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The President of the ICRC, Mr. Marcel A. Naville, accompanied by the ICRC Delegate-General, went to Venezuela on an official visit from 27 to 29 November.<sup>1</sup>

Mr. Nessi visited Venezuela a second time on 9 and 10 December 1970, when he and the President of the National Society were received in audience by the President of the Republic, Dr. Rafael Caldera.

*Political detainees* : Mr. Leemann was granted authorization to visit all places of detention in Venezuela. He visited seven such places: 2 in Caracas, and the others at San Juan de los Morros, Valencia and Los Teques, as well as the counter-guerrilla base at Cocoyar in the State of Monagas. The ICRC delegates met, in all, over 120 political detainees, held at the disposal of the civilian and military judicial authorities.

When he went the second time to Caracas, in December, Mr. Nessi visited again two places of detention, where several political detainees were held.

*Despatch of relief* : The ICRC despatched to the Venezuelan Red Cross eight first-aid kits.

## Asia

Faced with the spread of the conflict in South-East Asia, the ICRC took, in 1970, the following general measures :

On 22 May, it sent all the countries involved in the hostilities in South-East Asia a circular letter concerning the application of the Geneva Conventions of 1949. In reply, the Governments of Australia, Cambodia, the Republic of Korea, New Zealand, Thailand, the U.S.A. and the Republic of Vietnam all undertook to respect the Conventions, as they had done up to then.

From 10 May to 15 June, a special mission, composed of Dr. Roland Marti and Dr. Jean-Maurice Rubli, medical advisers to the ICRC, and of Mr. André Beaud, head of the Relief Service, studied in Thailand, Cambodia, Laos, the Republic of Vietnam, Hong Kong and Singapore

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<sup>1</sup> See page 110 of this Report.

the relief needs of the various parties involved in the conflict in South-East Asia, the possibilities of making purchases in that part of the world, and the extension of aid to Cambodia, where the war had just spread.

At the end of July, the ICRC transferred the headquarters of its general delegation for Asia from Phnom-Penh to Geneva, and Mr. Jean Ott succeeded Mr. André Durand as Delegate-General for Asia and Oceania from 1 November 1970. Mr. Michel Testuz, formerly at Phnom-Penh, retained his post of deputy to the Delegate-General, but with residence in Geneva.

From 3 November to 10 December, Mr. Ott and Mr. Michel Barde, attached to the President's office, carried out a mission which led them to India, the Khmer Republic, the Republic of Vietnam, Laos and Thailand. The object was to make contact with the authorities and the National Societies of those countries, and to study on the spot the problems arising from the conflict in South-East Asia.

## **CAMBODIA**

In 1970, the ICRC was very active in Cambodia because of the events which occurred on 18 March and the hostilities which followed.

### **The Khmer Republic**

Up to July 1970, the date on which the ICRC transferred the headquarters of its general delegation for Asia from Phnom-Penh to Geneva, the ICRC delegation in the Khmer capital included the Delegate-General for Asia, Mr. Durand, and his deputy Mr. Testuz. These gentlemen were replaced, as from August, by a head of delegation, assisted, as from October, by a doctor-delegate.

In November, Mr. Ott, accompanied by Mr. Barde, was in Phnom-Penh in order to make contact with the Khmer Government and Red Cross. The ICRC representatives met General Lon Nol, Prime Minister and Minister of Defence, as well as the Ministers of Foreign Affairs, of Social Welfare, of Employment and Labour, and of Public Health. They were also received by the President of the Khmer Red Cross, accompanied by several members of that Society's Council.

*Application of the Conventions* : Following the events of 18 March in Cambodia, the ICRC, on 24 April, asked the Khmer Government for

authorization to carry out the tasks that devolved upon it under the Geneva Conventions of 1949. In particular it asked the Khmer Government:

- to remind the armed forces of the instructions relating to the treatment of the sick and wounded, as well as of prisoners and internees;
- to authorize the ICRC delegates to visit the prisoners and internees;
- to allow the delegates to study with the Ministers concerned and the National Red Cross the possibility of relief to civilian victims.

