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IV. Assistance to Prisoners of War and Civilian Internees

RELEASE AND REPATRIATION

Repatriation of Prisoners of War

The repatriation of prisoners of war has been a matter of particular concern to the ICRC¹. On August 21, 1945, and again on July 2, 1946, the Committee reminded the victorious Powers that captivity could not be prolonged indefinitely and that, failing any peace treaties, it fell to the Powers themselves to take the required initiatives.

On November 28, 1947, the ICRC solemnly repeated its appeal, in the following terms :

At the present day several Detaining Powers still hold large numbers of prisoners of war. It follows that two years after the close of hostilities these men are still awaiting their liberation. In spite of considerable improvement in their living conditions many of them are still detained in barbed wire enclosures, and under the supervision of armed guards. Although the Forces of which they were members no longer exist, they still wear uniform. They are deprived of any kind of private life, and opportunities for exchanging messages with their next of kin are strictly limited. The exercise of their civil rights is practically nullified; their home life has been destroyed. Their individual abilities are running to seed and they are only considered in the light of the work they are compelled to do, as a rule for extremely low wages. In short, they are kept beyond the pale of human society.

The capture of prisoners of war has only a single aim : to prevent enemy combatants taking up arms once more. The prolongation of such a state of affairs cannot be justified by any military consideration, as soon as hostilities are actually ended. For this reason a principle has been embodied in International Law demanding that, as soon as

¹ See *General Report of the ICRC, 1939-1947*, Vol. I, pp. 216 and ff.

possible after the close of hostilities, all prisoners of war who are not the subject of penal proceedings or sentences shall be repatriated.

Hostilities ceased over two years ago, and the measures taken by the victorious Powers give no grounds to hope that the said prisoners will regain their freedom before January 1, 1949.

Captivity in time of war seems, therefore, to have lost its primary justification. To-day, it is apparently maintained on account of the scarcity of labour in the detaining countries ; it therefore becomes a compulsory labour service for ex-servicemen, who are nationals of countries compelled to furnish war reparations.

In view of this situation the ICRC considers it a duty to point out how contrary the extension of such a state of affairs would be to the universally recognised principle of the respect of human personality and human rights, which constitutes the foundation on which the Red Cross itself is built.

By December 31, 1947, the United States, Belgium, the Netherlands and Luxemburg had released all prisoners of war in their hands. The other Detaining Powers had made plans for repatriation by instalments spread out over the year 1948. The ICRC closely watched the execution of all these schemes.

France. — The repatriation plan adopted in the Spring of 1948 provided for the return to Germany of a monthly quota of 20,000 prisoners. It did not prove possible to adhere to this plan, and, from July 1947, the quota was reduced to 10,000 men. The Committee's Delegation in Paris repeatedly approached the French Authorities and urged, unfortunately without success, that the terms of the original scheme should be observed.

The Delegation nevertheless obtained the assurance that the lag in the Summer of 1947 would be made good during the first months of 1948, and that all German prisoners of war would in any event be sent home by December 31, 1948. In the month of January 1948 alone, 36,000 men were in fact released. There was a slowing down in the Spring of 1948, but steps taken by the ICRC elicited a confirmation that all prisoners of war would leave France by the end of the year. In actual fact, except for a few wounded and sick bed-ridden in hospital, the last prisoners of war not to become civilian workers left on December 10, 1948. By December 31, there remained in France (excepting the men

held on criminal charges) only 80,000 former prisoners of war who had elected to stay as civilian workers and held freely signed contracts¹.

The Delegation also obtained the repatriation of prisoners who had been employed on the dangerous work of mine-lifting, and those who had compassionate grounds to justify their immediate return.

The Delegation did not confine itself to speeding up repatriation; one of its members inspected and escorted most of the trains which took the ex-prisoners home.

Reference may here be made to instructions issued by the French authorities, which regulated the amount of luggage the men might take with them. The liberal spirit of these instructions put an end to difficulties with which the ICRC had been frequently faced.

The Paris Delegation again asked that the men detained in North Africa should have priority, and that 1,500 Germans held in unhealthy areas of Corsica should be transferred to France. As a result, those men who suffered from the climate were the first to be transferred.

Great Britain. — The repatriation scheme provided for the return to Germany of 15,000 men each month. Not only was the scheme adhered to, but the monthly quota was raised to 20,000 in December 1947, to 25,000 in January, and to 27,000 in February, 1948. This acceleration enabled the British Government to state that the return home of all prisoners was due, first at the end of September, and then at the end of July 1948, that is, fully six months ahead of schedule.

