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Confronting the unthinkable: The International Committee of the Red Cross and the Cuban missile crisis, October–November 1962 (Part Two)

François Bugnion*

The circular of 15 November 1962

The acceptance of the United Nations request and Paul Ruegger's mission had become public knowledge almost immediately, thanks to leaks in New York. Those leaks provoked starkly contrasting reactions, from wholehearted approval to unremitting criticism, reflecting the passions stirred by this extremely serious crisis.¹

Simple individuals, for example, telegraphed the ICRC, either warmly congratulating it for taking on such a delicate and sensitive mission of peace,² or vehemently protesting the fact that it was allowing itself to be pulled into the political and military arena.³ Willy Bretscher, a member of the Swiss Parliament and the highly influential editor-in-chief of the *Neue Zürcher Zeitung*, wrote a long letter warning the ICRC of the risks it ran if it accepted the mission: the ICRC would find itself in the "line of fire" in the increasingly hostile clashes between East and West that the Cuban crisis had sparked.⁴ The Queen of Sweden called the Swedish Red Cross to inform it that, in her view, the National Society should protest to the ICRC if it accepted such a difficult and awkward mandate for the Red Cross.⁵

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1 Fischer, *loc. cit.*, pp. 305–306.

2 ICRC Archives, B AG 200 060-012, telegram from Pierre Mérillon, Estoril (Portugal), to the ICRC, 5 November 1962.

3 ICRC Archives, B AG 200 060-012, telegram and letter from Jhr H. C. Gockinga, Bussum (Netherlands), to the ICRC, 4 and 5 November 1962.

4 ICRC Archives, B AG 200 060-012, letter from Willy Bretscher, National Councillor and editor-in-chief of the *Neue Zürcher Zeitung*, to Professor Dietrich Schindler, ICRC member, 7 November 1962.

5 ICRC Archives, B AG 200 060-012, record of the telephone conversation between Baron Jan de Geer, head of external relations for the Swedish Red Cross, and Melchior Bor-

In a phone call he made on 31 October, Friedrich Traugott Wahlen, head of the Swiss Federal Political Department,⁶ informed President Boissier that the Swiss Federal Council unanimously advised the ICRC not to accept the United Nations request. During a plenary meeting of the Committee held *in camera* on 6 December 1962, Boissier informed his colleagues that the Federal Council had – unanimously – advised the ICRC not to act on the United Nations request: “The head of the Political Department informed Mr Boissier that the Federal Council, speaking as one, advised the ICRC not to act on the United Nations request. It had apparently expressed the same negative view to the American ambassador.”⁷ According to a note to file conserved at the Federal Archives, it was in the morning of 31 October 1962, i.e. before the ICRC Assembly started its deliberations, that Wahlen called Boissier and informed him that, in Wahlen’s view, the ICRC should turn down the United Nations request.⁸ Although Wahlen does not say in his note that this was the unanimous view of the Federal Council, the warning was nonetheless sufficiently serious for his closest staff member to call Boissier again that afternoon to make it clear that Wahlen in no way wished to interfere in a decision that was up to the ICRC!⁹ In addition, two later documents leave no doubt that the seven federal councillors agreed on the matter and that they were unanimous in thinking that the ICRC should turn down the request.¹⁰ Furthermore, a dispatch sent by the American ambassador in Bern to the State Department on 1 November 1962 confirms that Wahlen shared his misgivings with the American representative.¹¹

singer, 5 November 1962. Sweden’s royal family had long been active in the Red Cross; two of its members – Prince Carl of Sweden and Count Folke Bernadotte – had served as president of the Swedish Red Cross.