In its letter of 4 June to the ICRC, the Khmer Government formally confirmed its intention to apply the Geneva Conventions of 1949.

The delegation in Phnom-Penh approached the Khmer authorities and Red Cross to support the ICRC request, and moreover to ask that appropriate measures be taken to ensure protection for all non-combatant civilians and respect for the emblem of the red cross.

*Prisoners of war*: From the beginning of the hostilities, the ICRC delegation in Phnom-Penh requested access to the prisoners of war. On 23 May, the special mission<sup>1</sup> sent by the ICRC visited two wounded Vietnamese prisoners of war in the military hospital at Monivong. But no other visit took place subsequently. This matter was taken up again by Mr. Ott in Phnom-Penh in November. From General Lon Nol he obtained formal authorization for the ICRC delegation to visit the prisoners of war. The next visit by the ICRC delegates to these prisoners, as a result of those steps, took place on 4 January 1971.

Before the events of 18 March, the ICRC had on several occasions forwarded family messages and parcels to prisoners of various nationalities held in the central prison in Phnom-Penh.

*Aid to the wounded and to the civilian population*: The events of 18 March and the hostilities that followed entailed a sudden increase in the number of wounded, the internment in camps of some 100,000 Vietnamese, and the rush to the Khmer capital and its neighbourhood of several tens of thousands of Cambodian refugees fleeing from the combat areas.

Following an urgent request from the Khmer Red Cross, the ICRC sent 200 units of blood plasma on 14 April. Two days later, it allocated

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<sup>1</sup> See page 25 of this Report.

190,000 Swiss francs to the purchase of emergency supplies for the victims of the hostilities. On 27 April, it received a new request from the Khmer Red Cross for help in the form of clothing, bedding, vehicles, medicaments, and surgical instruments.

In view of the scale of the aid requested, the ICRC sent a special mission to Phnom-Penh in order to study the situation on the spot. The mission stayed in Cambodia from 14 to 28 May and, in accord with the National Red Cross, drew up a list of requirements.

It was on this basis that, on 8 June, the ICRC and the League launched a joint appeal to all National Red Cross Societies for the benefit of 165,000 displaced persons (Cambodians and Vietnamese) in the Khmer Republic. The ICRC and the League asked National Societies to send the Khmer Red Cross foodstuffs, tent canvas, tarpaulins, mosquito-nets, matting, clothing, blankets, medicaments and medical equipment, and also funds for the procurement of aid on the spot. About twenty National Societies responded to this appeal and, by the end of the year, the total of the gifts in cash and in kind sent to the Khmer Red Cross amounted to more than 8 million Swiss francs.

For its part, the ICRC, during the second half of the year, despatched five times by air and twice by sea, consignments of medicaments weighing in all nearly six tons, to a value of 108,000 Swiss francs. In addition, the ICRC delegates in the Khmer Republic made numerous purchases and distributions.

On several occasions the ICRC delegates in the Khmer Republic visited Cambodian refugee camps in Phnom-Penh. The number of refugees in the capital alone was estimated at several hundred thousand, but of these only a few thousand were in the reception camps, the rest having found refuge with relations or friends.

At the invitation of the National Red Cross and in company with its representatives, the ICRC delegates also made fact-finding visits in the provinces, at the same time distributing relief supplies: in May, in the province of Kandal, where fighting had recently occurred; in June, in the provinces of Prey Veng and Svay Rieng up to the South Vietnam frontier; in July, at Kompong Chhnang, then at Kompong Speu; at the end of the year, they went to the island of Koh Khong, on the Mekong in Lower Laos, where there were about a thousand Cambodian refugees.

