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soon as possible to Sanaa where the hospitals had suddenly been deprived of the necessary qualified personnel.

To comply with this request, the ICRC immediately made contact with several National Red Cross and Red Crescent Societies. Many of these replied favourably, declaring themselves prepared to place some twenty surgeons for this action at the disposal of the ICRC.

The International Committee, for its part, at once sent out to Aden for Sanaa, a head doctor charged with examining with the Yemeni Government the exact nature of requirements in personnel and medical equipment and co-ordinating the subsequent posting of surgeons supplied by the National Societies.

## 2. ASIA

### **Cambodia**

The Delegate General of the ICRC for Asia, Mr. André Durand, kept his centre of activity in Phnom-Penh from where he maintained liaison with the Committee's permanent delegations in the neighbouring countries.

He also worked on behalf of Vietnamese refugees and the victims of frontier incidents.

Thus the ICRC has sent out two mobile dispensaries (VW ambulances) to the Cambodian Red Cross which have been placed temporarily at the disposal of the Ministry of Public Health to treat sick refugees. In addition, the Delegate General has handed over a sum of 17,647 frs. to the Cambodian Red Cross to build, under the direction of the Minister of Social Work, an infirmary at Veng Khtum, Battambang Province.

### **Japan**

The repatriation of Koreans residing in Japan and wishing to go to North Korea continued throughout 1967, in accordance with

the agreement negotiated in Geneva and signed in Calcutta on August 13, 1959 by the two National Red Cross Societies concerned. The special mission sent to Tokyo at the request of the Japanese Red Cross has continued to assist in the operations of the registration and embarkation of Koreans whose numbers amounted to 1,831 during 1967. This figure brings to 88,611 the number of Korean nationals almost in their entirety who have proceeded from Japan to North Korea since the beginning of the action in 1959.

Japan, having decided, in spite of opposition from the Red Cross of the Democratic People's Republic of Korea, not to renew the Calcutta agreement, registrations for departure to North Korea were closed on August 12 and the last vessel admitted into Japan, in application of the agreement, left the port of Niigata on October 23 for Chong Jin in North Korea. Delegations of the two National Red Cross Societies met successively in Moscow at the end of August and in Colombo in late November, in order to examine how Koreans who had not been able to leave Japan before the expiry date of November 12 fixed by the Calcutta agreement, could all the same proceed to North Korea. These discussions in particular concerned 17,000 Koreans registered before August 12, closing date for registrations set by Japan. The two Societies agreeing, an additional vessel was authorized to enter the port of Niigata on December 18 to embark a further batch of Koreans, whose departure had been arranged in accordance with the procedure laid down in the 1959 agreement. This ship left on December 22. During that time, the Red Cross of North Korea and the Japanese Red Cross continued their talks in Ceylon.

## **Laos**

Thanks to donations from National Red Cross Societies and a further credit of the ICRC allocated in the middle of the year, relief distributions, which were started in August 1966 on behalf of about 100,000 newly displaced persons having fled the fighting areas to take refuge along the Mekong river, were continued throughout 1967.

These distributions which are organized by the Lao Red Cross with the help of the ICRC delegate, Dr. Jürg Baer, are designed

to supplement governmental aid with emergency relief (mosquito netting, mats, blankets, rice, dried fish, cooking utensils). In addition, funds have been handed over to the chairmen of the local committees of the Lao Red Cross to enable them to provide emergency aid immediately on the arrival of displaced persons. Dr. Baer was relieved in July by Mr. Robert Jenny, delegate.

The representatives of the ICRC have at the same time pursued their efforts on behalf of prisoners held on either side. They have remained in touch, as regards the identification of the missing, with the representative of the Neo Lao Hak Sat (Pathet Lao) in Vientiane, to whom family messages have been given. Two visits to places of detention were, moreover, made at the end of the year in Vientiane.

## Vietnam

### GENERAL

**Appeal to the belligerents.**—The Chairman of the Standing Commission of the International Red Cross, the President of the International Committee of the Red Cross and the Chairman of the Board of Governors of the League, meeting in Geneva, appealed on May 18, 1967 to all governments and authorities engaged in the Vietnam conflict calling upon them:

1. to affirm by their action the Declaration adopted by the Governments, National Red Cross and Red Crescent Societies at the XXth International Red Cross Conference, held in Vienna in October 1965, which recalls the general principles of the laws of war and particularly the fact that the right of the parties to adopt means of injuring the enemy is not unlimited;
2. to refrain from all deliberate attacks upon innocent civilians in Vietnam, whether by aerial or ground weapons, or by torture or wanton murder;
3. to use their utmost endeavours to ensure that innocent civilians are not killed or injured in the course of combat operations, whether by land, sea or air;
4. to allow the unimpeded distribution of medicaments and other relief urgently needed by the civilian population in all areas of Vietnam;

5. to ensure the proper and humane treatment of all prisoners and detainees held by them, irrespective of their allegiance;
6. to allow the International Committee of the Red Cross, through their duly appointed representatives, to carry out their humanitarian and legitimate functions in all parts of Vietnam in accordance with the requirements of the Geneva Conventions of 1949 which they have accepted, and the dictates of conscience and good faith by which they are bound;
7. to conclude with the utmost urgency a complete and comprehensive cease-fire in all areas in order that this intolerable burden of human misery may be removed from the civilian populations of Vietnam.

