



SUPPLEMENT

VOL. III

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

SUPPLEMENT

Vol. III, 1950

GENÈVE

1950

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July, 1950

Vol. III, No. 7

CONTENTS

	Page
The International Committee of the Red Cross and the Refugee Problem	114
Events in Korea	127
The ICRC gets in touch with Washington . .	128
The ICRC in Korea	129

Published by
Comité international de la Croix-Rouge, Genève
Editor: Louis Demolis

*THE INTERNATIONAL COMMITTEE
OF THE RED CROSS AND THE REFUGEE PROBLEM*

I. INTRODUCTION

Of all victims of the recent War, none, since the Armistice, have endured greater hardships than the refugees, and none have been more hardly dealt with. Up to the present they had, like civilians in general, the protection of no international Convention, and their number alone, which still runs to millions, made it particularly difficult to assist them.

During recent years, the refugee problem has been the responsibility of a number of specialised agencies, such as the Inter-Governmental Committee for Refugees, the United Nations Relief and Rehabilitation Administration (UNRRA) and the International Refugee Organisation (IRO).

The International Committee of the Red Cross (ICRC) did not receive any such mandate and was consequently not competent to intervene. Nevertheless, for humanitarian reasons, it could not disavow its interest in these persons, deprived as they were of protection because they would, or could, not claim it from their own Governments, and was accordingly led to act in their favour and make certain attempts to better their conditions.

The important fact, however, was not alone the absence of a mandate which would have facilitated the ICRC, but the lack of funds which could be earmarked; certain categories only of refugees could be helped by gifts provided for the purpose by welfare organisations.

It is for this reason that the ICRC has not a comprehensive picture of the present conditions of refugees. Lists and figures in its possession are incomplete, because Delegates can transmit only the complaints and requests refugees give them, and are not in a position to draw up general reports.

What follows is therefore fragmentary, and not in any sense a complete study of the vast and complicated problem which the presence of such large numbers of refugees represents in Europe. It has, however, seemed useful to summarize what the ICRC has done since 1945, and show how it has constantly striven to adapt itself to a situation which circumstances and immediate needs has caused to vary incessantly.

II. SPECIFIC EXAMPLES

I. Practical Measures

(a) — *Travel Documents.*

After the Armistice, Governmental Authorities, faced with so many urgent problems, could not devote much attention to certain classes of war victims. Refugees and Displaced Persons who had lost their identity papers and who would, or could, not have their passports renewed, were a particular example.

It was to meet this situation that the ICRC established its Travel Document, originally intended to allow the holder either to return to his homeland, or to continue living in the country where he happened to be.

It had been decided in the beginning that ICRC Travel Documents would be issued for only a short period, sufficient to allow authorities to establish their own official identity papers for refugees. Accordingly, when the London Agreement of October 15, 1945, under the auspices of the Inter-Governmental Committee for Refugees, was signed by sixteen States, the ICRC believed that it would be able shortly afterwards to suspend the issue of its own Document. The signatory Powers undertook to deliver Travel Documents to refugees without identity papers, and to recognise the validity of papers issued by the other signatory Powers. Nevertheless, in spite of the adhesion of several other Governments to the London Agreement, the ICRC has not even yet been able to withdraw. The delay in the ratification and entry into operation of the Agreement, and the increasing number of refugees wishing to emigrate

overseas, obliged the Committee to continue. But even before the London Agreement, the wording of the ICRC Travel Document had to be somewhat modified, so that it could serve as an identity paper for persons wishing to emigrate.

The Document is issued only when the following three conditions are fulfilled :

- (a) — Absence of a valid passport and inability to procure a new one.
- (b) — Authorisation to leave the country in which the applicant finds himself.
- (c) — Promise of a visa from the Diplomatic or Consular Representative of the country to which the applicant wishes to go.

The principal characteristic of the Travel Document is, that it is issued free to every applicant, providing that the above conditions are fulfilled, and irrespective of the refugee's race, religion, language or political convictions. The ICRC in this way affirms its neutrality: a refugee from East Europe who has been deprived of his nationality and who does not want to return to his homeland but wishes to emigrate overseas, may have the Document in the same way as, for example, a citizen of the same country, interned perhaps in Spain, who is anxious to return home.