Middle East. — Prisoners were sent home during the Summer of 1947 at the rate of 5,000 per month, but the figure decreased considerably during the last months of the year, owing to scarcity of transport. The British Government, responding to home criticisms, undertook to make up these arrears in the early part of 1948, so that the operations should in any case be completed by the end of December, 1948. The schedule issued by the British

¹ See below, p. 54.

War Office showed 50,000 men due for repatriation between January and June 1948. On April 30, there were only 39,803 left, and all were sent home by the end of September 1948, that is, three months before the appointed date.

Some hundreds of men who had, at their own request, become free workers and were employed in Cyrenaica, were visited for the last time in August 1948 by an ICRC Delegate stationed at Cairo.

The ICRC drew attention to the case of men detained in the Middle East who did not wish to be sent to Germany, and asked that they should be allowed — as were those in Great Britain — to apply to various Consulates for entry permits to foreign countries.

Belgium and Luxemburg. — All German prisoners were sent home, as scheduled, during the second half of 1947. The last groups of men who stayed in Belgium to close down the camps left in February 1948.

Italy. — The repatriation of prisoners of war and military internees (SEP) detained by the British or American Forces was also completed during the latter half of 1947. However, a certain number of German prisoners who had escaped from camps in France or Italy, found themselves in Italy without identity papers. The same applied to Germans who entered Italy illegally, intending to embark for overseas countries. The Italian police arrested all those they could discover and interned them in camps. Negotiations between the Italian and the Allied authorities, the International Refugee Organisation and the ICRC Delegation in Rome, with a view to sending them back to Germany, at first met with numerous technical difficulties. An agreement was finally reached, and a first contingent of 600 men left Italy for Germany at the end of December, 1947.

In point of fact, however, the number of German internees in camps did not diminish, as fresh clandestine arrivals continued to produce arrests. In these circumstances, the ICRC sent their Rome Delegation all applications for repatriation received from Germans in Italy, the Delegation being in a better position than Geneva to deal with them.

Germany. — In the American Zone of Occupation, numerous thefts from repatriated prisoners were reported. The ICRC Delegation brought the matter to the attention of the authorities responsible for the discharge camps, and measures were taken to ensure proper supervision.

In the French Zone of Occupation, certain prisoners were repatriated on health grounds and then made prisoner again on recovery. The Delegation protested against these measures, which were contrary to the provisions of the Convention, and was successful in having them cancelled.

The Delegation also took part in setting up a system for the reception and discharge of German prisoners who escaped from France to Switzerland, and were sent back by the Swiss authorities to the French Zone.

Lastly, when the frontier between France and Spain was re-opened at the beginning of 1948, the ICRC instructed the Paris Delegation to negotiate with the French authorities for the passage through France of about 600 members of the *Wehrmacht* who had sought refuge in Spain and who were eligible for repatriation.

Czechoslovakia. — The Committee's representatives repeatedly approached the Government for the repatriation of German prisoners held in Czechoslovakia. Despite the fact that the plans worked out had not yet become operative, the Czechoslovak Ministry for National Defence asked the ICRC to induce the Allied authorities in Germany to grant facilities for the reception of 700 sick German prisoners held in Motol Camp. The ICRC found the way blocked at first by a decision of the Allied Control Council in Berlin, forbidding repatriation of all sick prisoners requiring hospital treatment; the grounds for this decision were the lack of hospital accommodation and the general shortage of medicaments and dressings. After the ICRC had reminded the Allied authorities of their special responsibility, underlining the necessity of granting moral and, especially, material assistance to the German organisations for the reception of repatriated persons, the Control Council agreed to alter its decision.

As the result of these negotiations, 1,000 Germans were sent back for health or family reasons. According to information

received at Geneva there remained, in August 1948, some 7,000 prisoners of war in Czechoslovakia, who were due for repatriation at the end of the year. These men were duly sent back to Germany.

Poland. — The ICRC took steps to ensure the repatriation of the prisoners of war detained in Poland. There were still apparently some 40,000, of whom 24,000 were employed by the Mines Board in Upper Silesia. As on December 31, 1948, 3,340 Germans from these mining camps had been sent back to their homes.

Far East. — The Delegation in Singapore supervised the repatriation of 42,000 Japanese military internees (SEP, or Surrendered Enemy Personnel) who were detained in Malaya and Burma. The Delegates inspected most of the transport craft before sailing, and had improvements made in conditions on board. Repatriation was completed in December 1947¹.

Argentina ; Portuguese Indies. — The ICRC concerned itself with the repatriation of German merchant seamen detained in these countries.