With the exception of truces of very brief duration during the Vietnamese New Year, at Christmas and at the end of the year, hostilities continued throughout the territory. North Vietnam was subjected to bombing of ever-increasing intensity and South Vietnam remained the theatre of fierce fighting. In spite of urgent appeals made by the Red Cross as a whole to the belligerents, the civilian population has continued to be the hardest hit victim of the war.

**The Geneva Conventions and the Law of War.**—On several occasions during the year, the ICRC was urged to raise its voice against the loss of innocent human lives and the destruction caused by the bombing to which North Vietnam was being subjected.

In this connection, it should be recalled that since the beginning of hostilities in Vietnam, the ICRC attempted to obtain respect for the Geneva Conventions by the belligerents. In fact, scrupulous application of the law of Geneva would certainly have led to an appreciable amelioration of the conditions endured by the victims. Yet, whilst some satisfactory results were obtained in South Vietnam where, together with relief actions organized on behalf of hospitals the delegates of the ICRC were able to accomplish for several thousands of prisoners of war, tasks imparted to the ICRC by the Third Geneva Convention, it must however be noted that this was not the case in North Vietnam nor in territory under the control of the National Liberation Front of South Vietnam, where the International Committee was not admitted to carry out its work.

On the other hand, the Geneva Conventions, which stipulate certain guarantees in favour of wounded or shipwrecked military personnel, prisoners of war and civilians fallen into enemy hands, do not unfortunately assure any protection of civilian populations against the employment of certain weapons. The provisions of international law relating to methods of fighting are not part of the Geneva Conventions, but of the law of war and, in particular, of the regulations in the annex to Convention No. IV of The Hague of 1907 concerning the laws and customs of war. However, conscious of the extreme dangers which modern methods of destruction can impose on the population, of which the bombing of Vietnam is daily evidence, the ICRC has attempted, in view of a general lack, to encourage the adoption of a new Convention assuring them of minimum protection in the case of conflict. It therefore invited all governments already several years ago to prohibit certain methods of fighting as well as the use of weapons with indiscriminate effects.

Although this initiative has not roused the interest of governments nor obtained from them the support for which it had hoped, the ICRC has pursued its efforts which resulted in the adoption by the XXth International Conference of the Red Cross of a resolution on the protection of civilian populations against the dangers of indiscriminate warfare.<sup>1</sup>

On the other hand, the ICRC, whose rôle it is to come to the aid of the victims of war, does not consider that it is for it to pronounce on the legality or non-legality of hostile acts committed by one State against another, even when it deplores them and their consequences in the humanitarian sphere causes it grave concern.

## I. DEMOCRATIC REPUBLIC OF VIETNAM

**Offers of services.**—In 1967, the ICRC renewed the offers of services which it had already made during the two previous years to the Red Cross and the authorities of the DRVN. It again proposed sending a delegate to Hanoi.

At a meeting in February with one of the advisers of the DRVN general delegation in Paris, Mr. Jacques Freymond, Member of the

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<sup>1</sup> See 1965 Report, p. 52.

ICRC, made known the International Committee's desire to send a representative to North Vietnam. Similar approaches were made to the DRVN Embassy at Phnom-Penh by Mr. André Durand, Delegate General of the ICRC.

The DRVN Government reacted negatively to these requests which were, however, renewed at the end of the year.

**Wounded and sick.**—The International Committee has continued sending relief to the Red Cross of the DRVN for the wounded sick and civilian casualties from air attacks. In agreement, therefore, with that National Society, it despatched in December to Hanoi a field hospital of a type similar to that which the ICRC had sent out to the Yemen in 1963. The hospital sent to North Vietnam comprised an operating theatre (clinobox), a container for the transporting of equipment transferable into a polyclinic, a mobile electric generator, together with 12 cases of medicines of Yugoslav and Swiss origin. This consignment weighed over 15 tons and represented a value of 350,000 Swiss francs.

