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Venezuela

In view of several requests to the ICRC for information on the fate of *guerrilleros* arrested in Latin America, Mr. Jequier was directed to apply to the authorities in Caracas for permission to visit a number of persons imprisoned for subversion and opposition to the regime.

This permission was granted and on November 18 he inspected the prison of the San Carlos barracks in Caracas. Mr. Jequier talked in private with the political detainees and investigated detention conditions.

3. ASIA

Cambodia

The frontier between the Republic of Vietnam and Cambodia is the theatre of frequent incidents causing large numbers of civilian and military casualties as well as considerable material damage.

In order to help the Cambodian Red Cross to come to the aid of the victims of such incidents, the ICRC has charged its delegate-general for Asia, Mr. André Durand, with handing over 28,000 Sw.frs. to that Society.

India and Pakistan

The delegations, sent to both sides during the hostilities in August and September, 1965, continued their work throughout the first few months of 1966 of assisting prisoners of war and civilians interned by either party, and also refugees and displaced persons.

Since March, the progressive normalization of relations between the two countries enabled the ICRC to reduce its mission and only to maintain until July one delegate charged with representing the Committee in both countries.

Assistance to prisoners of war. — The ICRC delegates on several occasions visited prisoners of war held at Agra in India and in Pakistan at Dargai and Kohat. They made every effort to com-

municate a complete nominal roll of all combatants captured and immediately forwarded lists they received to the authorities and the Red Cross of the countries of origin.

The Indian and Pakistan Red Cross Societies were thus able to give information concerning the fate of those prisoners to numerous families. In the course of their visits the delegates of the ICRC also ensured the transmission of mail and distributed parcels prepared by their National Red Cross to detainees. Family messages and parcels which mainly contained clothing, foodstuffs, toilet articles and reading matter, were exchanged at meetings arranged periodically on the cease-fire line by the ICRC delegates, in co-operation with the United Nations observers and the representatives of the Indian and Pakistan Red Cross Societies.

Since the end of hostilities, the delegates supervised the release and exchange of captives, in particular of seriously wounded cases who, by virtue of the Third Geneva Convention, must be given priority for repatriation.

It was not, however, until February 2 in implementation of the agreements signed in Tashkent between India and Pakistan that a doctor-delegate was able, during a return flight between New Delhi and Lahore, to bring back two groups of 17 Indian and 19 wounded Pakistanis to their respective countries.

On the same day an exchange was made at Husseiniwala, in the presence of representatives of the ICRC and of the Red Cross Societies concerned, of more than 1,100 prisoners of both nationalities, of whom some forty were officers.

Interned civilians. — The delegates also had access in both countries to several camps in which enemy nationals were interned. As this was a question of persons protected by the Fourth Geneva Convention, they set about examining the conditions of their detention. The ICRC has forwarded to the governments concerned reports of visits made to the camps at Deoli and Visapur and at Lantee, Lyallpur and Campbellpur in Pakistan.

Assistance to refugees and displaced persons. — Donations in cash and in kind sent by National Red Cross Societies, in response to the appeal launched in November 1965 by the ICRC, enabled

the latter to support the efforts of the Indian and Pakistan Red Cross in their respective countries.

Fleeing before the advance of the opposing forces, nearly 200,000 Pakistani villagers of the frontier zones had withdrawn to the Sialkot, Sheikupura and Lahore districts in Pakistan. On the Indian side fugitives from the Jammu, Punjab and Rajasthan provinces amounted almost to 300,000 in number. In addition, in the part of Kashmir under Pakistani control, the local population had to admit more than 100,000 Moslem refugees who, in the space of a few months, had crossed the cease-fire line.

Relief sent to the Pakistan and Indian Red Cross consisted essentially of food (powdered milk, cheese), clothing and blankets. Whilst in India, the National Red Cross itself organized distributions in the more affected areas, in co-operation with the ICRC delegates, in Pakistan, on the other hand, assistance to refugees was carried out by the government. To that end, the latter set up a census body, took charge of relief received from numerous national and international sources and arranged for their distribution with the co-operation of local officials and magistrates. The ICRC delegates were present at many of these distributions and were thus able to convince themselves of the effectiveness of that organization.