The ICRC also concerned itself with the welfare of Vietnamese nationals in camps pending repatriation by the South Vietnamese authorities. ICRC delegates regularly visited and distributed relief in several reception centres at Phnom-Penh. At the beginning of October, the ICRC sent two delegates, one of them a doctor, to the north-east (towards the Thai border) to enquire about the situation of the Vietnamese living in that area. Those delegates, with representatives of the Khmer Red Cross, visited Kompong Chhnang, Pursat, Battambang, Sisophon and Poipet.

A doctor-delegate was attached to the ICRC delegation at Phnom-Penh from the end of October. He took an active part in camp visits and worked regularly at the Khmer Red Cross dispensary, where between 80 and 130 patients presented themselves daily. He also gave periodic consultations at another Phnom-Penh polyclinic and at a crèche.

### **ICRC approaches to the Royal Government of National Union of Kampuchea (GRUNK)**

*Application of the Conventions* : On 21 April, the ICRC wrote to Prince Sihanouk, and then, at his request, on 19 May approached Mr. Penn Nouth, Prime Minister of the GRUNK, requesting him :

- to confirm the GRUNK's intention to apply the Geneva Conventions of 1949, and to agree to the humanitarian activity of the Red Cross ;
- to remind the armed forces of the provisions of the Conventions relating to the treatment of the sick and wounded and of internees ;
- to authorize the ICRC delegates to visit prisoners and detainees ;
- to consider measures designed to ensure the protection of the civilian population and the supply of assistance to displaced persons.

In its political programme—made public at a press conference given in Peking by Prince Norodom Sihanouk on 5 May—the National United Front of Kampuchea (FUNK) declared that “ the wounded and prisoners of war were humanely cared for and treated ”.

At the end of the year, the ICRC also had several interviews with Mr. Chau-Seng, a Minister responsible for special missions of the GRUNK, particularly in the matter of aid from the ICRC—in the form

of medicaments—for the victims of the hostilities in the territories under GRUNK control. The ICRC allocated a sum of 100,000 Swiss francs to this action, and the first consignments of medicaments were despatched in January 1971.

*Persons missing* : From the beginning of the hostilities on Cambodian territory, a great many persons were reported missing, including journalists, priests and missionaries, as well as their drivers, Khmer interpreters, etc. The ICRC delegation at Phnom-Penh endeavoured to establish the exact and complete identity of the missing, and to keep the list up to date.

This list was then transmitted, both in Phnom-Penh and from ICRC headquarters in Geneva, to all authorities having troops fighting on Cambodian soil. Such an approach was made to the GRUNK on 19 May and renewed several times during the year.

In reply, the GRUNK informed the ICRC on 15 August that three journalists had been found, and in September Mr. Penn Nouth, the Prime Minister, assured the ICRC that the Government was doing its best to trace, care for and release those journalists reported missing who were in its hands. In October, some journalists were in fact released in the area of Angkor, while a missionary and his fifteen-year-old son were released in the Phnom-Penh area at the end of December.

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## **Democratic People's Republic of Korea**

*Hijacking of a South Korean aircraft to North Korea* : Following the hijacking of a South Korean aircraft and its landing at the North Korean airport of Sunduk on 11 December 1969, the Republic of Korea National Red Cross requested the ICRC to intervene in favour of the forty-seven passengers and members of the crew. The ICRC telegraphed to the Red Cross Society of the Democratic People's Republic of Korea for news of those persons. Pursuant to numerous petitions received from families, it also approached this Society in accordance with Resolution XIX of the XXth International Conference of the Red Cross (Vienna, 1965) on the reunion of dispersed families.

In January 1970, the Red Cross Society of the Democratic People's Republic of Korea informed the ICRC that the passengers and crew were in good health and that the North Korean Government was ready to repatriate those who wished to return to the Republic of Korea. To this end, it had proposed direct talks to the Republic of Korea.

After consultations with the Red Cross and the Government of South Korea, the ICRC agreed to the proposed procedure.

On 3 February, the Red Cross Society of the Democratic People's Republic of Korea informed the ICRC that its Government had unilaterally decided to repatriate the persons concerned. The ICRC sent a further telegram expressing the hope that repatriation be carried out as quickly as possible. On 14 February, the North Korean authorities released thirty-nine passengers at Pan Mum Jom.