6 Today the Federal Department of Foreign Affairs.

7 ICRC Archives, A PV A HC, Minutes of the Committee, *in camera* sessions, 6 December 1962, p. 3 (ICRC translation).

8 Federal Archives (Bern), “Telephon mit Herrn L. Boissier, Präsident des IKRK. Besprechung mit HH. Bundesrat Wahlen und Botschafter Micheli”, 31 October 1962, file E 2001(E)1976/17/394 (Swiss Diplomatic Documents, index No. Dodis.ch/30381). We have found no record of that phone call in the ICRC’s archives, but Melchior Borsinger mentions a phone call – described as stormy – between Boissier and Wahlen (ICRC, Oral History, interview of Melchior Borsinger von Baden, 22 and 23 June 1989, transcript, pp. 183 and 194). Wahlen also approached his predecessor at the head of the Federal Political Department, former Federal Councillor Max Petitpierre, who had been elected to the International Committee in 1961 immediately after he had retired from government. When he informed his colleagues about this, “Mr Petitpierre stressed that it was out of the question for Switzerland, as a State, to take on this task given that the Confederation already represented the American Government’s interests in Havana as a Protecting Power” (ICRC Archives, A PV A Pl, Minutes of the Committee, plenary sessions, 31 October and 1 November 1962, p. 8).

9 Federal Archives (Bern), *op. cit.*

10 “Conseil fédéral, Procès-verbal interne de la 73^e séance du 9 novembre 1962, extrait” and “Notiz des Vorstehers des Politischen Departements, F. T. Wahlen: Unterredung mit Generalsekretär U Thant vom 3. Mai 1963 in Genf”, *Documents diplomatiques suisses*, Vol. 22 (1.VII.1961 – 31.XII.1963), edited by Antoine Fleury et al., Chronos Verlag, Zurich, 2009, Nos 113 and 149, pp. 245–247 and 320–330.

11 Telegram from Ambassador McKinney to the secretary of State, 1 November 1962, cited by Fischer, *loc. cit.*, pp. 305–306 and note 72.

The members of the Federal Council believed that the role the United Nations wished to confer on the ICRC exceeded the latter's traditional mandate; they feared, moreover, that the ICRC would compromise its neutrality were it to undertake an activity aimed at preserving peace. However, the minutes of the Federal Council's meeting of 9 November 1962 clearly show that the federal councillors felt that the United Nations should have proposed the mandate to a neutral State – Switzerland – and not to the ICRC.¹²

The Federal Council's objections could not fail to preoccupy the president of the ICRC. Indeed, since the inspectors had to be recruited from among Swiss citizens, the ICRC needed the backing of the federal authorities to recruit them.¹³ However, the ICRC did not allow itself to be shaken by the federal government's stance. In fact, everything would seem to indicate that Boissier prudently waited until the meeting of 6 December 1962 to inform his colleagues about the Federal Council's objections. By then the Soviet missiles had long been repatriated to the USSR.

For the ICRC, the objections of the Federal Council were sufficiently serious for the institution, once the crisis had blown over, to ask its president to call on the head of the Federal Political Department. When he reported on the mission to the plenary session of 10 January 1963, Boissier had no choice but to mention the differences of view between him and Mr Wahlen: "The president explained the Committee's attitude and its unswerving adherence to the principle of neutrality. Mr Wahlen felt that a task of that kind, given its political dimensions, tended rather to fall to a neutral State", is how his words are summed up in the minutes.¹⁴ Clearly, the two men failed to reach agreement.

But it was within the Red Cross that acceptance of the United Nations request stirred the greatest emotion. In France, Switzerland, Germany, the Netherlands and elsewhere, long-time Red Cross volunteers wrote to their National Society or to the ICRC to protest against what they considered to be an unaccept-

12 "Conseil fédéral, Procès-verbal interne de la 73^e séance du 9 novembre 1962, extrait", *Documents diplomatiques suisses*, Vol. 22, No. 113, pp. 245–247. The federal councillors were clearly disappointed that the United Nations had turned to the ICRC and not Switzerland. It is easy to understand why. They considered, in the national interest, that the task of inspecting Cuba-bound vessels should have been entrusted to Switzerland because doing so would have been a superb validation of Switzerland's traditional neutrality and its special position as not a member of any military alliance or of the United Nations. However, the federal councillors should have remembered that Switzerland had been representing American interests in Cuba since 3 January 1961, when diplomatic relations were broken off between the two countries. Asking it to inspect Cuba-bound vessels might well have appeared as an extension of that mission. Switzerland would thus have appeared to be acting as the agent of the United States and not of the United Nations and the international community, which was enough to disqualify it for the task in the eyes of the Soviets.