Enquiries on State of Health. Hospital Care of Repatriated Persons

Deserving special mention is the service which instituted enquiries about the state of prisoners' health. These were usually made at the request of next of kin to the camp Senior Medical Officer, for his opinion on the state of prisoners who were sick, or presumed to be so. Between July 1, 1947 and May 31, 1948, 514 enquiries of this kind were made. As a rule, the replies received were sufficient to reassure the enquirers. In 183 cases, the ICRC requested and obtained repatriation, the patients' condition being such that prolongation of captivity might have been fatal.

¹ See also, pp. 48 and 52.

More serious was the problem raised by a decision of the French Ministry of War that the hospital costs of sick prisoners repatriated to the French Zone of Occupation should no longer be borne by the French Government, and that hospitals until then under the French Military Command should henceforth be the responsibility of the German Civil Administration. This decision might have had unfortunate consequences for repatriated prisoners, since the German authorities were unable to give ex-prisoners food and care up to French military standards.

The ICRC drew the attention of the French Authorities to their obligation, as the Occupying Power, of securing adequate hospital treatment for repatriated prisoners. The Committee succeeded in ensuring that the German civil authorities could give repatriated prisoners in hospitals under German control, treatment equal to that which they received in French military hospitals.

Repatriation of Civilian Internees

Belgian Congo. — As repatriation of German civilians interned in the Belgian Congo had not been completed by July 31, 1947, the ICRC continued to make strong representations in their behalf to the Belgian authorities in Brussels and Leopoldville, and to the Allied authorities in Germany. Repatriation of 45 persons was finally agreed, and they passed through Belgium to the British Zone of Occupation. Nine of the internees were allowed either to remain in the Congo or to go to countries other than Germany. The internees sent to Germany were allowed to draw their funds from the bank, and buy food and warm clothing for the journey. The ICRC Delegate obtained for each a grant of 5,000 Congo francs and 10,000 Belgian francs (instead of 1,000 francs), plus 5,000 Belgian francs for each child. As a result of his intervention, they were permitted to take all their baggage with them, without restriction of weight. The Delegate was present at the medical examinations of the internees prior to their departure. Conditions on the journey back were excellent, and the travellers arrived in Germany at the beginning of March, 1948.

Dutch East Indies. — Eighty German civilian internees still detained in India had permission from the British authorities to return to the Dutch East Indies, where their families were living. In September 1947, the ICRC renewed a previous approach to the Netherlands Government, asking that these persons might be allowed to return to the Dutch East Indies. This time, the Committee was successful and the internees sailed for Batavia in November 1947.

Netherlands. — The ICRC succeeded in securing the repatriation to Germany of the German civilians, hailing from the Dutch East Indies and Surinam, who were detained at Marienbosch Camp in Holland.

Australia. — The ICRC approached the British Authorities in London and the Allied Control Council in Berlin, with the object of speeding up the return of 800 German civilians interned in Australia, who had been due to sail in January 1947. As a result, and thanks also to the Australian Red Cross, these internees were repatriated in December, 1947.

USSR. — At the request of the Spanish Federation of Political Deportees and Internees, the ICRC took up the case of Spanish republicans interned at Karaganda (USSR). As the Spanish Republicans could not apply direct to the Soviet Government, the ICRC, in December 1948, submitted to the Alliance of Red Cross and Red Crescent Societies in Moscow a proposition to transfer these Spanish nationals to France. The Spanish Anarchist Federation later sent the ICRC a list of the persons interned at Karaganda, and this was promptly forwarded to Moscow.

British East Africa. — An appeal was received from German and Austrian civilians interned in Tanganyika and Kenya, invoking the principles recognised by the United Nations and asking for their release and liberty to live in these colonies, or to emigrate to a country of their choice. Their property having been impounded and the British authorities refusing to accede to their

request, repatriation was the only course possible. The ICRC secured from the Detaining Authorities an undertaking that the repatriation would be carried out under satisfactory conditions. Eighty-four Polish, German and Austrian internees were thus repatriated from Kenya in January 1948. They were visited on board the vessel by the ICRC Delegates at Suez and Port Said, and were also assisted by the ICRC Delegate in Genoa.

Japan. — A further group of Germans living in supervised residence in Japan were repatriated during the second half of 1947.

VISITS TO PRISONER OF WAR AND CIVILIAN INTERNEE CAMPS

The Committee's Delegates continued to visit prisoner of war and civilian internee camps in countries which still maintained them.

France. — Nine Delegates regularly carried out visits. Between July 1, 1947 and December 31, 1948, they made 801 visits to detention centres, camps, labour detachments and hospitals, doing everything they could to improve morale, and referring complaints to the French Authorities.

