) as soon as the International Committee have received sufficient assurances that the wounded, sick and prisoners will have the protection specified in the Geneva Conventions.

Dr. Roland Marti, the head of the International Committee's mission, has just left Geneva and returned to the Near and Middle East, where he will make contact with the National Red Cross, Red Crescent, and Red Lion and Sun Societies.

*MISSION OF THE INTERNATIONAL COMMITTEE
TO THE UNITED STATES AND TO CANADA*

UNITED STATES

A few months ago, the American Red Cross had courteously expressed the wish to receive the visit of representatives of the International Committee of the Red Cross, with a view to making personal contacts and discussing various problems of common interest.

The Committee thereupon instructed MM. Roger Gallopin, director-delegate, and David de Traz, head of department, to travel to Washington, where they arrived on January 19. On reaching National Headquarters of the American Red Cross, they were received with the greatest cordiality by Mr. James T. Nicholson, Vice-President and General Manager of the A.R.C. During their short stay in Washington, the representatives of the International Committee were able to make a careful review of a large number of problems with Mr. Nicholson, Mr. Ryan, Director of International Relations, and MM. Harold Starr and Harries. The discussions bore chiefly on matters concerning the activities of the Red Cross in time of war and in time of peace, both in the national and in the international field. The question of the revision of the international Red Cross Conventions was also studied.

The representatives of the International Committee were given a welcome opportunity of visiting the various departments of the American Red Cross, and of appreciating their excellent organization.

On the occasion of an official luncheon, to which Mr. Nicholson had invited representatives of the State Department and of the War Department who are specially conversant with Red Cross problems, the Vice-President of the A.R.C. recalled in most friendly terms the co-operation between the American Red Cross and the International Committee during the war, in the field of relief to prisoners of war.

MM. Gallopin and de Traz took the opportunity of their stay in Washington to attend a meeting of a special interdepart-

mental commission for the study of the revision of humanitarian conventions.

CANADA

The representatives of the International Committee were anxious to take advantage of their trip to the United States to pay a courtesy visit to the Canadian Red Cross. This Society, as is well known, was throughout the war in constant touch with the Committee and co-operated closely in its relief work.

On arriving in Toronto, MM. Gallopin and de Traz were received with the greatest cordiality by Dr. Fred W. Routley, National Commissioner of the Canadian Red Cross. Most useful talks took place between them on a number of problems of equal interest to both organizations. Dr. Routley kindly invited his guests to meet the leading members of the Canadian Red Cross, amongst whom the President of the Society, Colonel Arthur L. Bishop. On this occasion Dr. Routley spoke in eloquent fashion of the Committee and its work.

As was the case in Washington, the representatives of the Committee had opportunity to make personal contact with the Canadian Commission for the study of the revision of the humanitarian Conventions.

LAKE SUCCESS

The International Committee is, as is known, a non-governmental organization having consultative status with the Economic and Social Council of the United Nations. On leaving Canada, MM. Gallopin and de Traz therefore visited Lake Success and had a welcome opportunity of meeting M. Laugier, Assistant Secretary-General, and of having prolonged talks with Mr. L. White, chief of the Section for non-governmental organizations of the Division of Co-ordination and Liaison, and M. Hamori, member of the same Section.



James T. Nicholson (right), Executive Vice-President and General Manager of the American Red Cross, greets David de Traz (left) and Roger Gallopin, delegates of the International Committee of the Red Cross, upon their arrival in Washington for a series of meetings with American Red Cross officials.

(Photo from the American Red Cross)

THE FAR EASTERN CONFLICT¹

During the first World War, the number of prisoners in the hands of the Japanese forces was very small, and the ICRC was not really called on to take any large-scale action in the Far East. At that time nothing had revealed the very considerable differences which existed between Japanese conceptions and Western ideas on the subject of prisoners of war. At the time of the last War the position was different.

During nearly four years, up to the capitulation of Japan in August 1945, the activities of the ICRC met with the most serious difficulties in all areas under Japanese domination. These difficulties were doubtless due chiefly to the survival of certain ancestral ideas, according to which the status of prisoner of war is degrading.

Having emerged from its thousand year old isolation less than a century ago, the Empire of the Rising Sun soon entered the group of the Great Powers. Like these, it had adhered to the humanitarian laws embodied in the Geneva and Hague Conventions. It had more particularly signed the two Geneva Conventions of July 27, 1929, the first for the relief of wounded and sick in armies in the field, and the other concerning the treatment of prisoners of war. But of these two Conventions it had ratified the first, but not the second, so far as treatment of prisoners of war was concerned. One can gauge by this how far tradition remained alive, not only in the military clans called on to govern the destinies of the Empire, but also in the Japanese people as a whole.