Moreover, it is important to note that the Document is not a " Red Cross passport ", as it is often erroneously called, but a Travel Document whose validity is strictly limited (generally, six months to one year). As its issue might give the impression that the ICRC thereby accepted a certain responsibility, the text makes it quite clear that the Committee cannot in any way vouch for the identity of the bearer, and that the Document merely reproduces the declaration he has made to a Delegate. As it is not an official paper, Governmental Authorities and Consular and Diplomatic Representatives may, as they choose, recognise its validity, or refuse to do so.

Up to now, over 100,000 Travel Documents have been issued at Prague, Vienna, Salzburg, Innsbruck, Paris, Cairo, Shanghai, Madrid, Genoa, Naples, and, particularly, Rome.

Efforts are being made in Geneva to have the competent national authorities take over this work from the ICRC which, in any case, ceases to issue the Documents as soon as the Government in a particular country provides special papers for refugees. However, the fact should be stressed that the principal document created for refugees, namely the Governmental or "London" Travel Document, is given only to refugees eligible for IRO assistance. Those who are not eligible, being without papers, find it absolutely impossible to travel, and the ICRC is therefore obliged to continue the issue of its Document.

The countless services which the Document has rendered to those who had lost everything, can easily be imagined.

(b) — *Capture Certificates.*

In order to be eligible for the assistance, administrative and especially material, of IRO, Displaced Persons have to undergo several tests to show that their attitude and activities during the War were such as to entitle them to IRO protection. It is for this reason that former prisoners of war frequently apply to Geneva; in the absence of other documents, only a Capture Certificate, issued by the ICRC and based on the information in its card-index, can help such persons to prove their eligibility and their right to the support of IRO in emigrating.

The ICRC has established close on 20,000 Capture Certificates; these have been sent either direct to the applicants, or to IRO representatives in the Occupation Zones in Germany and Austria. Unfortunately, lists of persons in enemy hands were not always forwarded during the War, and it is sometimes impossible to establish a Certificate, even though the applicant appears to have really been a prisoner of war. This is the case, for example, with Soviet and Rumanian prisoners. It is purely accidental that certain Rumanian names were not communicated to Geneva and accordingly are not included in the relevant card-index; the names of Soviet prisoners of war are absent, because Soviet Russia failed to sign the 1929 Prisoners of War Convention and did not transmit the name of any prisoner of

war in its power. In consequence, the German Government did not make up any lists of Soviet prisoners of war in German hands.

(c) — *Tracing.*

Between 1939 and 1945 the Central Agency established an index of all prisoners of war whose names were communicated to it, and was thus able to supply information to the relatives. As well as this vast index of military personnel, the ICRC began to collect information about civilians dispersed by war, in the hope that, when hostilities ended, it might put the persons sought in touch with those who were looking for them. In 1945, however, the Allied Authorities made it known that they themselves intended to take the matter in hand. With this end in view they set up an International Tracing Service in Germany, which was the responsibility successively of UNRRA, the Occupation Authorities, and IRO.

After detailed examination, the ICRC replied affirmatively when IRO, in the Autumn of 1949, asked if the Committee would be prepared to undertake the work actually being done by the International Tracing Service. Later, however, IRO changed its mind and did not proceed with the proposal.

We may recall, as an example, that the problem of liaison between families arose again in connection with refugees of Russian origin transferred by IRO from Shanghai to Samar in the Philippines. Relatives who had remained in China complained that they had no news from them. The Committee got in touch with IRO, asking that, if necessary, lists should be at once sent from Samar to Shanghai. Thanks to the efforts made by IRO, the applicants were given satisfaction.

2. Study of Problems

(a) — *Legal assistance.*

By a Resolution of the XVIIth International Red Cross Conference (Stockholm, 1948), the ICRC was requested to

examine jointly with the League of Red Cross Societies the possibility of creating an organisation to give legal assistance to refugees. The Resolution was :

The XVIIth International Red Cross Conference,

recommends that National Societies include in their activities, should the necessity arise, legal and social assistance to stateless persons, refugees and war victims,

requests the League of Red Cross Societies and the International Committee of the Red Cross to establish a standard programme in this field.

To implement this Resolution, the ICRC addressed, jointly with the League of Red Cross Societies, a letter to all National Societies. Unfortunately, only a small number of replies, mostly negative, were received.

Nevertheless, now that IRO is soon to cease operations, it is increasingly urgent to contribute to any attempt to solve the refugee problem. It was for this reason that the ICRC decided to send to Governments, Red Cross Societies and all interested organisations, the message reproduced in the *May Supplement*¹.