13 Given the nature of the mission the United Nations wished to entrust to it, the ICRC turned immediately to the Federal Military Department for help in recruiting the officers best able to discharge it. The Department had asked a high-ranking officer to identify potential candidates (Report by Corps Commander Gonard, appended to the minutes of the meeting of the Presidential Council, 15 November 1962, pp. 10–16; Presidential Council, minutes of the meetings of 22 November 1962, pp. 6–7, and 29 November 1962, pp. 1–2).

14 ICRC Archives, A PV A Pl, Minutes of the Committee, plenary sessions, 10 January 1963, pp. 2–3 (ICRC translation).

able politicization of the Movement. Some volunteers even handed in their membership cards in a sign of solemn protest.¹⁵ Others, on the other hand, warmly approved the ICRC's undertaking. "Entire Red Cross community feels honoured by your designation in Cuban crisis. Choice could not be better. All best wishes." Those words were written by the secretary general and the treasurer of the League of Red Cross Societies, who were attending the VIIth Inter-American Red Cross Conference, in San Juan, Puerto Rico.¹⁶ At its final session, the Conference unanimously adopted two resolutions congratulating the ICRC on its action to promote peace and assuring it of its support.¹⁷ In an article published on the front page of *Le Figaro*, the president of the French Red Cross and chairman of the Standing Commission of the International Red Cross, Ambassador André François-Poncet, warmly endorsed the ICRC position.¹⁸

Thus, even as the crisis was winding down without the ICRC having to actually perform its mission, the organization deemed it wise to explain the reasons that had prompted it to act on the secretary-general's request. It did so through a circular letter to the National Societies issued on 15 November 1962 and widely disseminated.

In the circular letter, the ICRC recalled the circumstances in which the United Nations had called for its assistance and the reasons that had led it to respond positively while making its acceptance contingent on two prior conditions: "that the three powers directly concerned agree to the action requested of it and that this should conform to Red Cross principles".

The ICRC emphasized that it had given the decision long and careful consideration, for its purported task lay outside the treaty-based, traditional scope of its humanitarian mission. It nevertheless pointed out that it had been called on "as the only international body able, in circumstances of extreme gravity, to fulfil a mandate judged to be capable of maintaining peace in the world". It underscored the risk of an "atomic war, which would not have failed to cause the loss

15 ICRC Archives, B AG 200 060-012, record of the telephone conversation between Baron Jan de Geer, head of external relations at the Swedish Red Cross, and Melchior Borsinger, 5 November 1962; letter from Dr M. Bettex, president, and Mr Louis Vodoz, cashier, Red Cross and Samaritans at La Tour-de-Peilz (Switzerland), 7 November 1962; letter from Mr Marc Nicole, Departmental Delegation of the French Red Cross in Lyon, 12 November 1962; record of the telephone conversation between Mr Margadant, head of the Information Service of the Netherlands Red Cross, and Melchior Borsinger, 13 November 1962.

16 ICRC Archives, B AG 200 060-011, telegram of 6 November 1962 from Baron van Zeeland and Henrik Beer, delegates of the League of Red Cross Societies to the Inter-American Conference of Red Cross Societies meeting in San Juan, Puerto Rico. Henrik Beer was the League's secretary-general, Baron van Zeeland its treasurer.

17 "VIIth Inter-American Conference of the Red Cross", *IRRC*, No. 22, January 1963, pp. 25–28; *Annual Report 1962, op. cit.*, p. 35.