Indeed, even in the West, the idea that PW should be protected against arbitrary action by the conqueror, is relatively recent in the history of law; as late as the XVIIth century, Grotius seemed to admit that persons captured during war became slaves under international law, as did their posterity.

In Japan, in 1854, if we may believe a contemporary English diplomatist, during the civil war which opened the country to modern industrial methods, the military parties fighting each

¹ See *Revue*, Feb. 1948, p. 109.



other executed all captured enemies out of hand¹. In fact, the Japanese were of opinion that any soldier captured was dishonoured and thus deserved capital punishment. In 1882, in spite of far-reaching changes carried out in other spheres, under the influence of Western ideas, the Regulations of the Imperial Army upheld the principle that military honour forbade a Japanese soldier to surrender to the enemy. The military regulations promulgated by the Minister of War on January 8, 1942, at the beginning of the Far Eastern conflict, maintained these traditional ideas in all their strictness. The chapters of these regulations concerning the life, death and honour of a Japanese soldier state that every man must die if he cannot carry out the task assigned to him, in order that his country may have victory. To be taken prisoner is a disgrace.

The customs still observed in Japan during the second World War show how deeply public opinion was governed by these ideas. When a soldier left his family to join a combatant unit, his departure often led to a ceremony to which his friends were invited. This ceremony was carried out in accordance with funeral rites. A lock of hair and a piece of nail of the soldier were kept by his relatives. From that moment, the man was dead, so far as his family was concerned, and was regarded by them as having returned to his ancestors. He could only come back alive as a conqueror. In the meantime, his relations experienced no wish to receive news of him. Should his letters not be held up by the military authorities, he was advised not to write. The news of his capture by the enemy involved dishonour for his family. This conception was still so firmly fixed in the Japanese mind, that certain prisoners whose capture had, in accordance with the Convention, been notified to the Central PW Agency, insisted that their names should not be forwarded to Tokyo. In other cases, Japanese soldiers concealed their identity out of respect for their families. A delegate of the ICRC noted, even after the close of hostilities, that Japanese PW who were being repatriated, were determined never to see their families again, and to accept employment

¹ Cf. Sir Ernest SATOW : "A Diplomat in Japan", p. 327 sqq.

any where under assumed names "to avoid disgrace". To understand the state of mind which then dominated Japan, we need only remember the praise that the military communiqués showered upon garrisons or civil populations who refused to surrender and committed suicide or were killed to the last man.

Although the Japanese kept the initiative in operations for a long time, and thus suffered fewer losses than the enemy, the figure of prisoners captured on both sides is nevertheless striking. In October 1944, the number of Japanese PW in the hands of the Allied forces was 6,400, whereas that of Allied PW in the hands of the Japanese at the same time could be estimated at 103,000 (without counting those who died in the camps or were drowned through ships being torpedoed).

In these circumstances, the situation of Allied PW was bound to be critical. Since the Japanese Authorities took only very little interest in their own prisoners, they exercised severity where enemy PW were concerned. Though a few Japanese in high position were anxious to implement the Convention, their attempts were obstructed by the military authorities, who denied the value of humanitarian principles. These principles were the more difficult to defend, since the argument of reciprocity could hardly be adduced.

Furthermore, discipline in the Japanese Army was always very strict. Disciplinary punishments were so severe as to be incomprehensible to the Western mind. The same discipline was unfortunately enforced on Allied troops in Japanese camps. The PW was not only regarded as a deeply detested enemy, but also as a man who had "lost face" by ceasing to fight. Furthermore, so far as food was concerned, the Japanese soldier's rations are far smaller than those issued to the Allied forces. As for living conditions in Japan, there is no need to emphasize the contrast between them and the standard to which inhabitants of countries of Western civilization are accustomed.

The Japanese treatment of civilians was not comparable to that to which the PW were subjected. The Japanese Government always displayed concern for its nationals who were domiciled in enemy territory at the moment of the attack on Pearl Harbour. According to the Japanese conception, these

persons were not dishonoured by the fact that they had been interned by Powers at war with Japan. Also, the fact of their great number gave some weight to arguments based on reciprocity.

Thus, by reason of the difficulties which had been encountered up to August 1945, the ICRC had to make very strenuous efforts, even to secure results which were in no way proportionate to these exertions.

From the moment of the capitulation, however, the Japanese authorities ceased to obstruct the Committee's endeavours. During the weeks which preceded the arrival of the Allied troops, the representatives of the ICRC were able to carry out the essential task of bringing relief to Allied service men and civilians held in prisoner of war or internee camps. This action saved from starvation and sickness a large number of persons whom the victorious forces were not yet able to help, since they were far away and capitulation had been very sudden. The release of these detainees, who numbered about 200,000, did not, as a matter of fact, require much time.