(b) — *Convention on Declarations of Death.*

The United Nations decided to establish a Convention which would enable refugees to obtain official Declarations of Death for relatives who died during the war, and the ICRC was invited to draft a Memorandum of its views and proposals on this particular point. After careful examination the ICRC responded ; account was taken of its proposals in drawing up the Convention which was established after a Conference held recently at Lake Success, at which, unfortunately, the ICRC was unable to be represented. Note was taken in particular of the most important suggestion—to extend the benefit of the Convention without discrimination to all persons concerned.

¹ See *Revue internationale*, English Supplement, May 1950, p. 82.

(c) — *Conference of Non-Governmental Organisations interested in Emigration Problems.*

This Conference, convoked by the United Nations, was held at Geneva in January 1950. It allowed the ICRC once more to draw the attention of the United Nations and of all Organisations represented, to the necessity of taking the word "Refugee" in its widest sense. The ICRC supported proposals tending to give refugees legal and spiritual assistance.

(d) — *Relations with the International Refugee Organisation.*

IRO being the most important of those organisations which deal with refugees, it was natural that the ICRC should frequently co-operate with it in questions connected with Displaced Persons. There were joint meetings and expert consultations. Letters addressed by refugees, or groups of refugees, to the ICRC were often within IRO's competence, and were at once referred to it.

In certain countries in which IRO is not represented, the ICRC looks after the work which would normally be done by IRO.

3. Protection and Assistance

There are two classes of Refugees on whose behalf the ICRC assumes functions which are normally those of a Protecting Power :

- (a) — Refugees, whatever their nationality, who cannot or do not wish to have the protection of their home Government.
- (b) — German nationals who, while not being properly speaking refugees, were not until recently protected by a Government and who had no Diplomatic or Consular protection.

The ICRC was also called upon by Governments to assist in dealing with some particularly delicate problems, as for example, the repatriation of Polish and Jugoslav children. (See below.)

(a) — *Refugees of all nationalities.*

During 1949, a certain number of Displaced Persons of different nationalities who were working in Belgium addressed themselves to the ICRC. Having broken their working contract, they found themselves unemployed ; the ICRC limited itself at the time to transmitting their letters to the Belgian authorities.

However, at the end of 1949, these refugees made collective applications to Geneva. Their contracts had expired and they were in a very difficult position. The ICRC made enquiries about the real position of these aliens, to find out if and how they might be assisted, should their complaints be founded.

Enquiry with IRO and the Belgian Ministry of Power and Fuel showed that the Belgian Government had been one of the first to enlist miners amongst the Displaced Persons in Germany. Following an agreement between the Belgian authorities and the Inter-Governmental Committee, some thousands of refugees agreed to work in Belgium as miners for two years. They had been informed that at the expiration of the contracts they could : (a) accept employment in some other branch of the Belgian economy ; (b) return to Germany ; or (c) emigrate to some other country. Two months before the expiration of the contracts, they made known their intention of not renewing them, and learned then that the only course open to them was to continue working in the mines.

The Occupying Authorities were opposed to their return to Germany ; owing to the economic situation, apart from agriculture and work in quarries, no occupation except that of miner was open to them in Belgium ; finally, they could not emigrate, except at their own expense, because IRO considered that persons who had already emigrated once were no longer eligible under its mandate.

In spite of the requests of the ICRC, neither the Belgian Government nor IRO could change their attitude. The Belgian Government, however, as the ICRC was able to see for itself, made every effort to provide the best possible working and living conditions. Pay was high and living quarters excellent. IRO on its side has done all it could to organise transport to

other countries (particularly France and certain South American states) of small groups chosen from amongst the men who wished to leave Belgium.

A somewhat similar case referred to the ICRC was that of a group of Polish workers, who broke their labour contracts in Holland. Their application was transmitted to the Netherlands Red Cross and to IRO representatives at the Hague.

In Italy, the principal work of the ICRC for refugees was for those interned in Italian camps and considered as not entitled to IRO assistance.

In spite of the great efforts of the Italian authorities, living conditions for refugees were not always satisfactory. The Committee's Delegates therefore undertook camp visits and, as in the case of prisoners of war, drew up reports. These were sent to the Italian Government, which was always most willing to help alien refugees, and in spite of the heavy burden on the Italian exchequer, made all possible attempts to improve their condition. The authorities responded favourably to the Delegates' suggestions and granted certain facilities to the refugees, including free correspondence with their families, legal assistance for those prosecuted, and improvements in the camps.