The ICRC subsequently approached the Red Cross Society of the Democratic People's Republic of Korea on several occasions to request the repatriation of the remaining persons but the National Society replied that they had elected to remain in North Korea.

## **Hong Kong**

*Visits to detainees* : In September and October 1970, the honorary delegate of the ICRC in Hong Kong visited the Stanley, Chi Ma Wan and Tai Lam prisons, where he met seventy-five persons sentenced to prison terms as a result of the riots in 1967.

As usual, the ICRC sent the reports on the visits to the detaining authorities.

## **India**

Mr. Ott and Mr. Barde were in New Delhi from 3 to 9 November, to represent the ICRC at the festival commemorating the Fiftieth Anniversary of the Indian Red Cross. During their stay, they met Shri V. V. Giri, President of the Republic, Mrs. Indira Gandhi, the Prime Minister, as well as the Vice-President of the Republic and the Minister of Information.

They were warmly received by the Indian Red Cross on the occasion of the festival, with which more than thirty National Societies were associated and which was celebrated with great magnificence.



Mr. Ott and Mr. Barde were received by the President and senior officials of the National Society.

*Troubles in the State of Maharashtra* : In May 1970, the Pakistan Red Cross asked the ICRC to assist the victims of the troubles in the State of Maharashtra, where riots had broken out between the Hindu and Moslem communities.

The ICRC offered its services to the Indian Government and asked that it agree that a delegate be sent. At the same time, it informed the Indian Red Cross, which replied, in June, that all necessary measures to help the victims had been taken by the Government and the National Society.

*Repatriation of the mortal remains of a Portuguese soldier* : At the request of the Portuguese Red Cross, in November 1970 the ICRC sent a delegate to Goa to organize jointly with the Indian Red Cross the repatriation of the mortal remains of a Portuguese soldier who had died in 1964, during the conquest of Goa by Indian troops. The operation was carried out between 20 and 25 November, and the body arrived in Lisbon on 10 December.

## **Indonesia**

*Political detainees* : In 1969, the ICRC approached the Indonesian Government on several occasions with a view to being allowed access to political detainees.

In June 1970, it delegated Dr. Roland Marti, ICRC Chief Medical Officer, to Djakarta, where he was allowed to visit the Tangerang penitentiary and the women's prison of Bukit Duri, in the island of Java, with 450 and 156 political detainees respectively. The visits resulted in reports which the ICRC transmitted to the detaining authorities.

Further, in August the ICRC sent the Indonesian Red Cross 700 kg of medicaments, to a value of 94,000 Swiss francs, part of which were for the penitentiaries visited by Dr. Marti.

*Aid to displaced persons in Kalimantan* : An appeal was launched in April 1968 in favour of some 50,000 Indonesians of Chinese origin who had sought refuge on the west coast of Kalimantan (Indonesian Borneo), at a time when the ICRC had a balance of about 30,000 Swiss

Laos. Distribution of relief to Meo refugees. Photo Dr. J. Baer/ICRC





francs. This sum was transmitted to the Indonesian Red Cross in February 1970.

## Japan

Mr. Durand, ICRC Delegate-General for Asia, stayed in Japan in February 1970. He had various interviews with the Japanese authorities and with the Japanese Red Cross to whom he handed a donation of 300 dollars for the stateless internees held in the Yokohama immigration camp.

## Laos

The ICRC delegation in Vientiane, comprising a head of delegation and a delegate, in 1970 continued its action in favour of prisoners of war and displaced persons.

Mr. Ott and Mr. Barde stayed in Laos from 23 to 25 November 1970. They had talks with Lao Red Cross leaders and with several members of the Government including the Secretary of State in the Ministry of Public Health, the Secretary of State in the Ministry of Social Welfare, the Prime Minister's delegate for Foreign Affairs, and the Director of Political Affairs. Moreover, Mr. Ott was received in audience by His Highness Prince Souvanna Phouma, Prime Minister.