Then arose the question of the millions of members of the Japanese Army and Navy, handed over by the capitulation to the Allied forces. The situation was now reversed, and the absence of reciprocity worked against the Japanese. The numbers of the personnel who thus fell into the hands of the Allies in the space of a few days created a problem which could only be solved by allocating the Japanese troops fixed quarters, and leaving them under the command of their staff officers. The Japanese officers became responsible for the carrying out of orders given by the Allied military authorities. In these circumstances, the Allied Governments thought it impossible to apply to Japanese soldiers all the provisions of the 1929 Convention, and decided to classify the personnel of the Japanese army and navy under a distinct category of detainees, called "Surrendered Enemy Personnel" (SEP). Obviously, the ICRC could not be indifferent to their fate. It took steps with regard to them and approached the Allied Authorities, as it did during hostilities, when it approached the Japanese authorities in favour of the Allied PW. It even obtained from the Allied

States, signatories to the Convention, facilities which its delegates had been refused by the Japanese authorities during the war. These representatives were allowed, on application, to visit Japanese military camps, to talk freely with the Japanese, and to organize correspondence and relief work. The situation of these men was the same as that of the Germans after the capitulation of the Reich; the Germans also were regarded by the Allies as "Surrendered Enemy Personnel"; the steps taken by the ICRC in respect of both are set forth in the chapter concerning PW whose rights under the Convention were in dispute.

We shall here consider especially the steps taken by the ICRC in favour of Allied nationals during the Far Eastern war. This study has two parts.

The first concerns the general activities of the ICRC, and deals with the endeavours made to secure the application of the Convention in the Far East, the appointment of delegates of the ICRC, their relations with the Japanese authorities, visits of camps, living conditions, correspondence and issue of relief supplies.¹

The second part summarizes the work of the delegates and representatives of the ICRC, by districts, and mentions the relief issued both to Allied and Japanese PW and internees.

The activities of the ICRC in the local Indonesian and Indo-chinese conflicts is considered under the relevant headings of the second part.

A. ACTIVITIES OF THE ICRC DURING THE FAR EASTERN CONFLICT

I. *General Conditions.*

As soon as hostilities began between Japan, on the one side, and the United States and Great Britain on the other, the ICRC invited the three Governments concerned to forward all information concerning PW by cable to the Central PW Agency at Geneva. Although Japan was not bound by the 1929 Convention relative to the treatment of prisoners of war, no

¹ The *Revue internationale* only publishes the first part of this paper

obstacle should be raised to the forwarding of such information, "in so far as the Governments of the belligerent States reciprocally allow such communication or declare themselves willing to apply *de facto* the provision of the 1929 Convention".

On December 24, 1941, the ICRC notified Tokyo of the favourable reply received from the U.S. Government and of the appointment of a representative in Washington ; the Committee further proposed that its Tokyo correspondent should be recognised as representative for Japan.

The reply of the Japanese Government, received in January 1942, agreed to communicate to the Central Agency information concerning PW and non-combatants detained by the Japanese authorities ; it also notified the opening in Tokyo of an information office for PW (*Huryojohokyoku*).

Some days later the Committee's representative was approved by the Japanese Authorities.

The ICRC had, however, received no definite reply from the Japanese Government as to the policy the latter wished to follow with regard to the Convention itself. The Committee therefore applied once more to Tokyo, in February 1942, and further made it clear that, in its opinion, the fact that Japan was not a party to the Convention in no way prevented the *de facto* application of the provisions of this Convention to civilian internees, subject of course to reciprocity. In Tokyo, too, the Committee's representative made constant attempts to obtain from the Japanese Government a definite reply as to the manner in which the latter intended to treat PW and civilian internees. The Japanese Government made its position on the question known through the Japanese Legation at Berne in the following terms :

Since the Japanese Government has not ratified the Convention relative to the treatment of prisoners of war, signed at Geneva on July 27, 1929, it is therefore not bound by the said Convention. Nevertheless, in so far as possible, it intends to apply this Convention *mutatis mutandis*, to all prisoners of war who may fall into its hands, at the same time taking into consideration the customs of each nation and each race in respect of feeding and clothing of prisoners.

The Legation's note added that the Japanese Government had already, through the countries protecting the interests of these States in Japan, notified the above to the United States of America, Great Britain, India, South Africa, Canada, Australia, and New Zealand.

