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V. Assistance to Civilian Victims of War

REFUGEES AND STATELESS PERSONS

On May 1, 1950, the International Committee made a statement of its position in respect to refugees in an appeal which was communicated to all Governments. The appeal was as follows :

Geneva, May 1, 1950.

Before touching on the actual problem of Refugees and Stateless Persons which is the subject of this communication, the International Committee of the Red Cross feels that a reference is necessary to the fundamental and universal principles of human fellowship which are those of the Red Cross, and on which the considerations that follow are based.

The Red Cross itself arose out of the idea that all human beings who suffer and need protection—the wounded on the field of battle are a case in point—deserve our attention. It inevitably follows that no consideration of who or what a person is shall be allowed to discriminate to his prejudice, or hinder charitable effort.

The International Committee considers itself obliged by its special position to devote particular attention to those cases of distress which, because of exceptional circumstances, are outside the scope of any other authority or organization.

2. — The problem of refugees and stateless persons is complex and many-sided. We cannot, in this communication, enlarge upon its changing aspects. Its extent is, tragically, world-wide, and Asia knows equally with Europe what suffering it has caused.

Today, a man may have to fly even inside his own country as well as beyond its frontiers ; he may use his freedom to refuse allegiance to his authorities, and they may withdraw their protection ; he may finally find himself without any nationality.

Whatever complications there may be in individual cases, one thing stands out and it is revolting to the sense of humanity : there are men who find themselves legally and materially barred from

ordinary life. For them, the most elementary human rights might as well not exist, for they cannot found a family, recognise a child or, in spite of their longing for normal existence, move to some other place.

For a very large number of them, there is no authority to whom they might address themselves in full confidence and which would have, in regard to them, a competence recognised between nations.

It is the duty of the Red Cross to take up the cause of those who have none to aid them. Where there is a hiatus of such tragic implication, it must speak out, appealing for goodwill to find some solution. And solution can only come from a common effort.

3. — The International Committee has had this problem before it since the end of the War, and sought, within the limits, regrettably too restrictive, of the opportunities available to it, to take positive action. It thus approached Governments with a view to reuniting dispersed families, in despite of frontiers that were for all practical purposes closed. Similarly, it lent its good offices in the distribution, especially in Europe and the Near East, of relief to refugees, acting on specific mandates and with means placed at its disposal. Again, with the full agreement of the interested Governments, it provided refugees and stateless persons with Travel Documents which allow them, as they choose, to return to their countries, to emigrate, or to justify their presence in the place where they happen to be.

In this, the International Committee was acting on the obligation imposed by the principles it professes, and it so acted when no other authority was competent or prepared to do so. In the face of individual hardship, the Red Cross must endeavour to make up for deficiencies when other human institutions fail.

4. — The consequence of what has been said is obvious: the fundamental principles of the Red Cross—which are reaffirmed moreover in the Declaration of Human Rights—impose the obligation of finding for the problem of the refugees and the stateless, a general and comprehensive solution not limited, as has hitherto been the case, by standards other than the purely humanitarian.

5. — The International Committee is aware of the fact that the question of an international status for refugees is being studied. It draws the attention of Governments and the responsible institutions to the vital importance of not limiting, by too strict a definition, the categories of persons who may be entitled to that status, but of leaving the scope wide and comprehensive, taking into account only the unfortunate position of those who, today as in the future, may have to avail of it. The International Committee reserves the right of making, at the proper time, all suggestions on the subject which experience of the facts may dictate.

Moreover, as rules are valuable only in so far as they allow of supervision and appeal, the International Committee wishes to emphasise how important it is that there should be a permanent, international organization, impartial and independent, to ensure the protection of refugees—but on the condition that it will, without discrimination, embrace all refugees and stateless persons.

The International Committee, in the spirit of the 1929 Conventions, assisted prisoners of war and civilian internees during the recent past. Every time the situation demanded, the Committee felt it must attempt, so far as it was able, to substitute for the Protecting Power, taking over obligations which went far outside mere humanitarian relief.

The position in regard to refugees and the stateless is today somewhat similar. The International Committee again feels that, in the spirit of the new Geneva Civilian Convention established in 1949, and because of its role as neutral intermediary, it must endeavour to make good the absence of a protecting authority.

To achieve practical effect, however, this willingness of the International Committee must find its counterpart amongst Governments which, like it, consider that the whole civilised world has a responsibility for a situation which is a contradiction of the elementary principles of law, admitted as valid by every State for its own citizens.