18 André François-Poncet, "Le grain a levé", *Le Figaro*, 6 November 1962, p. 1. In his article, François-Poncet also recalled his earlier proposal for a fifth Geneva convention providing for a nuclear test ban under ICRC supervision. The Standing Commission, which was established by the 13th International Conference of the Red Cross, meeting in The Hague in 1928, has nine members: two representatives of the ICRC, two representatives of the International Federation, and five members of National Societies elected in their personal capacity by the International Conference. Its chief task is to oversee the preparatory work for each International Conference.

of countless lives and inflict vast suffering on many other people”, while making it impossible for the Red Cross to pursue its work. The ICRC also referred to the declaration of Fundamental Principles adopted in Prague by the Council of Delegates. To those who feared that the Red Cross would become politicized, it recalled that “it is precisely by reason of its neutrality and independence towards all States that the ICRC was considered, not to accomplish an act of a political order, but on the contrary to exercise, in a given situation, its functions of a non-political institution”. Lastly, the ICRC stressed the following: “in insisting, as a prior condition to any action on its part, on the express agreement of the three States directly concerned, that it has, in advance, ‘depoliticized’ the mission which would be entrusted to it, in circumstances which [...] could lead to a general war.”¹⁹

This explanation of its position provoked a fresh wave of reactions. In a letter dated 5 December 1962, Dr Ludwig, president of the German Red Cross in the Democratic Republic of Germany, wrote to the ICRC to express the National Society’s gratitude.²⁰ Acknowledging receipt of the circular of 15 November, Professor Miterev, president of the Alliance of Red Cross and Red Crescent Societies of the USSR, informed the ICRC that the Alliance’s Executive Committee had noted with satisfaction the “reasonable position” adopted by the ICRC during the crisis and approved the peaceful action it had undertaken, in accordance with the principles adopted by the Council of Delegates in Prague.²¹ Although this lull was of short duration, it testifies to the change in the attitude of the USSR and the Alliance towards the ICRC since the end of World War II, when the Soviets had proposed that it be dissolved and its functions attributed to the League.

After the storm

The crisis had been so acute, and had revealed such sharp differences between the members of the Assembly, that the ICRC had no choice but to draw lessons for the future. Indeed, even though the ICRC was wont to repeat that it had responded to an absolutely exceptional situation, and that its decision to accede to the United Nations request therefore did not constitute a precedent, it was acutely aware that the decision did set a precedent and that its good services might again be requested should world peace be threatened.

It laid out its conclusion in an important report entitled *The Red Cross, factor for world peace*, submitted to the Council of Delegates held in Geneva from 28 August to 10 September 1963 to mark the centenary of the International Red Cross’s founding. After referring to the United Nations appeal and its action during the Cuban missile crisis, the ICRC again underscored the reasons that had prompted it to act on the request, repeating the points it had made in its circular letter of 15 November 1962 and specifying the future limits to its conflict-preven-

19 “The role of the ICRC in the Cuban crisis”, circular letter to the Central Committees of the National Red Cross (Red Crescent, Red Lion and Sun) Societies, 15 November 1962, reproduced in *IRRC, op. cit.; Annual Report 1962, op. cit.*, pp. 33–35.

20 ICRC Archives, B AG 200 060-011, letter from Dr Ludwig, president of the German Red Cross in the Democratic Republic of Germany, to the ICRC, 5 December 1962.

21 ICRC Archives, B AG 200 060-011, letter from Professor Miterev, president of the Alliance of Red Cross and Red Crescent Societies of the USSR, to Léopold Boissier, 8 December 1962.

tion activities. For the ICRC to consent on another occasion to an intervention of this type, four conditions would have to be met:

- a) world peace would have to be threatened by the danger of atomic warfare;
- b) the United Nations would have to admit the impossibility of intervening alone to preserve peace;
- c) the ICRC would have to be placed in a position to lend assistance in an effective action, in line with Red Cross principles;
- d) all the interested parties would have to agree to the intervention of the ICRC under the above conditions.

The ICRC stated that those conditions should limit the number of cases in which it would have to consider similar interventions, but noted that it was well to remain open to the possibility, “as the ultimate human hope of avoiding the appalling catastrophe of atomic warfare”.