The ICRC called Tokyo's attention to the fact that the list of States to which the Japanese declaration had been notified did not include the Netherlands. The Japanese Government thereupon replied that it would also apply the 1929 Convention to the nationals of that country.

As for the application of the Convention to civilian internees, the Japanese Legation at Berne stated on February 14, 1942 :

During the whole of the present war the Japanese Government will apply, *mutatis mutandis*, and subject to reciprocity, the articles of the Convention concerning prisoners of war to non-combatant internees of enemy countries, on condition that the belligerent States do not subject them against their will to manual labour.

The Legation asked the ICRC to communicate this reply to the Governments of Great Britain, Canada, Australia, New Zealand, South Africa, India and the Netherlands Indies, the same text having been communicated to the United States of America through the Swiss Government.

These results gave reason to hope that the work of the ICRC could be carried out under conditions similar to those which prevailed in the other theatres of military operations. This hope was belied, by reason of the Japanese character and the conditions under which hostilities in the Far East were prosecuted.

Mistrust reached such a pitch that all foreigners who were not nationals of a Power allied to Japan were suspected of espionage. Indeed, the Committee's delegation itself seemed to be barely tolerated. The civil and military police went so far as to regard the delegation as a centre instructed to obtain information for, or on behalf of the representatives of the Protecting Power, whose duty was—so the Japanese authorities thought—to establish liaison with Japan's enemies. To combat these suspicions, the Committee's delegation at Tokyo denied

itself the same close relations with the representatives of the Protecting Powers as in the other belligerent countries, where no such difficulties existed. By fostering this suspicion, the military clans systematically hampered the action of the Committee's representatives.

The circumstances in which one of these agents (not officially recognised it is true), was condemned and executed, show what dangers were incurred in the Far East by men who tried to serve the humanitarian work of the Red Cross in that part of the world. Dr. Matthaeus Vischer had been chosen by the Committee to act as delegate in Borneo before the islands was occupied by the Japanese forces. When that occupation took place, in March 1942, the head of the Tokyo delegation was instructed to have Dr Vischer accredited to the authorities and to the Japanese Red Cross. The Ministry of Foreign Affairs in Tokyo, and the Japanese Legation at Berne were notified of Dr Vischer's presence in Borneo. When renewing its demand that this delegate should be officially recognised by the Ministry of Foreign Affairs, the Committee stated that Dr Vischer's duties in the future would be the same as in the past, namely "to care for all the victims of the war in accordance with the tradition of absolute neutrality of the ICRC".

In spite of frequent applications, the ICRC received no reply before the Japanese defeat. An official of the Ministry of Foreign Affairs then verbally expressed, on August 18, 1945, the agreement of the Japanese government to Dr Vischer's appointment. A few days previously, the ICRC had been informed by the Swiss Legation in Japan that Dr Vischer and his wife had been arrested on May 13, 1943, on a charge of conspiracy against the Japanese Government, and that they had been sentenced and executed in December of the same year. Among the charges brought forward by the Japanese naval court-martial against these unfortunate people was that of having "criminally" sought to learn not only the number of PW and civilian internees in Borneo, but also their names, age, race, status, conditions of life and health, and of attempting to send them food. It is true that, in answer to a strong protest,

the ICRC did receive apologies both from the officials of the Ministry of Foreign Affairs and from the Japanese Red Cross ; the former explained that the ship which carried the records of the 1943 affair had been torpedoed and sunk with all on board. But at no moment during the war, could this Department or this Red Cross Society give the ICRC assistance even distantly comparable to that which it enjoyed in the other belligerent countries.

2. Relations with the Authorities and with the Japanese Red Cross.

The Japanese Red Cross, which was highly esteemed in Japan, was mainly intended to provide for the upkeep of Red Cross hospitals and the training of nurses.

In spite of the best intentions, the "Foreign Section" of this national Society was regarded by the military authorities only as a subordinate department. It was unable to carry out the rapidly increasing duties which were connected with the war. The burden of the work fell on a Director and a Secretary, assisted by three voluntary workers, who were unfortunately not well acquainted with foreign languages. Custom demanded that a representative of the Society should accompany the Committee's delegates in their camp visits, but the Secretary, who was the only person available, was soon exhausted by this arduous task. In view of staff shortage, the Society had renewed difficulties in co-operating usefully with the Committee's delegation in Tokyo.

The relations of this delegation with the Ministry of Foreign Affairs (*Gaimusho*) were cordial, but on the whole of slight importance. In practice, this department generally played for time and put off any decision in matters concerning the Committee's delegation. They often referred delegates back to the Japanese Red Cross, alleging that the ICRC would have thereby a means of making contact with the Japanese authorities. The minor part allotted to that Society in Japan during the war is well known. The dilatory attitude of the *Gaimusho* was also shown by the delay in its replies to notes from the delegation.