*Prisoners of war* : In May and in October, the ICRC delegates visited some eighty prisoners of war interned in the Samkhé prison, in Vientiane.

As usual, reports on the visits were sent by the ICRC to the detaining authorities.

*Aid to refugees and displaced persons* : For several years the ICRC has come to the aid, in Laos, of displaced persons who have fled from the combat areas to take refuge in safer places. These persons usually spend a few weeks or months in transit villages and are then resettled on lands provided by the Laotian Government. ICRC aid consists chiefly in providing medicaments, blankets, mosquito-nets, clothing and sometimes also axes, hatchets and other tools.

Following a renewed outbreak of fighting in April 1970, the Laotian Government recorded a fresh inflow of 40,000 displaced persons—

particularly in the area of the Plain of Jars (north), at Thakhek (centre), at Sédone and Paksé (south)—and a great many wounded. On 27 April, at the request of the Lao Red Cross and in agreement with the League of Red Cross Societies, the ICRC launched an appeal to about thirty National Societies to aid the victims of the conflict in Laos. Twenty of them and one Government responded either by making cash donations (totalling about 160,000 Swiss francs) or donations in kind (blood plasma and medicaments).

A special ICRC mission<sup>1</sup>, composed of Dr. Roland Marti, Dr. Jean-Maurice Rubli and Mr. André Beaud, stayed in Laos from 24 to 30 May. It had various contacts with the Lao Red Cross and the competent authorities, to enquire into the aid needed for displaced persons.

The bulk of the purchases were made on the spot by the ICRC delegates in Vientiane, who regularly visited refugees and displaced persons in transit camps and villages. Besides the Vientiane surroundings, they distributed relief in Luang-Prabang, Samthang, Sayaboury, Paksane (north and centre) and at Paksé (south), in co-operation with the Lao Red Cross. They also visited the civil and military hospitals of Luang-Prabang, Paksane and Vientiane, which they supplied with medicaments and sometimes with clothing. The Fathers of the Catholic Mission were also supplied with medicaments for those displaced persons in the Ban Keum and Phônè Hong (north-east) areas.

*Approaches to the Neo Lao Hak Sat:* In addition to the activities already described, the ICRC delegation in Vientiane had contacts with the Pathet Lao representative, Colonel Soth Pethrasy, about the plight of the prisoners of war held by the Neo Lao Hak Sat, and the transmission of their mail. The prisoners are mostly aircraft pilots of various nationalities, whose machines were shot down behind the Pathet Lao lines. The delegation also offered ICRC medical aid to the populations in the area controlled by the Pathet Lao.

## **Malaysia**

At the invitation of the Malaysian Red Cross Society Mr. Testuz, deputy delegate-general, visited that Society from 17 to 23 January 1970. First he went to Port Dickson, where a nation-wide disaster

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<sup>1</sup> See page 25 of this Report.

relief exercise was being held. He then proceeded to Kuala Lumpur, where he was received by Red Cross leaders, and government and army officials.

## **Pakistan**

*Relief action in favour of tidal wave victims* : Within the context of the relief action launched by the League of Red Cross Societies in favour of the victims of the cyclone and tidal wave which ravaged East Pakistan in November 1970, the ICRC placed a transmitting and receiving radio station as well as a radio technician at the League's disposal. The station installed at Dacca helped remove difficulties of communication and provided a regular link between Dacca and Geneva.

The ICRC approached the European Economic Community with the request that it take from the stocks earmarked for the ICRC 1,200 tons of foodstuffs which would be made available to the League for its relief action. At the request of the EEC, the ICRC made arrangements for the commodities to be transported by air to Dacca. The cost of transport, about 850,000 dollars, was borne by the EEC.

