

# The work of the International Committee of "The Red Cross" during the Second World War

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political and economic matters, that political, economic and social peace will be achieved.

Another point - both sides themselves have willingly started the fight against inflation. Arbitration as foreseen by the agreement will be handled without direct influence of the Government. One can thus state that the agreement is also aiming at relieving the State. If the experiment is successful, if the various associations show themselves worthy of the confidence placed in them, other tasks can successively be handed over to them, which would allow a progressive demobilization of Government interference.

But above all, do we not prove the idea of a unanimous fight of all classes by entrusting employers and workers organisations with common tasks, by engaging them together in the striving for public welfare.

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THE WORK OF THE INTERNATIONAL COMMITTEE OF  
"THE RED CROSS,"  
DURING THE SECOND WORLD WAR.

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... TO VISIT ...

The organization of a Central Information Agency was the only definite task which the Conventions expressly entrusted to the International Committee. They supplied, however, welcome opportunities for other humanitarian work.

The first was Article 15 of the 1907 Hague Regulations, which was repeated almost word for word in Article 78 of the Prisoners of War Convention, stipulating that societies for the relief of prisoners of war should be permitted, within certain limits, to distribute relief in the camps. There was nothing to prevent the International Committee from being one of these relief societies, as will be seen later.

The second was Article 79 of the Prisoners of War Convention, which, after providing for the organization of the Central Agency, added: "These provisions shall not be interpreted as restricting the humanitarian work of the International Red Cross Committee."

How can the International Committee extend its work beyond the Agency proper? This can not be known beforehand; circumstances must decide. The nature of the schemes initiated by the International Committee are determined by the need that may arise; their proportions by the means put at its disposal. The carrying-out of the schemes depends on the permission and the practical facilities granted by the Powers concerned, and further on the obstacles created by hostilities.

There is, however, one piece of work which the International Committee can undertake at once, and which enables it to judge of the necessity for any other particular measure. It can visit the camps and see how the prisoners of war are treated there. For this purpose it invokes tradition and resorts to the third opportunity; Article 88 of the Prisoners of War Convention.

It has often been stated verbally and in writing that the International Committee of the Red Cross is the guardian of the Geneva Conventions. This is incorrect. Diplomatic treaties are the concern of Governments, so-called "Red Cross" Conventions like the rest. The International Committee is the guardian of the principles of the Red Cross, which is not the same thing.

Of the two Conventions of 1929, the first, concerning the wounded and sick,

provided for neither inspection nor sanctions. The High Contracting Parties pledged themselves to respect the provisions of the Convention in all circumstances and to put matters right if they had violated them in any way - and that was all; it was a question of honour. The Prisoners of War Code, on the other hand, instituted inspection - in very diplomatic terms: "The High Contracting Parties", says Article 86, "recognise that a guarantee of the regular application of the present Convention will be found in the possibility of collaboration between the protecting Powers charged with the protection of the interests of the belligerents." Collaborations will take this form: "The representatives of the protecting Power or their recognised delegates shall be authorised to proceed to any place, without exception, where prisoners of war are interned. They shall have access to all premises occupied by prisoners and may hold conversation with prisoners, as a general rule without witnesses, either personally or through the intermediary of interpreters." Article 87 goes on in terms no less carefully chosen: "In the event of dispute between the belligerents regarding the application of the provisions of the present Convention, the protecting Powers shall, as far as possible, lend their good offices with the object of settling the dispute."

Inspection, then, was provided for; but there were still no sanctions. What sanctions could there be? It is a question not of a trade agreement, but of a humanitarian Convention. Therefore, violation by one of the parties does not give the other party grounds for denouncing the Convention. Reprisals? Article 2, already quoted, rightly forbids them. The State which had recourse to them would only make itself guilty of the violation of which it accuses its opponent; it would only add to innocent victims, more innocent victims. Lastly, the supreme sanction which a State can impose upon the contracting partner who violates his promises, namely war, is already in operation.

In these circumstances inspection may seem to be of no avail. Yet the facts make it possible to affirm its effectiveness, for, in the absence of legal sanctions, there are moral sanctions. There is the fear of letting a neutral Power witness too flagrant breaches of provisions universally considered sacred, and to respect which is the mark of a civilised nation.

