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 DE LA  
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SUPPLEMENT

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# INTERNATIONAL COMMITTEE OF THE RED CROSS

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## NINTH DISTRIBUTION OF THE REVENUE OF THE AUGUSTA FUND

GENEVA, March 10, 1955.

*407th Circular*  
*to the Central Committees of National Red Cross*  
*(Red Crescent, Red Lion and Sun) Societies*

LADIES AND GENTLEMEN,

We beg to remind you that during the XIXth International Red Cross Conference, which is due to be held in October 1956 in New Delhi, the International Committee will announce the names of beneficiaries of the ninth distribution of the income from the Augusta Fund.

By the terms of its Regulations, revised by the XVIIIth International Conference, the revenue from this Fund shall be devoted—

(a) either to missions which the Central Committees judge expedient to organise in the general interest of Red Cross work ;

(b) or to women's associations, and especially those concerned with setting up nursing schools ;

(c) or to any other object of practical utility.

According to Article II of the Regulations, applications for grants, in order to be taken into consideration, must be sent to the International Committee of the Red Cross *before November 1, 1955.*

We should, moreover, be grateful if National Societies wishing to submit an application would kindly give all relevant details concerning the use which would be made of the grant, in the event of it being awarded. The International Committee would thus be able to make a decision with all necessary information in its possession.

We beg to remain,

Yours faithfully,

FOR THE INTERNATIONAL COMMITTEE OF THE RED CROSS

PAUL RUEGGER

*President*

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## SUNDRY ACTIVITIES

### **Comments of a delegate of the International Committee of the Red Cross on his return from Indo-China.**

*After nearly three years in Indo-China, M. André Durand, delegate of the International Committee of the Red Cross, has returned to Geneva. We took the opportunity of asking him a few questions concerning the fundamental aspects of his mission.*

*During your long months in Indo-China you carried out the traditional duties of delegates of the ICRC on behalf of prisoners of war. The readers of the Revue internationale have a general knowledge of what those duties are. Nevertheless, in view of the special nature of the Indo-Chinese conflict, you probably found yourself faced with unexpected tasks. Can you tell us something about them?*

During the fighting my essential work was to visit prisoner of war camps and to remain in contact with the military authorities for all matters connected with war victims. The captives visited by me were prisoners of war and internees in French hands, and some political detainees.

*The presence of two distinct authorities in Indo-China, that is to say, the French Army authorities on one hand, and the States associated with France, on the other hand, no doubt made it necessary for you to solve questions of a kind with which few of the International Committee's delegates have had to deal so far?*

The situation was peculiar to the Indo-China conflict. Prisoners and internees were, as a whole, under the authority of the French Commander-in-Chief. During 1954 the transfer of a certain number of prisoner of war camps to Viet Nam hands was considered ; but this again raised a point of law as the Viet Nam State was not, at that time, a party to the Conventions. Following the accession of Viet Nam to the Geneva Conventions (on November 14, 1953), such transfers became possible, and were in fact carried out.

*You have just raised the question of the application of the Conventions. In view of the special nature of the Indo-Chinese conflict, were the Conventions legally applicable? I do not think so. It would, however, be interesting to know if they were applied in practice, that is to say, whether the captive military personnel had, on the whole, the benefit of the protection of the Geneva Conventions.*

In the area where I carried on my work, that is to say where the prisoners and internees in French hands were assembled, orders issued by the Army Command concerning prisoners of war expressly referred to the Geneva Conventions, and exceptions to the letter of the Conventions were only authorised when the special nature of the conflict made this necessary. In practice, the delegate of the International Committee of the Red Cross was authorised to visit all regularly constituted prisoner of war and internee camps. If he considered it necessary, he could make comments to the authorities on his visits, and discuss proposed improvements. In view of the large number of internees who passed through the camps, and the number of camps (over a hundred), coupled with the huge distances to be covered and travelling difficulties, I was not able to visit all the camps. It is difficult to give a general description of the treatment of the prisoners in the camps as a whole. For a distinction must be made between the large permanent camps, where more regular supervision could be exercised, and temporary camps in remote districts where conditions might be much more primitive.

*What, nevertheless, is your impression in regard to the treatment of captive military personnel?*

In a conflict of this description, there may be a period when the captives' status is still uncertain, and prevents the delegate from taking any immediate steps in their favour. In regularly constituted camps, placed under the control of a responsible body, I found, in the course of my three years' work in Indochina, that conditions showed continual improvement, although they might, as a result of the customs of the country, be considered primitive by our standards.