During the last six months of 1948, when the closing-down of camps had already started, visiting Delegates inquired about the prisoners' future prospects, the payment before departure of wages due, certificates of industrial accidents, etc.¹.

Delegates were also present when repatriation convoys left, and on several occasions they succeeded in having improvements made. During the railway strike, for example, men who had been travelling twenty-four hours longer than anticipated owed their supplementary rations to the ICRC representative.

After having witnessed the departure of the last prisoners on December 10, 1948, the Delegate and the Camp Commandant locked the gates of Sarralbe Camp — a symbol of the close of four

¹ See below, p. 48.

years work, during which six thousand visits were made to prisoner of war camps, detention centres and hospitals in France:

Great Britain. — In the latter half of 1947, the Delegation paid 215 visits to base camps and hospitals, besides visits to the numerous hostels attached to the camps. The Delegates also enquired, sometimes at night, into conditions in the factories and brick-works where prisoners of war were employed.

As the London Delegation did not include a medical practitioner, a doctor was detailed from the Paris Delegation to inspect the hospitals for prisoner of war patients in Great Britain. In September 1947, this representative came to England and saw seven of the principal hospitals. He was able to satisfy himself of the standard of medical and surgical care given to prisoners.

As the repatriation programme¹ was rapidly carried out, visits became much less frequent. During the second half of 1948, only 35 camps were visited, some containing former prisoners who had become civilian workers.

Austria. — The Delegation's duties steadily diminished as the number of prisoners fell. From June 1, 1947, to January 31, 1948, only thirteen visits were made to camps for prisoners of war, surrendered enemy personnel (SEP) or civilian internees.

Czechoslovakia. — One hundred visits were made from July, 1947, to December 1948.

Jugoslavia. — The mission from Geneva to Jugoslavia, in 1947, visited a prisoner of war camp and a hospital².

Poland. — In the second half of 1947, the Warsaw Delegation made 63 visits to prisoner of war camps, many of which it had not been possible to see before. The ICRC also applied for permission for Delegates to visit prisoners of war held by the Soviet authorities in Poland.

¹ See above, p. 38.

² See above, p. 29.

During the last six months of 1948, twelve mining camps in Upper Silesia were visited.

Germany. — Camp visiting by ICRC Delegates was actively carried on.

In the *American Zone*, most prisoners of war had already been liberated. From July 1 to October 31, 1947 (when the Delegation closed down) only ten visits were made, and these were to camps for repatriated prisoners of war and civilians, senior officers (Neustadt), interned civilians held by the American authorities and prisoners awaiting trial (Dachau).

The Delegation did not succeed in obtaining permission to visit civilian internees; in spite of urgent representations, the Military Command persisted in its refusal. Application was made to the American Red Cross from Geneva and to the War Department in Washington, but without success. The U.S. Government replied, in April 1948, that they considered the matter to be one of internal administration and for the local German authorities only, as the authority under which the civilian internees came.

In the *British Zone*, during the second half of 1947, 48 visits were made to camps of all descriptions (civilian internee camps and hospitals, war-criminal camps, service groups, prisoner of war transit centres, etc.).

In the *French Zone*, from July 1947, to February 1948, Delegates made 78 visits to prisoner of war and civilian internee camps, hospitals, and so on.

Soviet Zone. — Only one visit took place in this Zone — to the prisoner of war hospital at Frankfort-on-Oder.

Near East. — In the Near and Middle East, ICRC Delegates continued to visit prisoner of war camps¹.

Egypt. — The Cairo Delegation, having learned that there were Interrogation Centre Compounds at Fanara and Kabrit

¹ For Palestine and the camps for Arab and Jewish prisoners of war see below, p. 110.

(Canal Zone) which had not been notified to it, asked for permission to visit them. In November 1947, this permission was granted for Kabrit Camp, and the Delegates immediately went there. It did not prove possible, however, to go to Fanara Camp. In Egypt proper, ICRC Delegates saw some hundred Germans who had escaped from British camps and were interned under Egyptian authority. They were able to note the excellent organisation of these camps. On the return of the men to the British Command, the Delegates made a point of being present at the transfer.

Far East. — Forty-two thousand Japanese military internees were held in various British camps in Malaya and Burma¹. The Singapore Delegation visited the camps in Malaya and a hospital with some 1,600 patients. The Delegates observed that conditions were below the minimum standard laid down in the Geneva Convention, but could nevertheless be considered satisfactory².