The 1914-18 War showed that inspection was necessary. The Hague Regulations, which were very brief, turned out in practice to be insufficient, and the belligerents had to fill in the gaps by temporary agreements, to which the International Committee of the Red Cross was no stranger. Its delegates, when distributing relief or making enquiries for the Agency, entered into the camps. They could observe things for themselves or record the complaints of prisoners. Thus, on the strength of their reports, and taking its stand less on the texts of Conventions than on principles, the Committee was able to suggest improvements, and to have deficiencies supplied and abuses corrected. This actually was inspection, and gradually became accepted as such. So great was its usefulness that when, on the basis of the work done by the International Committee, the Prisoners of War Convention was worked out, inspection was organised. It was difficult, obviously, to ask a private society to supervise the application of a diplomatic treaty. Moreover, the International Committee might cease to exist, or might not always be in a position to perform this task. Therefore, inspection was entrusted to the Protecting Power. In order, however, to make possible the continuance of what was already a tradition much appreciated by prisoners, Article 88, which we have already quoted, was added: "The foregoing provisions do not constitute any obstacle to the humanitarian work which the International Red Cross Committee may perform for the protection of prisoners of war with the consent of the belligerents concerned."

In the very first days of the war, while it was organising the Central Agency, the International Committee offered the belligerents its services as a neutral intermediary and sent them delegates. The latter's instructions were that, by holding themselves at the disposal of the Governments and the National Red Cross Societies in all matters pertaining to the work of the International Committee, they should form a link with

the Committee, and, should it intervene, help it to do so more easily and swiftly. They also had a definite mission, which was to visit the camps and see whether the treatment granted to the inmates was in harmony with the principles of the Convention.

It may be thought that this activity of the International Committee duplicated that of the Protecting Power. On the contrary, the two are complementary.

This is true first of all in the quantitative sense. When prisoners of war are counted by hundreds of thousands, even by millions, it is physically impossible to conduct continuous detailed inspection. Both the Protecting Power and the International Committee of the Red Cross may plan to carry out their duties with the utmost care, but they have at their disposal only a limited number of delegates, and these can only visit the camps at intervals. Then again, the condition of the prisoners of war may change quickly. Therefore, two visits are better than one; two reports, if they are in agreement, carry more weight than a single one.

It is true in the qualitative sense also. Although parallel, and leading to the same kind of visits, the same kind of conversations with the prisoners and their guards, the two activities take place on different planes. The Protecting Power, as is well known, is a neutral State to which a belligerent Power entrusts its interests in the enemy's territory, pending the restoration of direct diplomatic relations. It is a special mandatory. The International Committee, on the other hand, is nobody's mandatory; it is a neutral intermediary equally at the disposal of all, whereas the one acts at the request of a particular State and on its behalf, and takes as its standard the text of the contract - the 1929 Convention - made between its principal and the enemy, the other intervenes in the name of humanity and takes as its criterium the high principles of which the Convention is only one form of expression. The first attends only to certain prisoners of war, by reason of their nationality which makes them, so as to say, its citizens by proxy, the other is equally interested in all, simply because they are prisoners, that is to say, war victims. Again, since its act simultaneously in both camps, which is not necessarily true of the Protecting Power, the International Committee has means of comparison of which it can make use in its negotiations.

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COMMISSION OF EXPERTS DEALING WITH QUESTIONS CONCERNING THE SWISS LIVING ABROAD.

Under the chairmanship of Federal Councillor Steiger, and in the presence of Federal Councillor Petitpierre, head of the Federal Political Department, a consultative commission of experts dealing with questions concerning the Swiss living abroad, had a meeting. Federal Councillor Petitpierre declared that legally the Confederation is not bound to make reparations for war damages to Swiss property abroad. Above all, persons who suffered such losses cannot claim any reparations arising from currency manipulations by foreign Governments. However, the Federal Council will do everything in its power to obtain satisfaction from foreign countries for war damages suffered by the Swiss, on the basis of reciprocity. It is felt as a social duty to help the numerous Swiss living abroad who are in a precarious situation as a consequence of the war. After 78 million francs had been spent by the Confederation since 1939, the Federal Assembly, in October 1946, voted a further 75 million for extraordinary assistance to the Swiss abroad.