It was rendered possible by donations from the National Red Cross Societies of Austria, Canada, Ethiopia, Finland, Great Britain, Ireland, Liechtenstein, Monaco, the Netherlands and Norway, and also from the Canadian Aid Committees for Vietnamese civilians in Vancouver and Winnipeg, the Norwegian Aid Committee to Vietnam, the Finnish Aid Committee to Vietnam, Radio Suisse Romande, l'Office de radiodiffusion et télévision française, the Oxford Famine Relief Committee, the Oecumenical Council of Churches, the International Quaker Centre, the communal Councils of Copenhagen and Slagelse in Denmark, the town of Skin in Norway and from many private individuals.

Despatch by air having proved to be impossible because of the weight and size of the clinobox, the ICRC approached the Alliance of Red Cross and Red Crescent Societies of the USSR and the Soviet authorities who accepted to grant all facilities for rapid transport by rail as far as Vladivostock, then by sea to Haiphong.

The ICRC also offered its assistance to the North Vietnam Red Cross on behalf of the disabled (artificial limb workshops, tools, appliances and accessories for the manufacture of prostheses and orthopaedic aid).

**Prisoners of war.**—The ICRC has continued to make representations to have the DRVN authorities apply the Third Geneva Convention to American airmen fallen into their hands, but whose numbers and identity are still not known. No representative of the International Committee has been permitted to visit them nor to make contact with them to discover their conditions of existence. Whilst it is true that a smaller number of these prisoners have been authorized to write several times to their families, there is still no news, however, of others missing, presumed to be prisoners. Parcels sent by families have been returned to the consignors.

In view of this situation, the International Committee sent a nominal roll of American military personnel, reported missing in North Vietnam since the beginning of hostilities, to the Ministry of Foreign Affairs in August and requested the Detaining Power to let it know on this basis the names of men in captivity. No reply to this request reached Geneva up to the end of the year.

The Central Tracing Agency, for its part, transmitted more than 3000 family letters to the North Vietnam Red Cross.

As in previous years, the ICRC has forwarded to the Hanoi authorities the protests of the United States Government alleging coercion against the prisoners and ill-treatment of one of these immediately after his capture. These protests were transmitted in accordance with the resolutions adopted by several international conferences of the Red Cross concerning protests of alleged violations of the Geneva Conventions.

## II. REPUBLIC OF VIETNAM

**Delegation.**—The strength on the ICRC delegation in Saigon which was 7 at the end of 1966, was reduced to 5 persons during the course of 1967. This consisted of a head of mission with two assistants, one doctor, one assistant delegate and a secretary.

The head of mission, Mr. Jacques de Heller left Saigon in May and was replaced by Mr. Max Stalder.

Mr. Werner Muller, the ICRC resident delegate, who had represented the Committee in South Vietnam for many years, left Saigon on March 2 to return to Switzerland.

**Prisoners of war and detained civilians.**—Throughout 1967, the delegates of the ICRC continued to visit places of detention and prisoner of war camps in particular, as well as transit and screening centres where Vietnamese captured during military operations are taken immediately after capture. Some of these centres are in South Vietnamese hands. Others come under the command of the American, Australian and South Korean armed forces.

The International Committee's doctor-delegates focussed their attention chiefly on the prisoners' state of health and on medical treatment given to the wounded and sick in camp infirmaries and military hospitals.

The representatives of the ICRC thus made nearly 40 visits. In most cases they were able to talk without witnesses with the prisoners, to whom they distributed material relief (mosquito-netting, blankets, underclothes, soap, cigarettes and toilet articles for the female prisoners). Their reports were passed on to the Detaining Power.

According to the nominal rolls which the Government of the Republic of Vietnam handed to the ICRC delegate, prisoners of war at the end of 1967 numbered about 8000. The International Committee made it known in November to the National Liberation Front of South Vietnam and to the DRVN Government that it held these lists at their disposal.

Vietnamese prisoners are permitted to write freely to their families living in the South, from whom they can also receive visits and parcels. The Central Tracing Agency in Geneva transmitted to the Red Cross of North Vietnam 5 cards written by Vietnamese prisoners of war in the South.

The Government of the Republic of Vietnam, having requested the ICRC to help in the release and transfer to the DRVN of seriously wounded prisoners of war, the doctor-delegates of the ICRC examined prisoners proposed for such eventual release in the camps and hospitals. The persons concerned were then asked to decide whether they wished to go to North Vietnam or remain in South Vietnam. The ICRC duly informed the North Vietnam authorities of these preparations. The DRVN Ministry of Foreign Affairs replied by insisting on the immediate release of all Vietnamese held in the South. It added that the North Vietnam authorities'

policy was to leave to those Vietnamese, whom the Southern authorities had had cross the demarcation line or the limit of territorial waters, free choice to remain in the North or else to return to the South.

