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(Translation)

INTERNATIONAL COMMITTEE OF THE RED CROSS

TO THE HIGH CONTRACTING PARTIES
SIGNATORY TO THE GENEVA CONVENTIONS
FOR THE PROTECTION OF THE VICTIMS
OF WAR

ATOMIC WEAPONS AND NON-DIRECTED MISSILES ,

Geneva, April 5, 1950.

On August 6, 1945, when the first atomic bomb exploded, the world saw in it at first only a means of ending the War. Soon the destructive capacity of this arm became known, and increasing alarm came with the realisation. Since then, the civilised world has been hoping to see a reaffirmation of the rules of law and their extension to ensure protection against such means of destruction. Not only has this hope been belied, but there is already talk of arms still more destructive. Scientists have it that entire cities can be instantly wiped out and all life annihilated for years over wide areas. Mankind lives in constant fear.

It is the province of Governments to draw up the laws of war. The International Committee of the Red Cross is well aware of this fact, and it realises that the establishment of such laws involves political and military problems which are by their very nature outside its scope. Nevertheless, on the morrow of the formal signature of the four Geneva Conventions for the protection of the victims of war, the Committee feels that its duty is to let Governments know of its anxiety.

The protection of the human person against mass destruction is intimately bound up with the principle which gave rise to the Red Cross: the individual who takes no part in the fighting, or who is put *hors de combat* must be respected and protected.

The International Committee has not waited until now to take up the question. On September 5, 1945, scarcely a month after the release of the first bomb, it drew the attention of National Red Cross Societies to the grave problem posed by the atomic arm. This step was in itself a logical sequence in the attitude the Committee had taken to the development of modern warfare. From 1918 onwards, it had begun to collect documentation on the protection of civilians against aerial warfare and might be considered in this respect as a pioneer of civilian air-raided precautions. The Committee at the same time endeavoured to secure from the Powers an undertaking to refrain from the bombardment of non-military objectives. A series of proposals was laid before one of the first Assemblies of the League of Nations, with the object of eliminating certain methods of warfare introduced during the first World War. Supported by the conclusions reached by experts and backed by the documentation it had brought together, the Committee later addressed to the Disarmament Conference an appeal for the absolute prohibition of aerial bombardment.

During the second World War, the Committee repeatedly called upon belligerents to restrict bombardment to military objectives only, and to spare the civil population. The most important of these appeals, dated March 12, 1940, recommended that Governments should conclude agreements which would confirm the immunity generally accorded to civilians and prohibit all attacks against them. Similarly, the International Committee on several occasions advocated the creation of safety zones and localities. All these efforts proved fruitless.

The War once over, the International Committee did not relax its efforts. The Preliminary Conference of National Red Cross Societies, which met at Geneva in 1946, adopted a Resolution recommending, *inter alia*, the prohibition of the use of atomic energy for war purposes. Armed with this text, the International Committee presented a report to the XVIIth International Red Cross Conference (Stockholm, 1948) recalling the above facts, and proposed the confirmation of the 1946 Resolution, after extending it to cover all non-directed weapons. The Conference voted the following Resolution :

The XVIIth International Red Cross Conference,

considering that, during the Second World War, the belligerents respected the prohibition of recourse to asphyxiating, poison and similar gases and to bacteriological warfare, as laid down in the Geneva Protocol of June 17, 1925,

noting that the use of non-directed weapons which cannot be aimed with precision or which devastate large areas indiscriminately, would involve the destruction of persons and the annihilation of the human values which it is the mission of the Red Cross to defend, and that use of these methods would imperil the very future of civilisation.

earnestly requests the Powers solemnly to undertake to prohibit absolutely all recourse to such weapons and to the use of atomic energy or any similar force for purposes of warfare.

Almost at the same moment, the International Congress of Military Medicine and Pharmacy, also meeting at Stockholm, adopted a similar Resolution.

Today, in recalling to Governments the Resolution of the XVIIth Red Cross Conference, the International Committee feels obliged to underline the extreme gravity of the situation. Up to the Second World War it was still to some extent possible to keep pace with the destructive power of armaments. The civilian population, nominally sheltered by International Law against attack during war, still enjoyed a certain degree of protection, but because of the power of the arms used, were increasingly struck down side by side with combatants. Within the radius affected by the atomic bomb, protection is no longer feasible. The use of this arm is less a development of the methods of warfare than the institution of an entirely new conception of war, first exemplified by mass bombardments and later by the employment of rocket bombs. However condemned—and rightly so—by successive treaties, war still presupposed certain restrictive rules; above all did it presuppose discrimination between combatants and non-combatants. With atomic bombs and non-directed missiles, discrimination become impossible. Such arms will not spare hospitals, prisoner of war camps and civilians. Their inevitable consequence is extermination, pure and simple. Furthermore, the suffering caused by the atomic bomb is out of proportion to strategic necessity; many

of its victims die as a result of burns after weeks of agony, or are stricken for life with painful infirmities. Finally, its effects, immediate and lasting, prevent access to the wounded and their treatment.