In China, Indo-China and the Dutch East Indies, several camps were visited, in which Japanese military personnel were held as war criminals, suspects or witnesses. The Delegates noted that these men were receiving the customary relief and that supplies sent from Japan were issued regularly. When enquiry cleared a prisoner of any charge, he was sent back to Japan.

IMPROVEMENTS IN PRISONERS' LIVING CONDITIONS

Whenever they considered it possible in the course of camp visits made after July 1, 1947, Delegates suggested improvements in the living conditions of prisoners of war or civilian internees.

France. — Living conditions in camp did not vary greatly after July 1947. Successive increases in the cost of living were followed by repeated representations, which led to the living allow-

¹ See also pp. 42 and 52.

² It should be noted that the British Government did not consider itself bound to observe towards SEP the provisions of the Prisoner of War Convention. See *General Report of the ICRC, 1939-1947*, Vol. I, p. 542.

ance for prisoners of war being considerably increased on several occasions. By January 1, 1948, this allowance varied from 60 to 90 francs per day, according to the type of working detachment, where formerly it fluctuated between 35 and 40 francs.

The Delegation, in view of the constant increase in living costs, succeeded in having the wage of 10 francs paid to most of the men raised to 20 francs. The French authorities had increased the rate of pay to officers from February, 1948. The Delegation did not think the increase sufficient, and the Directorate for Prisoners of War then agreed to reconsider the matter.

The Delegation took up the question of arrears due to prisoners by their employers. Up to May, 1948, the subsidiary responsibility of the Detaining Power for these payments was not admitted, but the Delegation did manage to have strict instructions given to all employers, and as a result, a large portion of the outstanding amounts were paid.

In May, 1948, following representations and reports made to them by the Delegation, the French authorities took a number of decisions :

(1)—The question of wages not paid at the time of repatriation gave rise to many complaints. The authorities prescribed how the arrears due to prisoners already repatriated should be settled, and ordered that the men should be paid before repatriation the whole amount they were owed. These instructions explicitly recognised the responsibility of the Detaining Authority for such payments.

(2)—Many prisoners who had sustained occupational accidents or had contracted diseases, were sent home without being given a medical certificate, to enable them to claim from the German authorities. Fresh instructions prescribed the issue of appropriate certificates at the time of repatriation; most of these instructions were drafted in consultation with the legal and medical departments of the Paris Delegation.

(3)—These departments were particularly concerned about conditions of prisoners employed in mines. After an "improved" status was adopted, the number of accidents decreased. The organisation of medical treatment was closely observed, and the

general state of health was considered satisfactory. There were no cases of silicosis, and the percentage for tuberculosis did not exceed the rate for prisoners in industry or other work.

(4)—An improvement, both financial and medical, was the granting of free dental care to all prisoners in working detachments who had been treated by civilian dentists. On the other hand, the Delegation's efforts to have a larger quota of monthly mail allowed were not successful.

(5)—The Delegation also succeeded in having German protected personnel granted much more freedom of movement. Abuses occurred, however, and the General Directorate then left regional commandants discretionary powers in this respect.

Belgium. — The Belgian Red Cross agreed to issue to Germans retained in Belgium relief supplies worth some 10,000 Belgian francs, which the ICRC placed at its disposal.

Holland. — After the ICRC Delegation had been closed down, the Netherland Red Cross agreed to assist German civil and military nationals in Holland. Two members of the Society visited a camp of 180 Germans, and the Society continued the negotiations which had been started by the ICRC to give these men prisoner of war status.

Great Britain. — Although general conditions for prisoners of war were most satisfactory, the London Delegation noticed occasional abuses or deficiencies, and promptly brought them to the notice of the official departments. Thanks to the goodwill and understanding of the authorities, the questions raised, with very few exceptions, were settled to the general satisfaction.

On one point, however, the British authorities and the ICRC could not see eye to eye. This was the question of de-mining by prisoners. This manifestly hazardous work the Committee wished to see prohibited under Art. 32 of the Convention. The British authorities insisted that the really dangerous job — the removal of fuses — was done by British personnel, and that the prisoners' task was mine-detecting only, with every precaution taken to

reduce the danger to a minimum. Delegates therefore made a special point, when visiting de-mining detachments, of checking first-aid equipment, and they requested that there should always be a medical orderly present and a suitably equipped ambulance.