*Can you give us a brief account of the conditions which prevailed at the time for political detainees (as distinct from those for captive military personnel)? To what extent and in what ways were you able to assist them on behalf of the International Committee?*

My work on behalf of detained persons cannot be compared with my aid to prisoners, as the legal protection afforded to the former is insignificant in comparison with the protection conferred by the Convention on the latter. Political detainees are subject to the laws of the country and, in nearly all cases, are placed on the same footing as common law offenders when serving sentences. The action pursued in favour of political detainees, which has, I know, the International Committee's closest attention, is still in its earliest stages. It was therefore with the special object of studying the problem, and the future possibilities of action on behalf of these detained persons, that I asked for—and was granted—authority to visit certain prisons. I hope that my few visits in this connection were a source of comfort for the detained persons whom I met, but my visits also made it clear to me that it is difficult to take any action which will be immediately effective in favour of some categories of detained persons.

*I presume that when the armistice signed in Geneva, in July 1954, came into force, your work took on a slightly different aspect.*

It assumed an entirely different aspect. We followed the repatriation of prisoners of war and internees with the greatest interest, and as closely as possible. As the control of operations was entrusted, by the terms of the armistice, to the International Armistice Control Commission, our work in favour of those war victims soon came to an end or, at any rate, considerably decreased. We assumed other duties, however, such as assistance to the war-disabled, enquiries for missing persons, etc. But the new circumstances resulting from the arrival in South Viet Nam of populations from the North were principal cause of the change in our work in Indo-China.

*Readers of the Revue internationale are already aware that you were able to assist the refugees, in particular by assuming the supervision of the distribution of gift supplies from various organisations, especially UNICEF. Were you able to undertake other duties on those refugees' behalf?*

As soon as it became apparent that a great number of people in the North had, in application of the terms of the armistice, asked to be allowed to emigrate to the South, the Government of the Viet Nam State asked for the International Committee's assistance. The latter, in full agreement with the League of Red Cross Societies, appealed to the generosity of National Societies for relief supplies for some five or six hundred thousand persons who, in most cases, were destitute. The supplies sent by National Red Cross Societies, for use in both North and South Viet Nam, were for practical reasons centralised in Saigon. Distribution to the refugee camps in the southern region (that is to say, South of the 17th parallel) was entrusted to the delegate of the League. The representatives of the International Committee assumed responsibility, in the same region, for supervising the distribution of the UNICEF gift of supplies for refugees. These supplies mainly consist of powdered milk, soap and clothing materials. Apart from this responsibility we have, of course, remained in contact with all the organisations providing relief for refugees or the civilian population. We have, moreover, made a point of visiting all

the districts which appear to require assistance, either South of the 17th parallel or in the Haiphong area (which was soon evacuated), in order to be able to make known the needs of the war victims for whom we are responsible: refugees and civilian population, war-wounded, war-disabled and orphans.

*We fully realise from your interesting remarks, M. Durand, that you have given remarkable prominence to the presence of the Red Cross in the conflict (of such a special nature) in Indo-China. Your action has proved that the ideal upheld by the Red Cross can be expressed in the most varied and unexpected circumstances, in practical action and not merely by the proclamation of principles.*

R. B.

# CHRONICLE

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## THE DISSEMINATION OF THE GENEVA CONVENTIONS OF 1949

The Geneva Conventions of August 12, 1949, have now been ratified by 47 States, that is to say more than half the countries of the world. While this result, achieved in less than six years from the time of the Diplomatic Conference which gave birth to those Conventions, may be considered as encouraging, it should not give rise to any false hopes.

It is true that ratification is a legal act which most certainly gives the texts ratified the force of law; it gives them their legal status. But the Geneva Conventions are not a penal code, an instrument for prohibiting certain actions under penalty of sanctions, or a policy to be followed in time of war. Policy in war is too often that of the strongest party. The Geneva Conventions are not concerned with military operations, except to ensure that the principles of humanity are applied amidst—and in spite of—violence. They are the law of the just and the safeguard of the feeble and oblige those who have recourse to armed conflict to lend a helping hand wherever the use of arms has caused havoc and misfortune. They are thus the incarnation of a spirit which should quicken mankind and lead, not merely to abstention but to positive action. For this purpose they must be known, disseminated and proclaimed.

This necessity was recognised at the Diplomatic Conference of 1949, and in Articles 47, 48, 127 and 144 respectively of

the four Geneva Conventions; the High Contracting Parties "undertake, in time of peace as in time of war, to disseminate the text of the present Convention, as widely as possible in their respective countries, and in particular, to include the study thereof in their programmes of military and, if possible, civil instruction, so that the principles thereof may become known to the entire population".

Many Governments and National Red Cross Societies have already taken more or less extensive measures in this connection, while other Societies are preparing plans or projects. We cannot give a full survey in this article of all that has been done, or could be done, in this respect. The field is vast, the means are innumerable and the choice depends, to a great degree, on possibilities and circumstances. We shall try, however, to give here a general outline of the work which has been done, or remains to be done, to disseminate the Geneva Conventions of 1949. In our second article on the subject, we shall give an analysis of the report and studies published by National Red Cross Societies, the League of Red Cross Societies, the International Committee and private individuals.