In these conditions, the mere assumption that atomic weapons may be used, for whatever reason, is enough to make illusory any attempt to protect non-combatants by legal texts. Law, written or unwritten, is powerless when confronted with the total destruction the use of this arm implies. The International Committee of the Red Cross, which watches particularly over the Conventions that protect the victims of war, must declare that the foundations on which its mission is based will disappear, if deliberate attack on persons whose right to protection is unchallenged is once countenanced.

The International Committee of the Red Cross hereby requests the Governments signatory to the 1949 Geneva Conventions, to take, as a logical complement to the said Conventions—and to the Geneva Protocol of 1925—all steps to reach an agreement on the prohibition of atomic weapons, and in a general way, of all non-directed missiles. The International Committee, once again, must keep itself apart from all political and military considerations. But if, in a strictly humanitarian capacity, it can aid in solving the problem, it is prepared, in accordance with the principles of the Red Cross, to devote itself to this task.

For the International Committee of the Red Cross :

Leopold BOISSIER

Paul RUEGGER

Vice-President,

President

Chairman of the Legal Commission

(Translation)

*THE GENEVA CONVENTIONS OF AUGUST 12, 1949
(SIGNATURES, RATIFICATIONS
AND ADHESIONS)*

Geneva, March 16, 1950.

*TO THE CENTRAL COMMITTEES OF NATIONAL
SOCIETIES OF THE RED CROSS (RED CRESCENT,
RED LION AND SUN)*

The National Red Cross Societies have a constant interest in the Geneva Conventions. They have taken an active part in their elaboration. The International Committee of the Red Cross is therefore glad to be now able to give them certain information about the Conventions.

The Geneva Conventions of August 12, 1949, as drawn up by the Diplomatic Conference, provided that they should be open for signature until February 12, 1950, to Governments which took part in the Conference and to States party to the Geneva Conventions (1864, 1906 and 1929) and the Xth Convention of the Hague (1907). A certain number of States signed immediately on August 12, 1949, while others signed at a ceremony which took place in Geneva on December 8, 1949. Still others signed individually since.

The final list of States which have signed the four Conventions is as follows :

Afghanistan	Bulgaria
Albania	Canada
Argentina	Ceylon (Conventions 1, 2, 3)
Australia	Chili
Austria	China
Belgium	Colombia
Bielorussia	Cuba
Bolivia	Czechoslovakia
Brazil	Denmark

Ecuador	Nicaragua
Egypt	Norway
Ethiopia	Pakistan
Finland	Paraguay
France	Peru
Greece	Philippines
Guatemala	Poland
Holy See	Portugal
Hungary	Rumania
India	Salvador
Iran	Spain
Ireland (Republic of)	Sweden
Israel	Switzerland
Italy	Syria
Jugoslavia	Turkey
Lebanon	Ukraine
Liechtenstein	United Kingdom
Luxemburg	United States of America
Mexico	Uruguay
Monaco	U.S.S.R.
Netherlands	Venezuela
New Zealand	

The first result is particularly encouraging to those connected with the Red Cross and to all who seek to safeguard the essential rights of the human person and recognise the capital importance of these texts for civilisation and humanity. There can be no doubt that the new Geneva Conventions mark a decisive step in the evolution of International Law for the protection of the victims of war.

The readiness of Governments to sign the Conventions makes it reasonable to hope that they will be ratified in the near future. They do not become effective for a country until ratified by its Government, and this generally depends on approval by Parliament. This approval is fundamental, because only by it does a State definitely bind itself.

In all countries nowadays, parliamentary programmes are heavy. It is therefore easy to understand why the legislative act authorising the Government to ratify the International Conventions should take some time. The International Committee of the Red Cross feels confident that in each country

everything possible will be done to achieve this result without delay.

Although the actual procedure of ratification is the province of Government agencies, there is good reason why National Red Cross Societies should not remain indifferent, but on the contrary, take an active and sustained interest. Their reputation with Government and public may undoubtedly influence decisions which have to be made.