In addition, thanks to a considerable financial contribution from the British Red Cross and the Order of St. John, the ICRC was enabled to send two Land-rovers equipped as mobile dispensaries to the medical service of the Red Cross of Pakistan Kashmir. The balance of relief funds available to assist the victims of the conflict in India was used to purchase an ambulance which was immediately handed over to the Indian Red Cross.

Indonesia

Mr. André Durand, delegate-general of the International Committee of the Red Cross in Asia, went to Indonesia in October. Accompanied by the Red Cross Society's Secretary-General, Mr. Tirtopramono, he visited the island of Lombok where the inhabitants of several areas were suffering from famine. He also went to the prison of Mataram, the island's capital, to visit detainees arrested as a result of the troubles which broke out in the autumn of 1965.

Japan

The ICRC has continued to help in the repatriation of Koreans living in Japan, wishing to proceed to North Korea.

It should be recalled that as a result of negotiations carried out at ICRC headquarters in Geneva, the Red Cross Societies of Japan and North Korea signed an agreement on August 13, 1959 on the repatriation of Koreans resident in Japan. The Japanese Red Cross then asked the ICRC to send a delegation to the spot in order to guarantee the freedom of choice of the persons concerned.

Since the end of 1959, a special mission of the ICRC has assisted in the operations of registering and embarking Koreans wishing to return to their country of origin. During the summer of 1966, the Japanese Red Cross informed the ICRC of the renewal of the Calcutta Agreement for one year and requested the ICRC to maintain its special mission in Japan for that further period and this was accepted by the International Committee.

The number of Koreans repatriated during the year 1966 amounted to 1,860, of whom 735 were men, 481 women and 644 children. 86,700 Koreans have been repatriated since the beginning of this action in 1959.

Laos

The renewed outbreak of military operations and air bombing resulted in a further influx of refugees who left the mountains towards the Mekong valley. By the end of July, their numbers were estimated to be some 20,000.

At the request of the Lao Red Cross, Mr. Durand, ICRC delegate in Asia, at once went to that area to obtain additional information.

His observations induced the ICRC to undertake a further relief action for the refugees. An initial credit of 38,000 Swiss francs was placed at the disposal of Dr. Jürg Baer, doctor-delegate, who had previously carried out similar missions in Laos, to enable him to organize the distribution of food, in co-operation with the Lao Red Cross.

Malaysia

The repatriation took place on October 8 of Indonesian nationals detained in Malaysia, in connection with the conflict between the two countries. Numbering 538 they were embarked in the Malaysian port of Swettenham, in the presence of Mr. André Durand, ICRC delegate-general in Asia.

The ICRC had brought its assistance to those prisoners since the beginning of their captivity, most of whom Mr. Durand visited in places of detention on the Malay peninsula and in North Borneo.

The ICRC also arranged the exchange of mail between detainees and their families and for parcels prepared by the Indonesian Red Cross to reach them.

Singapore

The ICRC also intervened with the Singapore authorities on behalf of two Indonesians who had been arrested, tried and sentenced to death after having arrived clandestinely in the town carrying explosives. The International Committee requested that application be made of article 101 of the Third Geneva Convention which provides for a delay of six months between sentence and the death penalty. The sentence pronounced on these prisoners has not been executed.

Vietnam

GENERAL

a) **Geneva Conventions of 1949.** — The International Committee has continued taking active steps with the parties to the conflict in order to obtain the application of the Geneva Conventions.

On several occasions it intervened to that effect with the Government and the Red Cross of the Democratic Republic of Vietnam. Basing itself on Conventions I (wounded), III (prisoners), and IV (civilians), it made certain proposals connected with the marking of hospitals, the protection of prisoners of war and the creation of hospital zones and localities in which shelter could be given to the wounded and sick, aged persons and children.

In response to ICRC representations, the Hanoi authorities confirmed their previous protests against the bombing of North

Vietnam, but they did not state whether they, for their part, intended or did not intend to apply the Geneva Conventions during the present conflict.