The ICRC concluded by repeating that, in its day-to-day activities, it remained firmly rooted to the principles of impartiality, neutrality and non-interference in political matters which had characterized all its work for a hundred years.²²

Under the terms of a resolution adopted by 49 votes in favour and four against, with four abstentions, the Council of Delegates approved the line of conduct adopted by the ICRC during the Cuban missile crisis.²³

It was also necessary to obtain the backing of the International Conference of the Red Cross, which brings together the Red Cross and Red Crescent institutions and the States party to the Geneva Conventions of 12 August 1949. The ICRC therefore submitted a report aimed at defining the possibilities for Red Cross conflict-prevention action to the 20th International Conference of the Red Cross, which was held in Vienna in 1965.²⁴ Before the Conference convened, it was informed that several National Societies were preparing to intervene on the question. While the National Societies of Eastern Europe wanted the ICRC to be more active in the field of conflict prevention, the South African Red Cross Society announced a draft resolution aimed at prohibiting any Red Cross action in disputes such as the Cuban crisis.²⁵

22 Centenary Congress of the International Red Cross, Geneva, 28 August – 10 September 1963, *The Red Cross, factor for world peace*, Report submitted by the International Committee of the Red Cross, ICRC, Geneva, April 1963, pp. 7–8.

23 “Contribution of the International Committee towards the elimination of a threat to peace”, Resolution XXIV of the Centenary Congress, *Centenary Congress of the International Red Cross, Commemoration Day, Council of Delegates, Proceedings*, ICRC/League/Swiss Red Cross, Geneva, 1963, pp. 83–87, 92–97 and 120.

24 Twentieth International Conference of the Red Cross, Vienna, October 1965, *Red Cross as a factor of peace*, Report submitted by the International Committee of the Red Cross, ICRC, Geneva, June 1965.

25 “The Council [of the South African Red Cross Society] resolved that the Red Cross should not involve itself in disputes of the nature of the Cuban crisis”, ICRC Archives, B AG 151-028.05, letter from the South African Red Cross Society to the British Red Cross, 2 June 1965, and letter from the British Red Cross to the ICRC, 11 June 1965; ICRC Archives, A PV A Pl, Minutes of the plenary sessions of Wednesday, 12 May 1965, pp. 6–7, and 1–2 September 1965, pp. 3–4.

At the end of a lively discussion, the Conference adopted a resolution entitled, “The Red Cross as a Factor of World Peace”, encouraging:

“the International Committee of the Red Cross to undertake, in constant liaison with the United Nations and within the framework of its humanitarian mission, every effort likely to contribute to the prevention or settlement of possible armed conflicts, and to be associated, in agreement with the States concerned, with any appropriate measures to this end.”²⁶

Through this resolution, adopted unanimously less one vote, the Conference implicitly approved the ICRC’s line of conduct during the Cuban missile crisis and encouraged it to take similar initiatives if world peace was again threatened.²⁷

Conclusion

Ultimately, the ICRC played only a very limited role in the resolution of the Cuban missile crisis, which was resolved before the inspectors it had agreed to recruit had been deployed. Clearly, the decisive factors were of a different kind, notably:

The tactical skill of President Kennedy and his closest advisers, and the president’s determination to obtain the evacuation of the Soviet missiles while avoiding an armed confrontation with the USSR. The recourse to a naval blockade – cleverly called a “quarantine” – instead of the airstrikes recommended by his security advisers was no doubt a paramount factor that paved the way for the crisis to be resolved practically without bloodshed.²⁸

The decision of the Soviet leaders, when the United States discovered the Soviet missile installations before they had become operational, to back down – even if their move was perceived as a retreat – rather than to risk an armed confrontation with the United States.

The initiatives of the United Nations secretary-general, which lay the groundwork for an agreement between the United States and the USSR, at a time when the two superpowers were at loggerheads and unable to make a conciliatory gesture.

Nevertheless, when the risk was highest, it was to the ICRC that the international community turned when it came to identifying an institution affording every guarantee of neutrality and impartiality and that could be asked to inspect Soviet ships bound for or returning from the Caribbean.

26 “The Red Cross as a Factor of World Peace”, Resolution X of the Twentieth International Conference of the Red Cross (extracts), *Twentieth International Conference of the Red Cross, Vienna, October 2–9, 1965, Report*, Austrian Red Cross, Vienna, 1965, pp. 100–101.