With this exception, conditions for prisoners of war in Britain improved still further in the last months of captivity. From the end of 1947, they were allowed to use public transport, to move freely within a given perimeter, and to enter shops and restaurants. They had permission to use the ordinary post for sending letters and parcels to their families. In addition to these privileges, which were freely granted by the British authorities, the ICRC Delegates obtained numerous other favours for the men in camp, such as the issue of fresh straw and the disinfection of premises and blankets. Towards the end of 1947, the Delegation suggested to the British authorities that prisoners who were dangerously ill might have the visit of a relative from Germany. Financial objections, and the fact that all prisoners were to be repatriated in July 1948, led the Delegation and the British authorities to abandon the scheme. The Delegation was called upon in many individual cases involving the issue of certificates of captivity, the return of impounded belongings and the payment of compensation for working accidents.

The ICRC also asked that prisoners of war who sustained accidents outside working hours should have the right to claim compensation from the person responsible for the accident or his insurance company. The Foreign Office agreed that such prisoners could sue in the same manner as ordinary citizens.

Poland. — The Delegation strove persistently for the improvement of living conditions. It interested itself very specially, for example, in the question of correspondence and parcels for German prisoners, and had the forwarding of mail speeded up.

Czechoslovakia. — The ICRC Delegation tried continuously to have camp conditions improved.

Germany. — In the British Zone the ICRC intervened in behalf of German senior officers who had been transferred to a

civilian internee camp and had thus lost prisoner of war status.

From all over Germany the Committee received enquiries about relatives and complaints from internees who said they did not know why they were detained. As a general rule, these applications were examined by the Berlin Delegation, which was in constant touch with the Tracing Bureaux (*Suchdienste*) in the four Zones of Occupation.

Near East. — Many prisoners complained to Delegates of not having the same privileges as their comrades detained in Britain. The ICRC submitted these complaints, but was forced to the conclusion that inherent geographical or climatic differences were as a rule responsible for such discrepancies. Certain improvements were effected, however; thus, letters were carried by air-mail between Egypt and Libya; prisoners in certain units who complained that labour was too hard were transferred to other units where the work was lighter; the weight of the bags carried by men employed as dockers was reduced by half, and the British authorities promised to employ native labour whenever possible for this type of work.

The ICRC furthermore offered to provide the vaccine required to immunize prisoners in the Near East against cholera, when an epidemic broke out in Egypt in the autumn of 1947. The British authorities had however taken the necessary precautions and had sufficient supplies of vaccine.

Far East. — The main duty of the Singapore Delegation was to issue relief supplies (either from Geneva or Japan) to interned Japanese SEP (Surrendered Enemy Personnel) in Malaya and Burma¹. As these men were not paid for their work, they were in particular need of assistance, and articles of everyday use were provided for them.

The ICRC also sent relief supplies to some 300 Japanese military personnel detained at Rabaul, New Guinea. These men had been convicted, were awaiting trial, or were held as witnesses at the disposal of the War Crimes Commission.

¹ See also pp. 42 and 48.

MEDICAL PERSONNEL

The decision made by the majority of the Detaining Powers to release doctors and surplus personnel, and to retain in captivity only medical personnel whose services were indispensable for camp needs, led to a marked decrease in work in their behalf.

On some occasions, however, the assistance of the ICRC was called upon.

Great Britain. — As a result of representations made by the ICRC to the British authorities, German protected personnel who had no identity papers were allowed to apply, through the British War Office and the ICRC, to the Allied Control authorities in Berlin, for certificates showing that they had belonged to the German Medical Corps.

Medical personnel who could supply such evidence received the pay to which they were entitled and the arrears due from the day of their capture. From July 1, 1947, to May 31, 1948, in response to claims made to the Office for the Liquidation of the Wehrmacht (WAST) in Berlin, the ICRC was able to provide over 600 German prisoners in Great Berlin with these certificates. In Britain, it was also agreed that dental mechanics should be given the status of protected personnel.

France. — Following representations by the ICRC, German medical officers were allowed greater freedom of movement, and the right to come and go freely. It was also agreed that the pay for protected personnel should be considered as a salary, and that the French Government should continue to be responsible for it.

When Depot No. 152 (Aubagne, Bouches du Rhône) was shut down, the doctors there thanked the ICRC for the gifts of medicaments and the technical publications which had enabled them to give proper treatment to the sick in camp, and to keep abreast of progress in medical science.

Poland. — During a visit in April 1948 to the Cegieski Camp, at Poznan, the Delegate found that some German doctors and

nurses were assigned to work other than that allowed under the Convention. Following up what the Delegate had already done, the ICRC was able to have these men transferred to medical duty.

PRISONERS ALLOWED TO BECOME CIVILIAN WORKERS (“CIVILIANISED” PRISONERS)

Several Detaining Powers, including France, Belgium, Luxembourg and Great Britain, offered labour contracts to their prisoners of war, allowing them to take up employment locally and enjoy the same advantages as other foreign workers.