In September, the International Committee transmitted to the North Vietnam Ministry of Foreign Affairs a proposal from the American Government to convene a conference, under ICRC auspices, which would be charged with examining methods of applying the Geneva Conventions. On that occasion the ICRC in its turn proposed that, in order to create a climate favourable for the acceptance of such a conference there should, on the American side, be a consideration to cease air bombing, at least temporarily. Since the US Government was of the opinion that it could not accept the ICRC's request, it declared itself prepared however, to consider a reduction of hostilities under reciprocal conditions. It was under this form and upon this basis that the American proposal was finally transmitted to Hanoi, which rejected it shortly afterwards.

In the Republic of Vietnam, the ICRC delegation has pursued its contacts with the South Vietnamese and American civilian and military authorities. Basing themselves on the declaration by which the Saigon and Washington Governments had, in the summer of 1965, affirmed their determination to apply the Geneva Conventions, the representatives of the ICRC asked and obtained, on a number of special points, the adoption of practical measures to that effect.

Acting on its own initiative, the Red Cross of South Vietnam has had the Third and Fourth Conventions adopted and ensured their dissemination amongst the armed forces. As a result of its representations with the military High Command, all units have received precise instructions on the treatment of prisoners of war and the protection of civilians.

The ICRC also intervened with States having sent military contingents to South Vietnam. To the positive responses immediately provided by the Australian and New Zealand Governments was added the accession, on September 21, of the Republic of Korea to the four Geneva Conventions.

The "National Liberation Front of South Vietnam", for its part, whilst maintaining its refusal to consider itself bound by the

said Conventions and its opposition to any intervention by the ICRC on behalf of prisoners fallen into its hands, reaffirmed that all military personnel captured by the Forces of the Army of Liberation were well treated and that a good number of these have been released by the NLF.

b) **Transmission of protests.** — As in previous years, the ICRC received numerous protests not only from governments and Red Cross Societies, but also from various organizations and individuals. These protests were directed for the most part against the bombing of civilian locations in the DRVN and especially of hospitals and medical formations, against the employment by American forces of chemical weapons and against the sending to South Vietnam of the hospital ships “ Helgoland ” and “ Repose ”.

In accordance with custom confirmed by several international Conferences of the Red Cross, the ICRC passed on to the Societies of the countries implicated, in this case to the American Red Cross, protests emanating from either the Government or the Red Cross of the DRVN which referred to the 1949 Conventions, the Geneva Protocol of 1925 or to the rules of war in general.

In its reply, at once transmitted by the ICRC to Hanoi, the United States Government disputed the validity of the accusations made against it and renewed its proposal to convene a conference with a view to examining all methods to obtain general application of the Geneva Conventions and to strengthen the safety of persons and installations protected by these Conventions.

Previously, the ICRC had, from a general point of view, drawn the attention of States, not yet bound by the Geneva Protocol of 1925 prohibiting the use of poison gas or all other toxic materials, to Resolution XXVIII adopted in 1965 in Vienna by the 84 governments and 92 National Societies represented at the XXth International Conference of the Red Cross. This resolution, it should be recalled, invited all governments which have not yet done so to accede to the Geneva Protocol. In addition, it reminded and requested belligerent States to conform in cases of armed conflict to the following principles:

— that the right of the parties to a conflict to adopt means of injuring the enemy is not unlimited;

- that it is prohibited to launch attacks against the civilian populations as such;
- that distinction must be made at all times between persons taking part in the hostilities and members of the civilian population to the effect that the latter be spared as much as possible;
- that the general principles of the Law of War apply to nuclear and similar weapons.

c) **Relief.** — Thanks to contributions from generous donors amongst whom many National Red Cross Societies could be numbered, the International Committee was enabled to continue despatching its relief supplies to Vietnam.

To the contributions of those Societies were added those of the Swiss and Danish Governments, Radio Suisse-Romande, the Union of Newspaper Editors of West Berlin and of other non-governmental organizations, as well as a sum of 100,000 Sw.frs. resulting from the collection made each year in Switzerland.

A certain number of donors asked the ICRC to divide their donations in three equal parts and to use them for the sending of relief for the victims in North and South Vietnam and in areas controlled by the National Liberation Front. In each case, the ICRC complied with the wishes expressed.