27 Only Albania objected to the draft resolution, in particular because it referred to the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and Under Water, of 5 August 1963, which was the first sign of Cold War détente after 20 consecutive years of growing tension, culminating in the Cuban missile crisis.

28 In fact, the crisis, which brought humanity to the brink of a nuclear disaster, ultimately had only five victims: the pilot of the U-2 plane shot down over Cuba on 27 October 1962 and the four crew members of an American bomber that crashed on take-off.

At the time, one frequently asked question was whether it was the Americans, the Soviets or United Nations officials who first had the idea of calling on the ICRC's good offices. Today we know, thanks to the research of historian Thomas Fischer, that it was the ICRC itself, through Roger Gallopin, acting with the consent of Léopold Boissier, that spontaneously offered the secretary-general its services. The idea would be picked up by the United Nations and accepted by the Soviets and then by the Americans and Cubans.

We can only guess at the reasons why the ICRC was chosen. In its publications, the ICRC stated that it had been called on because of its tradition of neutrality and impartiality. There is no reason to doubt this explanation, which is nevertheless probably incomplete. Indeed, even though the ICRC's relations with the Soviet Union had considerably improved following the organization's relief work in Hungary²⁹ and its decision, in the face of American pressure for withdrawal, to maintain the Draft Rules for the Limitation of the Dangers incurred by the Civilian Population in Time of War on the agenda of the New Delhi Conference,³⁰ it cannot be forgotten that the USSR had for many years cast doubt on the ICRC's neutrality and impartiality.

Melchior Borsinger, who was closely involved in the handling of the crisis, put forward a more convincing explanation: for the Soviets, it was ultimately less humiliating to agree to have their ships inspected by a humanitarian institution such as the ICRC than by a neutral State or an intergovernmental agency.³¹

No matter what the explanation, the United Nations request confronted the institution with one of the most difficult choices since its inception in 1863. Aware that world peace and the future of humanity were at stake, the ICRC agreed to take a decidedly new path leading to a new field of activity. It was aware that a nuclear war between the United States and the Soviet Union would make it impossible for the Red Cross as a whole to pursue its humanitarian work, and might even spell the end of humanity.

The fact that the ICRC had been convinced, for many years after 1945, that mankind was rushing headlong towards a third world war, and that this point of view had been recalled at the Council of Delegates in Prague one year earlier, no doubt helped some of its members to more accurately gauge what would be at stake in any nuclear war.

In the decision to act on the United Nations request, there can be no doubt that it was the personal commitment of President Léopold Boissier that tipped the scales in favour of acceptance, judging by the way in which he introduced, then chaired, the Assembly's plenary session of 31 October and 1 November 1962. It

29 On the ICRC operation in Hungary, see inter alia: Isabelle Vonèche Cardia, *Hungarian October, Between Red Cross and Red Flag: The 1956 action of the International Committee of the Red Cross*, ICRC, Geneva, 1999, 178 pp.; Françoise Perret and François Bugnion, *De Budapest à Saigon, Histoire du Comité international de la Croix-Rouge*, vol. IV, Georg Éditeur/ICRC, Geneva, 2009, pp. 51–83.

30 On the Draft Rules, see inter alia: Perret and Bugnion, *De Budapest à Saigon, op. cit.*, pp. 105–123.

31 ICRC, Oral History, Interview of Melchior Borsinger von Baden, 22 and 23 June 1989, transcript, pp. 191–193. One could of course object that the Soviets had finally agreed to have their ships returning from Cuba inspected by overflights by American helicopters. That is true. However, the crisis evolved over time and the Soviets were not necessarily willing to accept on 31 October what they finally agreed to on 7 November.

was Boissier who sanctioned – and perhaps even instigated – the representation by Gallopin through which the ICRC spontaneously offered its services to the United Nations, long before it was asked. During the deliberations of 31 October and 1 November 1962, he did not inform his colleagues of the Federal Council's objections.