France. — From September 1947, prisoners availed themselves extensively of this opportunity; by January 31, 1948, they numbered about 107,000. With the agreement of the French Government the ICRC undertook to supervise the application of the regulations introduced in France. The ICRC sometimes advised individual prisoners, many of whom were unable to make up their minds.

The change-over gave rise to difficulties which the Committee and its Delegation submitted to the authorities for settlement. The questions dealt with included the removal to France of the ex-prisoner’s wife and family, and the transfer of wages to Germany.

Workers were entitled to one month’s holiday in the home country; it is interesting to note that up to February, of 30,000 who took advantage of this facility, only 155 failed to return.

Until September 1, 1948, the ICRC fulfilled consular functions for the workers and their families, in legal or administrative matters connected with deaths, probate, marriages, working accidents, etc.

The bulk of this work fell upon the Paris Delegation, where a special Section was set up. An important duty of the Section, assumed with the approval of the Secretary of State for German and Austrian Affairs, was the notification of deaths. Death certificates were sent by the municipal authorities to the Paris Delegation, who advised the Secretary of State, and he in turn informed the next of kin through the *Suchdienst*, or Tracing Bureau, in the French Zone of Occupation.

For estates, the same procedure was followed, the Paris Delegation applying to the German authorities for official documents confirming the existence of heirs.

By decision of the Secretary of State for German and Austrian Affairs, dated July 15, 1948, an Office for German Nationals in France was set up to perform, as from September 1, 1948, for German Nationals in France, the same services as foreign Consulates provide for their nationals, and to facilitate relations with the French Administration in particular. The Delegation continued however to obviate, whenever possible, difficulties brought to its notice by men who had signed civilian contracts.

It drew, for instance, the attention of the Ministry of Agriculture to the fact that many employers omitted to register their workers for agricultural insurance, with serious consequences for the workers who fell ill. As a result, in September 1948, the Ministry reminded employers of their obligations in this respect.

Under their contracts, the ex-prisoners had the benefit of a law of August 22, 1946, which specifies the family allowances to which foreign workers in general are entitled. This law does not, however, apply to aliens in temporary residence. When signing, the ex-prisoners were not aware of this exception. The Paris Delegation brought the matter to the notice of the French authorities, and in July 1948, the said law was amended, to allow temporary residents who held working permits to be also entitled to family allowances, with retrospective effect from March 1947.

It was agreed that "civilianised" prisoners should retain their right to free repatriation to Germany, and that they might profit thereby either on their final return, or for their month's leave. Repatriation was supervised by the Delegation, and requires no special comment. Some difficulties with the Customs (workers often had considerable luggage with them) were settled easily with the Delegates' assistance.

Belgium. — Prisoners of war had the option of being sent home or becoming civilian workers. The ICRC Delegation informed them that all who considered that they had signed a contract under duress could appeal to the Delegation. The ICRC representatives also made sure that the proposed contracts gave

signatories the full protection to which ordinary foreign workers were entitled. They drew the attention of the authorities to the fact that workers could claim the right to final discharge from captivity both by Belgium and the Occupying Powers. Complete satisfaction was given on this point.

No opposition was raised to the discharge and demobilisation of these workers in Belgium, and it was therefore understood that they would be free to return to Germany as civilians, when their working contracts expired. Towards the end of 1948, however, many workers complained that they were unable to return home. Clearly, the arrangements made in 1947 were interpreted differently by the authorities, the Belgian opinion, shared by the Allied Permit Office, being that the workers should travel to Germany at their own expense, whilst the British military authorities considered that they should be demobilised by the British in Germany itself.

To meet the difficulty, a member of the Berlin Delegation went to Belgium in December 1948 and successfully arranged for the return to Germany of the men who, at the expiry of their contract, had no work, residence or money, and whom the Belgians had brought together in an assembly centre.

Great Britain. — As from December 31, 1946, the British authorities gave prisoners due for repatriation the option of remaining in the country as civilian workers, on condition that they signed a contract for work on the land, of six months duration and renewable.

In June 1947, the Government fixed a uniform expiry date for such contracts at December 31, 1948. By April 30, 1948, 23,232 prisoners had decided to become civilian workers under this scheme.

In spite of these men's particular status and the many privileges they enjoyed, the London Delegation, with the full consent of the authorities, continued until November 15, 1948, to visit the places where they lived. About twenty such visits were made, and the representatives were satisfied that everything had been done to improve living conditions.