This position set out on February 4, was re-affirmed on June 2. The ICRC then informed Hanoi that the transfer of the wounded would take place on June 2 on the bridge over the Ben-Hai river, at the time linking North with South. The operation, postponed until June 12, was carried out with difficulty, under cover of a local truce tacitly concluded between the two opponents.

At the end of the year, preparations were being made for the organizing of a further convoy of released seriously wounded and sick prisoners of war. An ICRC doctor-delegate thus undertook in December a fresh tour of camps and hospitals to examine those prisoners which the Detaining Power proposed to release.

Visits to re-educational centres, in which Vietnamese were held to whom the status of prisoners of war had not been granted, were interrupted at the beginning of March. They were resumed in August. Visits were thus made by the ICRC delegates to some 12,000 detainees in 17 centres. They also submitted their observations and handed their reports to the Republic of Vietnam authorities.

Amongst these detainees there were several North Vietnam members of the mercantile marine, against whose seizure the DRVN Government had protested in 1966. Access routes across the demarcation line having been cut as a result of the hostilities, efforts were made at the end of the year to find another method of repatriation, taking into account the necessity of assuming the safety of the released detainees.

**Civilians.**—With the agreement of the two international institutions of the Red Cross, all operations to assist persons displaced in the interior of South Vietnam were resumed in November 1966 by the League of Red Cross Societies, which installed its own delegation in Saigon in January 1967. The ICRC's activity was thus restricted to giving aid to child victims of the war. Thanks to a generous donor, considerable funds were able to be reserved for the repairing and improvement of two orphanages, for assistance to children on their leaving hospital and for a contribution towards the

distribution of milk to infants which the Red Cross of the Republic of Vietnam, helped by the League of Red Cross Societies, had organized in several districts of Saigon. The ICRC sent 38 tons of powdered milk to Saigon, 24 of which were earmarked for this action.

The Saigon authorities adopted in April a decree promulgating the Geneva Conventions. In July, the ICRC discussed with a member of the Government of the Vietnam Republic the projects of the Ministry of Education to include instruction in Red Cross principles in primary schools.

### III. NATIONAL LIBERATION FRONT OF SOUTH VIETNAM

**Wounded and sick.**—When in January 1966 the NLF restricted itself to informing the ICRC that it proposed suspending the sporadic relations which, on the ICRC's initiative, had existed until then, it made it known to the International Committee that it did not wish to receive material relief which donors had requested the ICRC to transmit to it.

In support of this attitude, expressed by intermediaries, the NLF first of all stated that it had not requested any aid. Through the Red Cross of the DRVN, it also attempted to justify its negative attitude by criticising the ICRC not to have taken up a definite stand and by disputing the right of the Red Cross to take advantage of the fundamental principle of neutrality in such circumstances.

The International Committee of the Red Cross in its reply recalled that the principles of neutrality, impartiality and independence were the bases of all Red Cross action. It therefore requested the NLF to reconsider its position and to take into account the interest of the wounded and sick who have conspicuously more urgent need of relief than that which has in fact been entrusted to the ICRC.

**Prisoners.**—Representations made with a view to obtaining news of South Vietnamese or American prisoners in the hands of the NLF and to have medicines reach them, as many of them appear to be sick, have made no progress, the NLF continuing to refuse to have any contact with the ICRC. In this way, one American civilian prisoner died, probably as the results of malaria.

The ICRC, on the other hand, transmitted to the NLF a United States protest against the execution of American prisoners.

The NLF released several prisoners on the occasion of the Vietnamese New Year and in particular of 10 South Vietnamese military who have however not yet returned to their own forces' lines. At the request of the Saigon authorities, the ICRC has made inquiries of the NLF as to the fate of these ten men. No reply has reached Geneva on the subject.

### 3. AFRICA

#### South Africa

In 1964, the Government of the Republic of South Africa had given permission for a delegate of the International Committee of the Red Cross to visit a certain number of places of detention. The ICRC's report on these visits handed to the South African Government, was published by the latter in November 1966.

In 1965, the ICRC requested the South African Government to allow one or several delegates to make a further round of visits to these places. On February 1, 1967 the South African authorities replied affirmatively to this request and it was in these circumstances that an ICRC delegate, Mr. G.C. Senn went to South Africa in April, May and August 1967 and visited a series of prisons and detention centres in which there were political detainees and prisoners in common law. These visits were continued in September and October 1967 by Mr. Senn who was then accompanied by Dr. S. Burkhardt, doctor-delegate. Some prisons were again visited, whilst others were for the first time. Dr. Burkhardt devoted particular attention to infirmaries and hospital establishments in which detainees undergo treatment. The ICRC delegates were able, in most cases to talk without witnesses with detainees and internees of their own choosing.

These visits are reported upon in writing and handed by the ICRC to the South African Government. The reports are in all cases accompanied by observations and possible suggestions.