Unfortunately, an aircraft carrying part of the relief supplies crashed as it was about to land at Dacca airport on 30 November. The four members of the crew were instantly killed. They were Omar Tomasson, captain, Birgir Oern Jonsson, co-pilot, Stefan Olafsson, navigator, all three from Reykjavik, and Jean-Paul Tompers, mechanic, from Luxembourg.

## **Philippines**

*Political detainees* : In October 1970, the ICRC honorary delegate at Manila visited Camp Crame, at Quezon, where he saw nineteen political detainees.

As usual, the ICRC sent a report on the visit to the detaining authorities.

## **Singapore**

Before and after his visit to Malaysia <sup>1</sup>, i.e. from 15 to 17 January, and again from 24 to 28 January, Mr. Testuz stayed in Singapore.

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<sup>1</sup> See page 34 of this Report.

He was received by the Singapore Red Cross leaders, whom he reminded of the importance which the ICRC attached to the Government of Singapore signing the Geneva Conventions of 1949, which would enable the ICRC to recognize the Singapore Red Cross. Mr. Testuz also had talks about the political detainees but was unable to visit them.

## **Thailand**

*Vietnamese refugees* : In 1969, the ICRC transmitted to the Red Cross of the Democratic Republic of Vietnam the proposal of the Thai Red Cross Society and the Government of Thailand to resume the repatriation to North Vietnam of Vietnamese refugees living in Thailand for the last twenty to twenty-five years. This operation, which began in 1960, under an agreement concluded at Rangoon on 14 August 1959 by the two National Societies concerned, in the presence of an ICRC delegate, was interrupted five years later, on account of the war in Vietnam. The ICRC conveyed to the Thai Red Cross Society the reply received from the Red Cross of the Democratic Republic of Vietnam, that it was ready to send representatives to Bangkok to discuss with the Thai Red Cross Society the revival of that agreement, as well as matters concerning Vietnamese nationals awaiting repatriation.

In March 1970, the Thai Red Cross Society informed the ICRC that it was prepared to meet the representatives of the Red Cross of the Democratic Republic of Vietnam. This reply was communicated to Hanoi.

The two Red Cross Societies agreed to begin talks in April, but the delegates of the North Vietnamese Red Cross were unable to reach Bangkok before September. The discussions lasted until November, and were interrupted when the head of the delegation of the Democratic Republic of Vietnam was recalled to Hanoi.

## **VIETNAM**

### **Republic of Vietnam**

In order to ensure the success of its mission to the Republic of Vietnam, which mainly consists in visiting places of detention, the

ICRC reinforced its delegation in Saigon in 1970. At the end of the year, it comprised a head of delegation and his deputy, as well as three delegates and three doctor-delegates.

Mr. Ott and Mr. Barde stayed in Saigon from 11 to 19 November, and again from 26 November to 4 December. They had talks with Red Cross leaders, and with the Ministers of Foreign Affairs, Defence and Health, the Secretary of State of the Interior, and the Army Head Physician. The ICRC Delegate-General was also received by the Vietnamese President's special assistant for political affairs.

*Visits to places of detention* : The ICRC delegates in the Republic of Vietnam went to the following places of detention :

- collecting points at which were assembled all Vietnamese taken prisoner by the armed forces of the RVN or of the Allied Powers ;
- prisoner-of-war camps to which were sent those Vietnamese to whom the Third Geneva Convention of 1949 was applicable (military personnel or others of similar status) ;
- correctional institutions to which were sent, from collecting points, detainees to whom prisoner-of-war status was not granted (civilians) ;
- interrogation centres ;
- military hospitals where prisoners of war and other persons detained by reason of the events were being treated.

The ICRC delegates made 145 visits to ninety-five places of detention holding some 37,000 prisoners of war and 4,000 persons detained owing to the events. The ICRC transmitted reports on those visits to the Detaining Powers.

The Government of the Republic of Vietnam informed the ICRC that the allotments for the food rations of civilian detainees in correctional institutions and of prisoners of war in internment camps had been increased as from 1 January 1970. This question had been raised by the ICRC delegation in Saigon.