The first measure, of a general nature and apparently essential, would be to publish an official version of the Conventions in the language of the country and to make the texts available to all by producing a cheap edition in considerable quantities. The official text of the Conventions exists in French, English and Russian. The Powers party to the Geneva Conventions have published versions in their respective national languages, i.e. Arabic, Czech, Danish, German, Hebrew, Italian, Norwegian, Polish, Rumanian, Russian, Serbo-Croat, Spanish, Swedish and Turkish. Translations in Chinese, Flemish, Indonesian, Korean and Persian have also been published. Every library worthy of the name should have in its catalogue a complete edition of the Geneva Conventions, and could make a useful contribution to the dissemination of Red Cross principles by drawing the attention of the public to these works at regular intervals.

But legal texts, even if couched in clear and simple terms, do not, in view of the systematic manner in which they are set

forth, lend themselves to easy reading by the population as a whole. This means of dissemination will, essentially, reach persons whose work in Red Cross organisations or personal education, particularly as regards international law, encourages them to take a special interest in these questions; it will certainly not suffice to give a general impetus to the Red Cross movement and ideas among the general public, or in army circles.

To do this, it will be necessary to go farther and to set up a general programme which might be inspired by the following three main ideas :

- (a) dissemination among members of the armed forces; this task would be assumed by Governments;
- (b) among the specialised personnel of National Red Cross Societies—a task for the National Societies themselves;
- (c) among the general public; this could be done either by Governments in co-operation with National Societies, or by the latter in conjunction with official or private institutions.

#### DISSEMINATION AMONG MEMBERS OF ARMED FORCES

The information received so far by the International Committee concerning the efforts made by some governments to disseminate the Conventions among members of the armed forces reveals that these measures have consisted essentially in distributing the texts of the Conventions to commanding officers, other officers, warrant officers, army doctors and chaplains, either in full or in the form of extracts, which are sometimes accompanied by other texts concerning the operations of war.

Further, a simple summary is sometimes distributed to the troops during their recruit training period. In the armies of certain Powers courses have been instituted to give a proportion of the officers and non-commissioned officers, and some-

times the troops as a whole, a knowledge of the main rules of the Conventions.

It is not for us to lay down, in these pages, a definite programme of instruction but it is obviously necessary to treat the case of officers, non-commissioned officers and other ranks separately. In the first place, officers and men should be imbued with the general spirit of the Conventions and have a very clear idea of their significance. A certain scepticism in regard to humanitarian regulations is sometimes to be found among military personnel. This is principally due to the absolutely erroneous notion that the respect of such regulations may be incompatible with the duties they have to carry out. This attitude is a proof of the superficial idea military personnel generally have of the Geneva Conventions, the provisions of which in no way exclude entire independence in the conduct of operations, taking into account, of course, the respect due to the laws of war.

Apart from this general training, officers and non-commissioned officers should receive precise instructions on the humanitarian rules, which they themselves may have to apply, in order that they may at all times take appropriate decisions and give orders in consequence.

Though the preliminary instruction of troops is of less importance than that of officers and non-commissioned officers, it should not, for that reason, be neglected. It will be somewhat similar to the type of instruction given to the general public, since in any given case officers and non-commissioned officers will be able to indicate the attitude to be adopted. It is, however, conceivable that the Geneva regulations will be borne in mind during training and manœuvres. The Red Cross emblem is present on the battlefield, not for the same reason as the armoured car or the plane, but for just as good a reason. The treatment of prisoners or enemy wounded when captured, the questioning of the captives, the behaviour of the troops towards partisans and the civilian population, and the safeguard of hospitals, are matters which should all be as familiar to the troops as the evacuation of the wounded is to the Army Medical Service.

DISSEMINATION AMONG SPECIALISED PERSONNEL OF  
NATIONAL RED CROSS SOCIETIES

Mention should be made in this connection of the efforts made by some National Societies to institute real programmes of instruction, entailing the training of instructors and practical courses. Some of these plans have already been carried out, others are in process of execution and some are still being studied.

As an example, one of the plans adopted was conceived on the following general lines :

- (1) A number of courses, over varying periods, were held all over the country for active members of the National Red Cross Society.

The courses covered various aspects of the Conventions, according to who the participants were and the duties assigned to them in time of war.

- (2) Refresher courses were organised, adapted to the needs of local Red Cross branches, for the instruction, in particular, of nurses and ambulance staff.