The reports also led to negotiations with relief organisations such as the International Union for Child Welfare, whose assistance the ICRC called upon to help children interned with their parents.

There were originally four camps: Lipari, Alberobello, Fraschette di Alatri, and Farfa Sabina. Two are now closed, while Fraschette di Alatri, for men, and Farfa Sabina, for women and children, still operate.

Fraschette di Alatri was visited for the last time by a mission which went to Italy in December 1949. It reported that the Italian Government will continue to assist alien refugees; no definite solution can be expected, however, until the refugees can emigrate, i.e., when they shall have received their visas and been assured employment. These questions are obviously outside the competence of the Italian Government.

Other countries in which ICRC Delegates had to look after refugees were: (1) China, which harbours many refugees of

Russian and German origin ; (2) Algeria, through which refugees of all nationalities pass in transit ; (3) Rhodesia, where some hundreds of Poles are living in camps ; (4) Greece, where Russian and Assyrian refugees have for years been living in difficult conditions, and where, since the close of hostilities, many Rumanians, Bulgarians and Jugoslavs have arrived.

The fact that the ICRC was called upon more often in these distant countries than nearer home is easily explained. In Germany, France and Austria, refugees are aware that the resources of the ICRC are restricted, and they can turn to the many relief organisations which are in a position to help them.

(b) *Germans.*

Immediately after the War, the Committee's Delegates were called upon to organise the repatriation of some hundreds of Germans, who were mostly in Tanganyika, the Belgian Congo, Argentina, Brazil and the Portuguese Indies. Thanks to representations made to the Detaining Governments, and the efforts of Delegates on the spot, these Germans were repatriated under very satisfactory transport conditions, and allowed to take property and money with them. At the moment of writing, not all Germans living abroad have yet been able to return home, and the ICRC accordingly continues its efforts in their behalf.

The largest German group due for repatriation lived in Italy. Many former soldiers or civilians have no valid identity papers and are detained in Italian camps. Others, who are at liberty, are anxious to return home, but are unable to pay for the journey and do not know to whom they should turn. For some years, the ICRC has been trying to have these Germans sent home, but operations were seriously delayed for several reasons.

The Allies were unwilling to grant entry permits ; the German authorities too, because of over-population and widespread distress, declined to issue the necessary authorisation (*Zuzugsgenehmigung*), upon the possession of which issue of the Allied entry permit depended.

The Italian authorities, for their part, favour repatriation and make no objection to the departure of these people, who are a charge on the country.

According to information received, all the authorities concerned—the responsible Department of the Bonn Government, the Italian Ministry of Foreign Affairs, the Italian Minister at Francfort, the Inter-Allied Commission in Germany, and the Allied Permit Office in Rome—have now at last agreed on a common policy. The final stages are thus approaching, and all Germans detained under Italian control will shortly leave Italy for home.

In addition to what it has done to facilitate repatriation, the ICRC has also tried to assist Germans in other countries.

Thus, a group of Germans were serving prison sentences at Ankara. The ICRC drew the attention of the Turkish Red Crescent to their situation and that Society agreed to hand them clothing, relief in kind, and the raw materials and tools which would allow them to manufacture articles they could sell for their own benefit. The Red Crescent also informed the ICRC that it was willing to transmit any further relief that might be sent.

While it is true that material conditions for Germans living in camps in Italy were hard, it appears that there have been abuses. Certain internees started writing numbers of begging letters, and the gifts they obtained served to organise a sort of black market. The ICRC, to stop such unfair dealings, secured the help of the Social Service of the Italian Red Cross. The Service agreed to make an enquiry about applicants for aid, and to hand relief parcels to the most needy cases. German Red Cross Committees who had indicated their wish to help Germans in Italy were informed.

Other work for Germans included correspondence with the Australian Emigration Department, at Canberra. The latter had informed the ICRC in 1948 that the Australian Government had given permission to the Germans interned during the War in Australia and who had remained there, to bring out their families to live with them. The Committee discussed matters with IRO and a French shipping company with a view to

securing rebates on the ordinary passenger rates for these people.

(c) — *Aid for Children.*

Early in 1948, the ICRC Delegate at Warsaw took up the question of organising the transfer to Germany of German children who had been brought to Poland during the War and had not been able to return. While supporting the efforts of the ICRC in this connection, the Polish Government and Red Cross expressed the hope that Polish children who had been taken away by the German authorities should likewise be brought home.