By making the Conventions widely known and emphasising their profound significance, National Societies can also create a favourable public opinion and thus eliminate obstacles, due to an insufficient knowledge of the texts, which might hold up ratification.

Moreover, a certain number of States have not signed the new Geneva Conventions. It is therefore by adhesion that these countries can take part in them. Adhesion is open as soon as the Conventions have entered into force, that is, six months after two States shall have ratified. Adhesions must be notified in writing to the Swiss Federal Council and shall take effect six months after the date on which it receives them.

The International Committee ventures to recommend to the National Red Cross Societies of countries which have not signed the Geneva Conventions to do everything to encourage the adhesion of their Governments, so that this step may be prepared for and may take place as soon as it becomes possible. In such countries it seems especially important to make the Conventions widely known, in order that the new Conventions may retain that universality which has always been their characteristic and the best guarantee of their efficacy.

The International Committee of the Red Cross is naturally at the disposal of National Societies for any information or documentation they may wish to receive about the new Conventions. With this end in view, the Committee has already published the four Conventions in English and French, with marginal headings, explanatory introduction, and a detailed table of contents. A Spanish edition will appear shortly. Similarly, the Committee will in the near future publish an analysis of those clauses of the Conventions which particularly interest the Red Cross.

The Committee hopes that the Conventions will become familiar to all responsible officials and that the general public in all countries will be acquainted with the purport of these new agreements. This useful and urgent work the Committee recommends to the good offices of the National Societies, counting upon the active and sustained help it has always received from them.

For the International Committee of the Red Cross:

Leopold BOISSIER

Vice-President

Paul RUEGGER

President

THE CENTRAL PRISONERS OF WAR AGENCY

Five years after the Armistice, it seems reasonable to ask if there can be still work for the Central Prisoners of War Agency in Geneva, now situated at the headquarters of the International Committee of the Red Cross.

A few statistics will reply. In 1949, the Agency received more than 120,000 letters, sent out 134,000 and made 15,000 individual inquiries.

German Section: Of the 120,000 letters received, two-thirds were for the German Section. Many German citizens disappeared during the war, especially on the Eastern front. Their relatives turn to the Agency in the hope that the International Committee will be able to trace the whereabouts of next of kin.

The German Section also institutes search for Displaced Persons (*Volksdeutsche*) from Czechoslovakia, Jugoslavia and Poland, transmits family correspondence and official documents, and gives official notice of the deaths, due to the war, of military personnel and civilians.

Italian Section: In practice, its work is confined to the identification of deceased members of forces. The documentation available only in the Agency files makes it possible to carry through complicated and detailed inquiries undertaken on the request of the Italian authorities.

Polish Section: In 1949, 12,000 communications were received, 15,000 sent out, mainly in an effort to trace civilians and military personnel dispersed throughout the world.

Greece: Events in Greece in the past year gave rise to much work. Lists had to be drawn up of children transferred to other countries, search made for soldiers declared missing after the fighting in Epirus and Macedonia, and messages forwarded. About 2,500 individual inquiries were made in 1949.

Netherlands: Thousands of searches were made in the files at the request of the Netherlands Red Cross, in connection with Dutch subjects, either labour conscripts or deported Jews, who had not returned home at the end of 1949.

The Agency is often called upon for "Capture Certificates"; as a rule, it alone has the necessary information to provide them. The certificate serves the bearer as a proof that he has been a prisoner of war, and is most often used by him in returning to civilian life; it is also useful in establishing claims for a pension or indemnity.

During the last two years, 17,000 such certificates were issued.

To repeat: 120,000 incoming letters and 134,000 outgoing; 15,000 individual inquiries—these three totals give some idea of the services that the Agency still renders today.

REUNION OF DISPERSED FAMILIES ¹

Geneva, March 17, 1950.

On March 10 a first convoy of four hundred persons arrived at Furth-im-Walde (Bavaria) ; they were being repatriated from Czechoslovakia under an agreement concluded, in December 1949, between the Czechoslovak Minister for Internal Affairs and the Allied Occupation Authorities in Germany. During the next few weeks, about twenty thousand persons of German stock (*Volksdeutsche*)* will thus join relatives already established in Germany.

The International Committee undertook to bring together the members of several thousand families who had been separated. Two of its Delegates escorted the first repatriation convoy to the frontier, and a third Delegate was present at the actual arrival in Germany.

It may be mentioned that in every case, the transfer of these *Volksdeutsche* is being made at their own request.

¹ See *Revue*, English Supplement, Vol. III, No. 2, p. 43.