Accordingly, the International Committee, most anxious that the closest attention be given to the present communication, is confident that Governments will be good enough to state :

- (a) if they are in agreement with the views expressed above, and, if so,
- (b) if they are prepared to grant all facilities to the International Committee, to enable it to ensure general assistance and protection to refugees and the stateless, when there is no authority recognised as competent to do so ;
- (c) if they are prepared, with a view to constructive action, to examine with the International Committee, the probable financial demands of such a scheme.

The Committee is convinced that Governments will accord their sympathetic consideration to what has been said above, and thus show their generosity in regard to a problem which is amongst the most serious and harassing of our times.

For the International Committee of the Red Cross :

Paul RUEGGER
President

Max HUBER
Honorary President

Government replies referred mostly to the fact that the problem of refugees was under consideration by the United Nations and that the General Assembly would designate a High Commissioner for Refugees, and draw up an international Convention to regulate their status. With the consent of the Governments concerned, these replies have been communicated to all Governments, National Red Cross Societies, and certain welfare and religious organizations.

INTERNATIONAL LEGAL ASSISTANCE

In October 1950, a provisional Committee was set up at Geneva to report on the need for organizing international legal assistance. Reference has been made above to the proposals of M. Aghababian, of Teheran, which led to the establishment of AGIUS by the Italian Red Cross. A further development was the registration in New York, in December 1949, of "International Legal Assistance Inc.", with provision for an office in Geneva which would be competent for Europe, Asia and Africa.¹

M. Rodolfo Olgiati acted as Chairman of the provisional Committee, which included representatives of most welfare organizations having headquarters in Geneva. The Chairman and members act individually, however, without, for the moment, engaging the organizations to which they belong.

TRAVEL DOCUMENTS

On June 30, the Committee closed the liaison office in Rome, which it had maintained principally in connection with the issue of Travel Documents to refugees not eligible under the terms of reference of the International Refugee Organization. The Italian authorities then undertook to deliver the necessary papers.

¹ See *Report for 1949*, p. 54.

It was found, however, that some refugees in Italy had need of the ICRC document—as for instance when certain countries refused to recognise the validity of governmental papers for refugees. The ICRC accordingly continued the issue, in co-operation with AGIUS. The documents, made out in Geneva and issued through AGIUS, are particularly necessary to refugees in Trieste, who can obtain no other certificate which would permit them to emigrate.

Similarly, issues have been made on a small scale in Austria, France, Egypt, Spain and some countries in the Near East and the Far East.¹

CAMP VISITS

As in previous years, Delegates were often asked to visit camps for civilians, and were allowed to do so without hindrance. Their suggestions for improving conditions were nearly always acted upon.

In Western Germany, they visited various camps under German control, namely, in Bavaria: Rosenheim, Moosach, Wurzburg, Valka, Altenstadt im Allgäu, Memmingen im Allgäu, Kleinkötz; in the French Zone: Ehrenbreitstein, Oberthalheim, Kaiserslautern Training Centre; in the British Zone: Bocholt.

Visits in Greece are given in Part II.¹

The Italian Police Camps of Fraschette Alatri and Farfa Sabina were twice visited. In December, the Committee handed to the Italian Red Cross the balance of funds it had earmarked for refugee relief in Italy.

GERMAN-SPEAKING MINORITIES ("VOLKSDEUTSCHE"² AND EAST GERMANS)

Reference was made in the 1949 Report to a conference of German and Allied authorities which met at Bonn in December, 1949, with Red Cross co-ordination committees in

¹ See below, p. 65.

² The term "Volksdeutsche" is used to designate German-speaking minorities established for several generations in countries of Central of Eastern Europe.

Germany.¹ The conference had arranged for the admission to Western Germany, on the responsibility of relatives willing to maintain them, of 25,000 persons of German ethnic origin from Poland, and 20,000 from Czechoslovakia.

This reunion of families was helped on by the Committee. A representative met groups at the frontier, and funds were given to local Red Cross bodies to provide clothing and urgent necessities. In July, 10,000 Swiss francs were given to the Hamburg Red Cross for use in Friedland Camp, where "Volksdeutsche" from Poland arrived, and the same amount was given to the Bavarian Red Cross for those reaching Furth-im-Walde Camp from Czechoslovakia.

Some three to four thousand persons arrived monthly during the summer and autumn; by the end of the year 33,266 had passed through Friedland, and 13,297 through Furth-im-Walde.