In the *British Zone* of Germany, 60,000 German SEP who had been enrolled in labour detachments called "Service Groups", became civilian workers from September 1947. By the end of 1947 the change-over had been completed. The ICRC, satisfied that the change had been entirely voluntary, considered these workers henceforth as free civilians, and consequently no longer a charge on the Committee's services.

GERMAN CIVILIAN WORKERS IN FRANCE

Discussions took place at Geneva with the responsible French authorities, in April and June 1948, concerning the protection by the ICRC of civilian workers who were not ex-prisoners of war. In the absence of any German Consulates abroad, these workers found themselves without any legal protection. Pending the re-opening of German Consulates, or designation of a substitute authority, the assistance of the ICRC was not only admitted, but in fact called for by the French Government. As already mentioned, a separate Bureau was set up by the French Government to deal with these aliens as from September 1, 1948¹.

LEGAL AND OTHER ASSISTANCE TO PRISONERS OF WAR

France. — With the consent of the Government, the ICRC was empowered to provide legal assistance to German prisoners of war.

The work of the Legal Section in Paris showed no decrease over the period under review². It continued, where necessary, to make arrangements in the Lower Courts for questions involving the appointment of advocates, temporary release, *nolle prosequi*, or decisions to file cases. It arranged that the Court should call witnesses for the defence, and raised funds through camp spokesmen and camp commandants to meet lawyers' fees. The ICRC made prison life easier by supplying food, underclothing, writing paper, books and medicaments, providing

¹ See above, p. 55.

² See *General Report of the ICRC, 1939-1947*, Vol. I, pp. 358 and ff.

medical and dental attention, and looking after the men's moral and religious needs.

In the *French Zone*, the Delegation secured prisoner of war status for men confined in prison in connection with penal offences. It was regularly informed of the arrest of prisoners of war, the charges against them, the date of trial, and the verdict and sentence. The Delegation took up the question of escaped prisoners who were recaptured in the French Zone, and was assured that the men who escaped from any country other than France would be at once released. The ICRC received many individual requests for assistance to German nationals interned or in prison in the French Zone, pending trial, and made every effort to keep the families informed.

Great Britain. — During the second half of 1947, the London Delegation visited five prisons, where 91 German prisoners of war were detained. On instructions from Geneva, these men were given the assistance provided for in the Conventions.

Poland. — The ICRC was able to give some assistance to prisoners of war awaiting trial. Especially important were the transmission of documents for the defence, the appointment of counsel, and interviews.

The Paris Delegation published a periodical called *IKRK Nachrichten* for German prisoners of war and voluntary workers in France. A fund of 300,000 French francs was provided for its publication.

The London Delegation continued to publish its *Nachrichtenblatt* regularly, to keep prisoners of war informed on developments which concerned them, particularly on their return and settlement in Germany.

FINANCIAL SITUATION AND REPAYMENT OF CREDIT BALANCES

The ICRC continued to receive applications from repatriated prisoners, or their relatives in Germany, asking for the refund of credit balances, particularly those in dollars.

Although the U.S. authorities had made early arrangements for refunding such credits in Reichsmarks, there were many ex-prisoners who still had to turn to the ICRC. Some had lost their credit vouchers; others complained that they had not received the amounts due to them. Furthermore, credit balances were refunded only to the men repatriated to the three Western zones, and those living in the Russian zone or outside Germany were anxious to know the value of the documents they held.

The next of kin of men who had died in captivity similarly enquired about the reimbursement of funds reverting to them.

These applications led to extensive correspondence with the claimants, the Delegations in Berlin, London, Paris, Brussels, Vlotho and Frankfort, and the U.S. authorities in Washington.

It is difficult to estimate the total amount paid to repatriated prisoners; that it must have been considerable may be concluded from the following data supplied by the U.S. authorities.

By August 1947, the U.S. Government had refunded to 337,000 repatriated prisoners credit balances to about 50 million dollars. They also handed over to the Bavarian Red Cross in Munich, for restitution to ex-prisoners, 140,000 "property envelopes" containing the valuables taken from prisoners in capture, to an estimated value of 28 to 30 million Reichsmarks.

Early in 1948, at the time of the French devaluation, the parity of the Reichsmark was altered in France from 12 to 25 francs. The result was to halve the value of credit balances owned by prisoners. Ex-prisoners who should have been paid back before revaluation of the Reichsmark came into force thus suffered considerable loss as a result of the delay. The ICRC drew the attention of the French authorities to the problem.

In all, by the end of 1948, repatriated German prisoners had received on account of credit balances in dollars, sterling or French francs, a total of over 600 million Reichsmarks, about half of which were repaid in Deutschmarks.