Funds received were employed in the following manner.

1. Despatch of medicines and surgical equipment to the Red Cross of the Democratic Republic of Vietnam in Hanoi.
2. Distribution by the Vietnamese Red Cross in the Republic of Vietnam with the assistance of the ICRC delegates in Saigon, on behalf of the wounded and sick, the war disabled and displaced persons.
3. Despatch of medicines to the "National Liberation Front of South Vietnam".

I. DEMOCRATIC REPUBLIC OF VIETNAM

a) **Offers of service.** — The ICRC has several times offered its services to the Red Cross and the authorities of the Democratic Republic of Vietnam and proposed sending a mission to that country.

The ICRC President repeated this offer in June when he met the North Vietnam Chargé d'Affaires in Moscow, and again in July

and October when he suggested he himself go to Hanoi or any other town to examine, in conjunction with representatives of the North Vietnam Government any humanitarian problem arising from the conflict and to obtain permission for the ICRC to carry out its work in favour of war victims, consistent with the provisions of the Geneva Conventions.

The government of the Democratic Republic of Vietnam rejected these proposals.

b) **Wounded and sick.** — Thanks to donations from several National Red Cross Societies, various organizations such as the American Friends Service Committee (Quakers), the *Centrale sanitaire suisse*, the *Chaîne du Bonheur* and several organizations for assistance to Vietnam, the ICRC was able to continue sending medical supplies to the Red Cross of the Democratic Republic of Vietnam. Transport facilities were granted by the USSR and China thanks to the intervention of the Alliance of Red Cross and Red Crescent Societies of the USSR and the Chinese Red Cross. The consignments consisted essentially of medical supplies, pharmaceuticals and equipment such as battery-powered X-ray apparatus, petrol-burning refrigerators, etc., in conformity with the needs declared by the North Vietnam Red Cross, which acknowledged and expressed its appreciation for the help of the donor Societies and organizations.

At the request of the US and German Federal Republic governments, the ICRC notified the authorities of the Democratic Republic of Vietnam of the despatch to Vietnam of the two hospital ships "Repose" and "Helgoland". The Hanoi government rejected this notification, declaring the presence of these ships in Vietnamese territorial waters to be illegal.

In July and October, with the intention of strengthening protection for hospitals and other medical establishments against air raids, the ICRC proposed the creation of safety zones to shelter the wounded, the sick, children and the aged.

c) **Prisoners of war.** — In response to the ICRC's repeated efforts to have the Third Geneva Convention applied to prisoners of war detained in the Democratic Republic of Vietnam, and particularly to enable them to correspond with their families and

to receive visits from ICRC delegates, the North Vietnam authorities informed the ICRC that they did not consider North American pilots as prisoners of war but were nevertheless treating them humanely.

The North Vietnam government considers that air raids are war crimes for which these prisoners could be held responsible before Vietnamese tribunals and that the Third Geneva Convention (prisoners of war) was not therefore applicable. It referred to the reservation expressed by the Democratic Republic of Vietnam to article 85 of that Convention (legal prosecution for acts committed before capture). The Democratic Republic of Vietnam, when acceding to the four Geneva Conventions on June 28, 1957, had maintained that, contrary to article 85 of the Third Convention, prisoners of war prosecuted and convicted of war crimes would not be entitled to the protection of the Convention.

The authorities and Red Cross of the Democratic Republic therefore rejected the ICRC's request. The International Committee has received news of only four prisoners and holds the view that all prisoners of war detained in the Democratic Republic of Vietnam should be protected by the Third Geneva Convention. It is therefore continuing its efforts to have the provisions of this Convention applied to POW's held in North Vietnam.

The Central Tracing Agency at ICRC headquarters in Geneva has forwarded to the North Vietnam Red Cross the letters it has received from prisoners' families. Some prisoners appear to have been authorized to write direct to their kin. The ICRC has not been able to obtain a list of prisoners and the North Vietnam Red Cross has refused to distribute parcels made up by the ICRC from funds sent by families. Some prisoners were forcibly paraded before the population in July 1966 at a mass meeting in the streets of Hanoi.