Within the institution, the decision-making process was strongly influenced – perhaps even guided – by the Fundamental Principles adopted by the Council of Delegates in Prague, even though they were at the time no more than a recommendation, since only the International Conference of the Red Cross was empowered to give them legal status. The ICRC also referred to the principles when it had to justify its decision to act on the United Nations request to those who blamed it for having strayed from its humanitarian mandate and wandered onto political terrain. It is reasonable to suppose that the adoption of the Fundamental Principles of the Red Cross – even only as a recommendation to the next International Conference – was a decisive factor in the decision to act on the United Nations request, since it gave legitimacy to the ICRC's undertaking.³²

At no time did the ICRC try to base its intervention on Article 23 of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, which deals with the free passage of humanitarian relief consignments through a blockade and expressly provides that such free passage may be subject to effective control of the consignments authorized to pass through the blockade.³³ The wording of the article in question had been influenced by the large-scale relief operation that the ICRC and the Swedish Government had conducted in Greece during the Second World War.³⁴ As surprising as it may

32 As Thomas Fischer correctly points out, “Only the adoption in 1961 of the newly drafted Fundamental Principles of the International Red Cross by the Council of Delegates of the International Red Cross and Red Crescent Movement made it possible for the ICRC to offer its services in a political crisis.” Fischer considers that the ICRC could not have offered its services in the case of the Cuban missile crisis had it not been able to invoke the Fundamental Principles adopted in Prague one year earlier (Fischer, *loc. cit.*, pp. 294–295). By a strange twist of fate, it was on the very part of the Fundamental Principles that the ICRC had not planned for them to contain, but which was added at the initiative of the Alliance of Red Cross and Red Crescent Societies of the USSR, namely the contribution of the Red Cross to peace, that the ICRC was able to base its decision to accept the mission the United Nations wished to entrust to it.

33 Article 23 of the Fourth Geneva Convention confers the control of distribution of the relief consignments authorized to pass through a blockade on the Protecting Powers, i.e. neutral States with which the parties to the conflict have entrusted the protection of their interests and their citizens in the hands of the adverse party. However, common Article 10/10/10/11 to the four Geneva Conventions of 12 August 1949 allows the ICRC to offer its services to the parties to the conflict with a view to discharging humanitarian tasks normally devolving on the Protecting Powers if no Protecting Power has been designated. In law, the ICRC would therefore have been justified in basing its offer of services to the United States, the USSR and Cuba on those provisions as soon as the “quarantine” was declared against Cuba. On the ICRC's possibilities for action in the event of a naval blockade in time of war, see François Bugnion, *The International Committee of the Red Cross and the Protection of War Victims*, ICRC/MacMillan, Geneva/Oxford, June 2003, pp. 814–828; on the ICRC's possibilities to offer its services as a substitute for the Protecting Powers, see the same book, pp. 868–910.

34 On the subject of the relief operation in Greece during the Second World War, see *inter alia*: *Rapport final de la Commission de Gestion des Envois de Vivres du Comité interna-*

seem, no documents from that period, not even internal ICRC documents, refer to that article. Throughout the crisis, it was only on the Fundamental Principles of the Red Cross that the ICRC tried to base its action.

It would nevertheless be a mistake to see the failure to refer to Article 23 as an abdication of the law. Indeed, in his speech of 22 October 1962, President Kennedy had carefully avoided using the term “naval blockade” to qualify the infringement of the principle of free navigation on the high seas, and had instead used the term “quarantine”, with its overtones of public hygiene and epidemic prevention – even though the measure was clearly a blockade, as the USSR and Cuba did not fail to point out.

But words are never innocent and, at a time when the world appeared to teeter on the brink of a nuclear disaster, no one – least of all the ICRC – wanted to be the first to speak of war. We can understand, therefore, why the ICRC refused – if only internally – to refer to the Geneva Conventions; such a reference would have been an implicit admission that the situation was already an armed conflict, whereas the negotiations conducted by the United Nations and to which the ICRC had agreed to lend its assistance were intended precisely to keep the two super-powers from going over the edge.