With a view to aiding these refugees to settle down, emigration possibilities were kept constantly in review. The authorities in Austria and Germany were asked to consider exchanging "Volksdeutsche", in certain cases where individuals were due for expulsion in either country.

Mention is made below of "Volksdeutsche" children from Yugoslavia, who, through the good offices of the Committee, were restored at the end of the year to relatives in Austria and Germany.²

CHILD WELFARE

During the sixth international Pediatric Congress held at Zurich from July 21 to 31, 1950, a socio-medical exhibition, in which the Committee took part, was arranged to illustrate what international organizations had done in child welfare matters and in counteracting the influences of the War.

It did not prove possible during 1950 to settle the question of repatriating Greek children;³ this matter had already received much attention from the League and the Committee

¹ See *Report* for 1949, p. 58.

² See below, p. 45.

³ See also p. 55 and Annex, p. 89.

in 1949.¹ Certain results were however obtained. In May, a number of children left Yugoslavia to join parents who had meanwhile gone to Australia ; at the request of the Australian and Yugoslav Governments, the Committee and the League arranged their transport by air. This was done in co-operation with Australian representatives at Geneva and Rome, and with the help of the Yugoslav, Italian, and Swiss Red Cross Societies. On arrival in Australia, the children were met by the Australian Council for International Social Service, which was acting on behalf of the parents.

In June, the Committee and the League, at the request of the Czechoslovak Red Cross, sent a mission to Greece to go into certain requests for repatriation made by the Greek Red Cross. Details concerning 138 children were communicated to Prague. The conditions on which the Yugoslav Red Cross would consent to the return of 63 children were also notified to the Greek Society.

An article in the June issue of the *Revue* outlined what the International Red Cross—in this instance the Central Agency—had done for displaced Greek children. A first report, dated October 5, 1949 (see *Revue*, August, 1950) was sent to Mr. Trygve Lie, for the information of the United Nations General Assembly.

Shortly afterwards, on November 18, 1949, the Assembly noted this report and instructed the Secretary-General to invite the Committee and the League to continue their efforts in this matter, and to give them all suitable assistance.

On September 18, the Committee and the League made a joint report to the United Nations, which was submitted to the General Assembly at the end of the year. It was in two parts. The first dealt with the period to November 30, 1949, at which date the Resolution referred to above of the General Assembly was communicated to the National Red Cross Societies of the interested countries ; the second dealt with the period November 30, 1949, to September 18, 1950. The text was published in full in the *Revue*, March, 1951, and is reproduced as an Annex to the present Report (pages 89 to 96).

On November 25, a group of 21 children from Yugoslavia arrived in Greece. Colonel de Meyer, Delegate for the Committee

¹ See *Report* for 1949, p. 60.

and the League, was present. The children were kept for the moment in a home placed at Colonel de Meyer's disposal, and five days later, were handed over to their relatives.

A first convoy towards the end of November, and a second in the middle of December, brought back 87 " Volksdeutsche " children from Yugoslavia to Austria, and 67 to Germany.

NURSING SECTION

Under the title " Some Advice to Nurses ", Mlle. L. Odier, Member of the ICRC, issued a leaflet giving in a very condensed form the rights and duties, under the Geneva Conventions, of nurses serving in wartime in the military Medical Services.

The leaflet was communicated to all the National Societies and translated by several of them for the information of their Nursing Services. Amongst the translations may be mentioned those made by the Swedish, Norwegian and Danish Societies, for their medical personnel serving in Korea.

The Nursing Section received visits of Nurses and Voluntary Aids from the following countries : Austria, Australia, Denmark, France, Germany, Great Britain, India, Italy, Japan, Jordan, Yugoslavia, Portugal, United States, and Switzerland.

Medical practitioners from India, Cambodia, Vietnam, Indonesia, and Japan enquired about the training of nurses and auxiliary medical personnel, with a view to Red Cross organization in their own countries.

At the beginning of the year, the Committee had 28 nurses serving in Palestine, with two more from the Danish Red Cross. The work of 24 of them came to an end in May, the remaining four continuing with the new United Nations agency which had taken over. We may pay tribute here to the fine work of these nurses.

Eight of the same staff went on June 13 to serve with the medical teams the Committee had organized in Bengal ; this work, which is dealt with in detail later, came to an end in November. Here again, the nurses gave invaluable service.¹

¹ See below, p. 73.