In view of these circumstances the ICRC again approached the North Vietnam government urging it to respect the guarantees provided by the Geneva Conventions for the benefit of all protected persons. It drew attention to the provisions of the Third Geneva Convention in particular, which prohibits display of prisoners of war to public curiosity. Referring to the reservation made by North Vietnam to article 85 of the Third Convention, the ICRC stressed

that in any event prisoners were to be given the benefit of the Conventions and particularly of the guarantees provided for in case of prosecution until such time as they were convicted after a fair hearing.

II. VIETNAM REPUBLIC

a) **Delegation.** — The ICRC delegation strength of two persons in the Vietnam Republic at the end of 1965, was increased during the year to seven, i.e. the head of the mission, two delegates, two doctors, one secretary and one female nurse.

The head of the mission, Mr. Jacques de Heller, was received at the end of August by the Prime Minister of the Republic Marshal Nguyen Cao Ky.

From November 18 to 26, the Vice-President of the International Committee, Mr. Jacques Freymond, made an on-the-spot study of the delegation's activities and discussed with the Ministries of Foreign Affairs, Defence and Security various questions concerning the continuation of the ICRC's humanitarian mission for the benefit of the victims of the conflict in South Vietnam, particularly detainees.

b) **Wounded, sick and disabled.** — To increase its assistance to the wounded and sick and to alleviate the shortage of doctors, the ICRC had offered in December 1965 to all belligerents (Hanoi and Saigon governments and the National Liberation Front) the services of a Swiss medical team in each sector. Only the South Vietnam government accepted this offer.

A Swiss Red Cross doctor was immediately delegated by the ICRC to make an on-the-spot study in co-operation with the Ministry of Health and the Vietnam Red Cross of ways and means for such a team to work most effectively. On the basis of his report, the Swiss Red Cross sent a ten member team in April to the Kontum hospital, where needs were particularly acute.

The Red Lion and Sun Society of Iran sent a nineteen member medical team which set to work at Ben Tre in the Mekong Delta.

The ICRC delegation in Saigon maintained contact with these teams and endeavoured to give them any assistance they required.

In June and July a delegate carried out a series of visits to hospitals, quarantine centres, dispensaries and orphanages throughout Central Vietnam in order to assess overall medical needs in the region.

This survey confirmed their extent and urgency. From stocks prepared in Saigon, thanks to donations from various quarters, the delegation was able to send several consignments of medicines to the major hospitals.

In addition, a reception centre for war disabled civilians was set up in Saigon at the headquarters of the South Vietnam Red Cross.

This was given support by the Vietnam authorities and the World Rehabilitation Fund, which supplied the equipment necessary for the manufacture of artificial limbs, and by the British " War on Want " which supplied a hut suitable for accommodating the disabled until fitted with limbs and pending their rehabilitation. Fifty beds were provided by the American Red Cross and the Swiss Red Cross delegated a nurse who ran the Centre for several months and contributed to the training of Vietnam Red Cross first-aiders in orthopaedic care and physiotherapy.

The International Committee allocated part of cash donations received from National Societies for the maintenance of the disabled whilst they were at the Centre and for the purchase of the necessary rehabilitation equipment.

By the end of December 1966, almost 250 people, about a third of them women and children, had been cared for at the Centre.

c) **Prisoners of war.** — Consequent upon the South Vietnam government decision of August 1965 to grant prisoner of war status to members of the NLF captured whilst bearing arms, the ICRC delegates applied to the civilian and military authorities in Saigon for free access to all places of detention in which prisoners of this category were held.

From January to October the delegates visited the prisons at Da Nang and Con Son, on the island of Poulo Condore, the Bien Hoa camp and the Da Nang clearing centre. In this centre, civilians arrested during military operations were detained for

short periods before being either released or transferred to camps or prisons for a longer term.

During their visits to these places of detention, the delegates as usual talked in private with a number of prisoners of their own choice.

After each visit a report was sent to the government in Saigon. These reports set forth the delegates' findings and any suggestions considered necessary for the improvement of detention conditions.

The Vietnam Red Cross co-operated in this activity by making interpreters available to accompany the International Committee's delegates, and also first-aiders who organized several relief distributions to the prisoners.