*Prisoners of war* : A medical commission, composed of two Vietnamese doctors and a doctor-delegate of the ICRC, went to various places of detention, to examine fresh contingents of prisoners of war who were seriously wounded or sick, with a view to their early release.



In December 1969, the Saigon Government asked the ICRC to approach the Hanoi Government regarding the transfer of sixty-two disabled prisoners of war and twenty-four merchant seamen who had expressed the wish to go north of the 17th parallel. The ICRC approached the Government of the Democratic Republic of Vietnam, through its delegations at Phnom-Penh and Vientiane, in order that it guarantee the security of the operation and state precisely when and where the transfer could take place. The Embassy of the Democratic Republic of Vietnam at Vientiane declared that the transfer of the sixty-two disabled prisoners of war and twenty-four merchant seamen to North Vietnam did not concern the ICRC, while the North Vietnamese delegation at the Paris Conference issued a statement to the effect that the presence of any foreign person in the air space, in the territorial waters, or on the soil of the Democratic Republic of Vietnam was unacceptable. Meanwhile the proposed operation had been fixed for 11 July 1970, and announced a month earlier by the representatives of the Republic of Vietnam at the Paris Conference.

On the appointed date, the eighty-six prisoners who had confirmed to the ICRC delegates their wish to go north of the 17th parallel, left the South Vietnamese naval base of Danang in two motorized junks which transported them to the limit of the territorial waters. There the ICRC delegates took leave of them. Later, it was learned that North Vietnam vehicles were waiting for them on the beach.

The ICRC delegates also studied the conditions surrounding the paraplegic prisoners of war detained at the Bion-Hoa camp. They secured a considerable increase in the daily allowance which the prisoners received from the Government of Vietnam. Similarly, they drew the Government's attention to the health situation in the Phu-Quoc prisoner-of-war camp, to which four additional doctors were attached as from November.

In 1969, the ICRC had granted its Saigon delegation a credit of 15,000 francs for the schooling of young prisoners of war at the Bien-Hoa camp. The school furniture was supplied in January 1970. It consisted of tables, benches, platforms, desks and blackboards, all of which had been made on the spot by the prisoners of war with wood bought by the ICRC. The prisoners also received 400 slates and other school supplies which were renewed over a period of six months.

Finally, in the absence of the Protecting Power, the Republic of Vietnam communicated to the ICRC the act of indictment, notice of trial and sentence concerning prisoners of war held. Thus, the ICRC delegates attended various court hearings at which prisoners of war were charged with offences under the law of the land during their captivity. The delegates were able to talk with the prisoners without the presence of witnesses, both while the case was sub judice and after sentence had been passed.

*Civilian detainees* : During 1970, the ICRC approached the Government of the Republic of Vietnam several times, in Geneva and in Saigon as well as through its Delegate-General, in the matter of visits to civilian places of detention. In a letter dated 9 October to the South Vietnamese Ministry of Foreign Affairs, it asked that visits to national prisons, correctional institutions and interrogation centres should take place under the same conditions as visits to prisoner-of-war camps, that is to say without prior notice, or with only a few days' notice, and with permission to speak with detainees without the presence of witnesses. On 11 November, the Government of the Republic of Vietnam replied that in present circumstances it could permit the ICRC to speak with civilian detainees only in the presence of witnesses.

The ICRC was particularly concerned with paraplegic civilian detainees at the Chi-Hoa national prison. It drew the attention of the detaining authorities to their plight and considered with them what would be the most appropriate treatment. The ICRC also sent to Saigon a supply of medicaments for these detainees.

*Civilian population* : The doctor-delegates of the ICRC regularly visited a number of orphanages to give the children medical care. Medicaments or surgical material were supplied to these orphanages and to some hospitals.