The Committee, anxious to assist the Polish Authorities also, accorded certain practical facilities (loan of railway wagons, gifts of food, blankets, etc.), and instructed the Delegation in Germany to give full support to the Polish liaison officers. In Geneva, IRO was asked to give detailed information on what had been done in tracing and repatriating Polish children, and to continue its efforts.

A similar problem arose at the end of 1949, when the Yugoslav Government asked the ICRC to take up the question of the return of Yugoslav children in Austria and Germany. The Delegates in Vienna and Berlin were instructed to consult the Occupying Authorities, the Austrian and German authorities and the local IRO representatives. The ICRC thus succeeded in giving the Yugoslav authorities, through the Red Cross at Belgrade, information about some of the missing children; the Yugoslav Red Cross was also given details of what had been done up to then in both Austria and Germany. This matter is being followed up.

Here are some further examples of what the ICRC has recently been doing for children:

In conjunction with its Prague and Berlin Delegations, it has studied the possibility of transferring German orphans coming from Czechoslovakia to homes managed by the Swiss Red Cross in the Black Forest.

At the request of German mothers who had children by Americans of the Occupation Armies, it got in touch with the

American Red Cross and the American Command in Germany, to obtain the addresses to which the women could turn for alimony.

In many cases the ICRC was, it is true, unsuccessful, but these serve to illustrate the difficulties which have to be overcome. These difficulties are particularly great in attempts to reunite families whose members are dispersed in different countries. Like IRO, the International Union for Child Welfare, UNICEF, the International Social Service, and other organisations, the Committee finds it often impossible to overcome so many obstacles.

(d) — *Individual requests.*

We may mention, to conclude, that apart from the group requests mentioned, the ICRC receives large numbers of individual applications from all over the world. Most of the applicants are refugees anxious either to return home or to emigrate, but without the necessary documents or money. The Committee is asked about the status to which refugees are entitled, or the nationality they may claim. There are questions about the adoption of children, about the means for finding children who were lost during the War, or who have meanwhile been adopted by third parties.

* * *

The variety and complexity of the problems which the ICRC is daily called upon to solve, is evidence not only of the present tragic world situation, but of the necessity for a neutral organisation, guided by Red Cross principles, and ready in all circumstances to act.

E. de R.

EVENTS IN KOREA.

Following its long tradition, and in conformity with the provisions of the Geneva Conventions, the International Committee of the Red Cross has offered its services as a neutral intermediary to the two parties in Korea.

In a telegram addressed to the two Governments, at Pyongyang (North Korea), and at Seoul (South Korea), the International Committee has referred to Article 3, common to the four Geneva Conventions of August 12, 1949, which deals with conflicts not international in character. In such cases, it is provided that an impartial humanitarian organisation such as the International Committee may offer its services to the parties in conflict.

The International Committee has also pointed out that although Korea is not party or signatory to the 1929 Conventions for the protection of the wounded and sick, and relative to prisoners of war, nor of the 1949 Conventions, this fact should not prevent the *de facto* application of the humanitarian principles which protect all war victims.

The International Committee has already given instructions to its Delegate on special mission in Hongkong to go immediately to Korea.

Geneva, June 26, 1950.

*THE I.C.R.C. GETS IN TOUCH WITH
WASHINGTON*

In view of the position taken up by the United States in the conflict in Korea, the International Committee of the Red Cross has offered its services, in its traditional capacity of neutral intermediary, to Washington, as it has already done to North and South Korea. This offer makes reference to the provisions of the 1929 Geneva Conventions, to which the United States is party, and the new Geneva Conventions of August 12, 1949, which, up to the present, have been signed by sixty-one governments.

It should be understood that the Committee's offer is not, as a press report seems to imply, an offer of mediation—in other words, of a political nature—but simply a declaration that the Committee is ready, as is its duty under the Conventions, to assume the humanitarian task of ensuring protection for the victims of conflicts of whatever kind.

Geneva, June 28, 1950.

THE ICRC IN KOREA

A Delegate of the International Committee of the Red Cross, M. Frederick Bieri, arrived by air in South Korea on July 3. He was immediately received by the President of the Republic, Syngman Rhee, who expressed full agreement to the proposal that the ICRC should aid victims of the conflict and gave his adhesion to the essential principles of the 1929 and 1949 Geneva Conventions.

The ICRC has nominated M. Jacques de Reynier, formerly head of the Delegation in Palestine, as Delegate to North Korea ; he has been ready to leave since last week and is only awaiting the necessary travel authorisations to leave.

Geneva, July 7, 1950.