The ICRC representatives also made a number of visits to the 19 North Vietnam seamen captured on July 1 in the Gulf of Tonkin by the American Navy. The delegates' reports were sent to the governments in Saigon and in Hanoi and the names of these prisoners were conveyed to the North Vietnam government through the ICRC.

The North Vietnam Ministry of Foreign Affairs responded by informing the ICRC that the government of the Democratic Republic condemned the capture in territorial waters by the American Navy of several fishing boat crews. It demanded their release and the ICRC attempted to trace these seamen.

Following Mr. Freymond's mission in South Vietnam, the ICRC representatives were able to extend their programme of prison visits from November onwards.

A delegate and a doctor inspected some thirty places of detention in which there were about 7000 inmates, most of them in South Vietnam hands. Other detainees were held temporarily by the American, South Korean or Australian forces which had captured them.

In December two further teams, each comprising a delegate and a doctor, continued carrying out these visits, covering some twenty establishments throughout South Vietnam with about 15,000 detainees and prisoners of various categories.

In conformity with the provisions of the Third Geneva Convention the delegates applied for lists of all these prisoners. By the

end of December, the lists received by the ICRC as a result of these applications included 516 names.

d) **Relief.** — Apart from its consignments of medical supplies to hospitals and dispensaries in South Vietnam, the ICRC continued sending foodstuffs, clothing, blankets and material for the benefit of refugees, whose numbers were increasing as a result of military operations.

These donations in kind from various quarters were supplemented by local purchases through the ICRC delegation in Saigon. Many distributions were made in the provinces with the assistance of the Vietnam Red Cross whose teams of first-aiders displayed remarkable dedication. Bearing in mind the considerable assistance from several governments and some twenty non-governmental organizations to displaced persons lodged in camps, the ICRC delegation distributed its relatively scant stocks to those refugees who had not been cared for by the government and of whom many were in areas which were not permanently under government control.

It was the Swiss Red Cross medical team operating the Kontum hospital which distributed relief in that region: 10,000 refugee families, mostly in Central Vietnam, were assisted in this manner.

From November onwards, following the South Vietnam Red Cross appeal to the National Societies attending the League Executive Committee, the relief programme for refugees was taken over by the League in agreement with the ICRC.

III. TERRITORY UNDER NLF CONTROL

a) **Offer of services.** — In January an ICRC delegate went to Algiers to meet the NLF representative there and to reiterate the International Committee's desire to extend its assistance to the victims of the conflict in areas controlled by the National Liberation Front. The effort was in vain. The NLF broke off all contact and this has not since been resumed.

b) **Wounded and sick.** — In July and December, the ICRC sent two consignments of medical supplies to the NLF. On the advice of the North Vietnam Red Cross these were addressed to

the NLF representative in Hanoi. The consignments were made up in accordance with the NLF requirements of which the ICRC was informed in 1965.

In addition, the ICRC forwarded to the same address donations of blood plasma and surgical instruments provided by private organizations in Belgium and Switzerland.

The NLF has neither acknowledged receipt of these supplies nor reported on the use to which they were put.

In view of press reports that NLF field dispensaries and medical supplies discovered during military operations were being destroyed, the ICRC made emphatic representations to the responsible authorities for the cessation of such practices.

c) **Prisoners.** All ICRC requests to the NLF for the names of prisoners held by them, and for those prisoners to be permitted to correspond with their families, met with blank refusal.

Nevertheless, parcels of medicines intended for such prisoners were sent to the Cambodian Red Cross, which agreed to hold them until an opportunity occurred to deliver them to the NLF.

The Central Tracing Agency continued forwarding mail received from families but it has never been able to make enquiries—in spite of the existence of a *Croix-Rouge de Libération du Vietnam du Sud*—nor to find out whether mail actually reached the prisoners.

4. EUROPE

Central Europe

Apart from President Gonard's visits to Central European National Societies, other representatives of the ICRC, in conjunction with those National Societies, have dealt with questions concerning the implementation of several resolutions adopted by the XXth International Conference of the Red Cross. Three such subjects were the regrouping of dispersed families and inter-family contacts (resolution No. XIX) and the tracing of burial places (resolution No. XXIII).