Following a mission which he carried out on behalf of the ICRC in Saigon at the end of 1968,<sup>1</sup> Professor Maurice E. Muller, Head of the Orthopaedic Clinic of the Hôpital de l'Île in Berne, had proposed that two Vietnamese nurses should take a refresher course in his clinic. The ICRC agreed to cover travel expenses, and two nurses from the Saigon Government Hospital attended a nine-month training course

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<sup>1</sup> See Annual Report, 1968, p. 31.

in the operating theatre of the Orthopaedic Clinic, from September 1969 to June 1970.

Lastly, in the course of their mission in South-East Asia, in June 1970 Dr. Marti and Mr. Beaud visited two camps for repatriated Vietnamese who had come to South Vietnam from Cambodia.

### **Democratic Republic of Vietnam**

In 1970, the ICRC pursued its efforts to assist prisoners in the hands of the Democratic Republic of Vietnam.

It will be recalled that the Hanoi Government considers that the bombing of North Vietnam by US aircraft constituted a crime for which the captured pilots could be held responsible before the Vietnamese courts, and that consequently the Third Convention does not apply to them. It mentioned in this connection the reservation made by the Democratic Republic of Vietnam on the subject of legal proceedings for war crimes committed before capture. The Democratic Republic of Vietnam had, in fact, declared, on acceding on 28 June 1957 to the four Geneva Conventions of 1949, that, contrary to what was laid down in Article 85 of the Third Convention, prisoners of war prosecuted and sentenced for war crimes would no longer be entitled to the protection conferred on them by the Convention.

This is a matter of interpretation. For its part, the ICRC, as it informed the Government of the Democratic Republic of Vietnam in 1965 and 1966, holds the view that this reservation does not imply that captured enemy soldiers may be deprived of their right to be treated as prisoners of war until they are recognized as being guilty of war crimes by a competent and regular court under a procedure in conformity with the guarantees provided by the Convention, in case of legal proceedings.

In 1970, the ICRC continued to receive a great many requests from prisoners' families, from the American authorities and Red Cross, from schools, from a number of groups and associations and from other National Red Cross Societies, to act in favour of the American pilots in the Democratic Republic of Vietnam.

In a letter dated 12 January, the President of the ICRC proposed to the President of the Red Cross of the Democratic Republic of Vietnam that they should meet, in order to study together the problems arising

from the conflict in Vietnam. On 12 March, the ICRC sent a telegram to the North Vietnamese Minister for Foreign Affairs asking for a list of United States prisoners. There was no reply to any of these approaches, but in December the North Vietnamese delegation to the Paris Conference handed a complete list of United States prisoners in the Democratic Republic of Vietnam to the emissaries of Senator Fulbright and Senator Kennedy.

Finally, during his stay in Laos, in November, Mr. Barde also had a talk at the Vientiane Embassy of the Democratic Republic of Vietnam about problems arising out of the Vietnam conflict.

## Europe

In 1970, Mr. Melchior Borsinger, ICRC Delegate-General for Europe, visited a number of countries in order to establish contact with government authorities and National Red Cross leaders.

In January, he spent a few days in the Federal Republic of Germany, where with Mr. Herbert G. Beckh he visited the President and the Secretary-General of the German Red Cross in the Federal Republic of Germany, as well as the National Society's Mainz branch. The ICRC representatives were received in the Ministry of Foreign Affairs at Bonn by the Deputy Under-Secretary of State and the Deputy Director of the Legal Division. They also met the Permanent Under-Secretary of State in the Ministry of Justice and his counterpart in the Ministry of Inter-German Affairs.

In March, Mr. Borsinger accompanied the ICRC Delegate-General for Africa to Lisbon, where he had an opportunity for preliminary contacts with Portuguese Red Cross leaders and the Portuguese Minister for Foreign Affairs.

In April, Mr. Borsinger carried out an inspection mission to the ICRC delegation in Athens.

Lastly, on the occasion of his stay in Vienna, in August and September,<sup>1</sup> the ICRC Delegate-General for Europe paid calls on the President and the Secretary-General of the Austrian Red Cross and at the Ministry of Foreign Affairs.

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<sup>1</sup> See p. 110 of this Report.