Thus, in six months seventeen notes were sent to the Ministry and four replies only were received.

The PW Information Bureau (*Huryojohokyoku*), which was a government service subordinate to the Ministry of War, was very unwilling to co-operate with the delegation. In practice, relations with this Bureau were confined to an exchange of notes, replies arriving even more slowly than from the Foreign Office. Personal visits were discountenanced; the delegation was even asked to deal with all questions only by correspondence. A note from the delegation dated April 25, 1945, emphasized the fact that there was "a singular lack of information" concerning the PW and civilian internees in Rabaul (New Britain). The directors of the Bureau took serious umbrage at this, and threatened to stop sending to Geneva any news concerning the health or death of PW, unless they at once received apologies. The employees of the PW Information Bureau were all retired officers, who distrusted foreigners.

Relations with this Bureau were so difficult that it was only at the close of hostilities that the delegation was able to know exactly how it was organized. The Bureau comprised two offices: (1) the office for information concerning PW and (2) the office for the administration of PW; both were under the same chief. Whereas the Information Bureau issued the least possible amount of data concerning PW, nothing was ever said about the administration of the camps. The lists of deceased PW, particularly of airmen, were incomplete. Further, the information asked for by the Central PW Agency seems never to have led to enquiries in the camps; replies were merely given on the strength of information contained in the central card-index in Tokyo.

Relations with the officials of the Ministry of the Interior (*Naimusho*), which was responsible for civilian internee camps, were also by no means easy. The police officials often hardly dissembled the contempt they felt for the Red Cross delegates, despite the fact that Japan has a reputation for habitual courtesy. At a certain time, the delegates were entirely unable to travel, as the *Naimusho* refused to grant them the necessary permits.

3. *Appointment of New Delegates.*

The first delegate of the ICRC was, as has been said, approved by the Japanese authorities in January 1942.

Very soon he discovered how arduous his duties would be, and asked Geneva to give him an assistant. The ICRC first planned to send him a highly experienced assistant delegate, chosen among its Geneva staff; in view of the attitude of the Japanese towards all foreigners, and to save time, the Committee decided to take the advice of their Tokyo delegate and choose a Swiss resident in Japan. At the same time, attempts were made to obtain the consent of the Japanese authorities to the appointment of delegates to foreign territories under Japanese authority.

Before the Japanese occupation the ICRC had already appointed delegates in these territories, at Singapore and in Java, Sumatra and Borneo, by agreement with the local authorities. From the very first days of the occupation, the Committee tried to obtain acceptance by the Japanese government of these delegates, who had been concerned with the relief of nationals of the Axis Powers, and would henceforth have to turn their attention to nationals of the Allied Powers, both PW and civilian internees. Furthermore, the Committee asked for official recognition of delegates at Shanghai, at Hongkong, in Siam and in the Philippines.

The Japanese Government agreed to the appointment of delegates in occupied territories which were no longer regarded as zones of military operations. Thus an ICRC delegation was set up at Shanghai in March 1942, and at Hongkong in June 1942.

The ICRC did not, however, relax efforts to obtain the consent of the Japanese authorities to the appointment of delegates at Singapore, at Manila, in the Dutch East Indies and in Siam. The delegate at Singapore was accepted only at the time of the Japanese capitulation in 1945; nevertheless, during the occupation, he was able to do a certain amount of work in a more or less private capacity. As regards Manila, the Japanese Government invariably replied that "the time had not

yet come" to make this official appointment. The agent wrote himself :

Throughout the entire occupation I was never recognised by the local Japanese authorities, and whatever I was allowed to do had by all appearances to be of a private nature in my name.

In the Dutch East Indies, the negotiations undertaken with the Japanese Government proved fruitless, the latter confining itself to the reply that "the question could not be considered at present". The position of the Committee's representatives in the Dutch East Indies was the more difficult since, to all practical purposes, they were unable, throughout the war, to get into touch either with the headquarters of the ICRC at Geneva, or with the Tokyo delegation.

In Siam, the attempts of the ICRC to get their delegates accredited were partially successful. The Siamese authorities did indeed agree to the appointment of a delegate at Bangkok, but the Japanese refused to approve him, and that considerably hampered his work.

The situation remained unchanged up to the capitulation of Japan (except for the Philippine Islands, which were liberated before). In June 1943, the Japanese Ministry of Foreign Affairs categorically refused the repeated applications of the ICRC : "As we have already explained time and again through your delegate in Japan, in view of the special circumstances prevailing in the southern occupied territories, the time has not yet come for compliance."

(To be concluded).