With regard to the planning of the courses, we will merely make a brief reference to the method adopted by one National Society which would appear to be of particular interest. The courses consist of four lectures, each of two hours' duration, accompanied by practical examples: (First Lecture: The Significance of the Geneva Conventions; Second Lecture: The Red Cross Emblem used as a Symbol of Protection; Third Lecture: Captivity and Internment; Fourth Lecture: The Protection of Civilians in Occupied Territory).

Jurists who attend courses of this description will thus be in a position to give adequate instruction to Red Cross personnel. It is, in fact, necessary for National Red Cross Societies to be able to count, in future, upon the services, not only of doctors but also of jurists who are capable of giving them information on all questions relating to the Geneva Conventions, in particular the use of the Red Cross Emblem.

The International Committee has made a collection of the information made available to the public by the Red Cross

Societies in Australia, Austria, Belgium, France, Germany, Greece, Indonesia, the Netherlands, Norway, Spain and Switzerland. It will be pleased to send this information on request—as well as the extensive matter it has itself published on these questions—to National Societies who desire to take these texts as a pattern for spreading the principles of Geneva, in their turn.

#### DISSEMINATION AMONG THE GENERAL PUBLIC

This last duty is the corollary of the two others. It is evident that the measures taken for the dissemination of the Conventions among members of the armed forces or the personnel of National Red Cross Societies—we are thinking above all of the publication of booklets giving extracts or summary versions of the Conventions—are also of the greatest value for making them known to the public.

But in this latter case, one may also consider issuing different booklets of more general significance. Many countries have already solved the problem in this way by publishing several booklets, each dwelling in particular on one specific aspect of the Conventions, the text being of a more or less technical nature according to the subject.

The cost of the production and distribution of the documents comes, of course, within the province of the authorities concerned. All that is issued by public authorities for the army's benefit is usually distributed free of charge to the troops, and the cost is assumed by the Government. With regard to National Red Cross Societies, it is possible that they may receive Government support to assist them in their work of disseminating the Conventions. It is, of course, desirable that the booklets should be distributed over as wide a field as possible.

There are other methods of propaganda, that is to say the Press and radio talks.

The Press can assist in the dissemination of the Geneva Conventions in two ways, in particular; by leading articles with essential bearing upon the principles of the Conventions,

and by topical columns. The basic principles of the humanitarian Conventions can lead to many interesting developments, especially in relation to the law as it is generally understood, and the usual attitude of men towards the problems of life. Let us think, for instance, of the fundamental principle of the Geneva Conventions which requires a gesture to be made without expecting it to be reciprocated. This idea alone shows the revolutionary character of Red Cross ideas in a century where no gift is ever made except in exchange for a reward which has been carefully estimated. The absence of reciprocity implies the surrender of the contract system ; it is the gift of the strong to the feeble, of the rich to the poor, from the well-informed to the ignorant.

Let us consider another principle ; that of aid in all circumstances to the person who is wounded or sick. That is not a prudent withdrawal or a refusal to be aware of the misfortunes of others ; it is a call for action, for help, to do all in one's power to aid one's fellow-man. There will be no lack of incentives for those who read the texts with understanding.

But the Press can also speak of the Conventions from a topical point of view. In this connection, the example could be given of a recent intervention of the International Committee in Central America (during the civil disturbances which occurred in Guatemala in June and July, 1954) in order to ensure that political detainees received the benefit of humanitarian principles. Internal strife is not so rare at the present time, and it is not always possible for the International Committee to intervene itself. But at those very moments, a courageous and independent Press has the opportunity of making heard a humane and unimpassioned voice ; it can thus exert a calming influence, and prevent useless excesses, by the repeated proclamation of the principles and the provisions for the application of the humanitarian Conventions of August 12, 1949.

Broadcasting can play a similar role.

It should also be noted that, at the request of the International Committee, the Law Schools in some Universities have included in their programmes the study of humanitarian law, of which the Geneva Conventions at present form the basis.

It would be extremely desirable for this example to be followed by all Universities, in order to propagate among the intellectual elite of all countries signatory to the Geneva Conventions, both the fundamental principles and the rules of application of humanitarian law.

The International Committee of the Red Cross has not lost sight of its responsibilities in the matter of the dissemination of the Geneva Conventions. In addition to a brief summary for the members of the armed forces and the general public, which is available today in French, English, Spanish, Greek and Indonesian, it is publishing a *Commentary* on the Geneva Conventions, of which the first volume, concerning the First Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field, appeared in 1952<sup>1</sup>. A second volume, devoted to the study of the provisions of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, will be published in the course of the year.

In this connection, the International Committee has also published a considerable number of works with the object of examining the Conventions from some special angle, or of making a closer analysis of any particular aspect. In addition, numerous authors have made valuable contributions to the study of certain aspects of the Geneva Convention of 1949.

J. de PREUX.

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<sup>1</sup> " *Commentary on the Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field*", Geneva, 1952.