For the first time in its history, the ICRC agreed to step beyond the limited field of action within which it had operated to date: the protection of war victims. It was not afraid to accept the United Nations request – even to spontaneously offer its services – so as to back up the efforts of the United Nations secretary-general to find a political solution to the crisis and thus avoid a nuclear war.

As Paul Ruegger was to point out, in agreeing to act on the United Nations request, the ICRC helped foster new contacts between the powers involved in the crisis, to introduce another point of view and other perspectives and, thereby, to “allow time to do its part” and to relieve the tension.³⁵ Such factors may appear minor in and of themselves, but they can sometimes make a significant contribution to resolving what initially appears to be an inextricable situation. As Léopold Boissier said in Oslo during the Nobel Peace Prize ceremony, on 10 December 1963, “... the Committee’s cooperative attitude facilitated the easing of tension. By contributing to the maintenance of peace, it remained faithful to its mission”.³⁶

tional de la Croix-Rouge, by the liquidator, Evangelos Papastratos, Athens, March 1945; *Ravitaillement de la Grèce pendant l’occupation 1941–1944 et pendant les premiers cinq mois après la libération, Rapport final de la Commission de Gestion pour les Secours en Grèce sous les auspices du Comité international de la Croix-Rouge*, Athens, Imprimerie de la Société hellénique d’Éditions S.A., 1949; *Report of the International Committee of the Red Cross on its Activities during the Second World War (September 1, 1939 – June 30, 1947)*, Vol. III, *Relief operations*, Geneva, ICRC, May 1948, pp. 450–471; Marcel Junod, *Warrior without Weapons*, ICRC, Geneva, 1982, pp. 184–206; Bugnion, *op. cit.*, pp. 227–229.

35 ICRC Archives, B AG 200 060-011, telegram No. 1 from Paul Ruegger to the ICRC, 7 November 1962 (received at the ICRC on 8 November 1962), and telegram No. 4 from Paul Ruegger to the ICRC, 10 November 1962; “Rapport de M. l’Ambassadeur Paul Ruegger”, *op. cit.*, pp. 1 and 6.

36 ICRC Archives, B AG 134-046, Some aspects of the mission of the International Committee of the Red Cross, speech delivered by President L. Boissier during the Nobel Peace Prize ceremony in Oslo, 10 December 1963, p. 14. In October 1963, the Norwegian Parliament’s Nobel Committee awarded the Nobel Peace Prize to the ICRC and the League of Red Cross Societies (the ICRC had been awarded the Nobel Peace Prize

By acceding to the secretary-general's request, the ICRC marked its solidarity with the United Nations at a time when the latter was going through the worst crisis in its history, as U Thant did not fail to point out in emphatic terms in a letter of thanks he sent to Paul Ruegger on 9 November 1962 and which was immediately made public by the United Nations, when the crisis was progressing towards a solution, but not yet resolved.

The ICRC's action, while not carried to fruition because the crisis was resolved before it was able to discharge the mandate conferred on it, was on the cusp between humanitarian and political endeavour and therefore constituted a remarkable extension of its role as a neutral intermediary.

The mandate which the United Nations wanted to confer upon the ICRC had a humanitarian component, since the aim was to enable ships which did not transport nuclear arms to arrive unhindered in Cuba's ports and deliver the food, medicines and other basic necessities needed by the Cuban population, but it also had an obvious political and even military component, because it was also meant to ascertain that those ships were not carrying nuclear weapons.

Aware that it was entering – no matter what was said to the contrary – on highly political ground – the preservation of peace – the ICRC took care to ensure that it had the agreement of all three countries directly concerned, the United States, the Soviet Union and Cuba, and did not act simply at the request of the United Nations and with the consent of Washington and Moscow. In so doing, it proved its determination to respect the rights of a small country on an equal basis as those of the two superpowers, even though, on the international stage, it seemed that the only positions that mattered were those of the United States, the Soviet Union and the United Nations.

During the Cuban missile crisis, the USSR appeared, for the first time since the Second World War, to appreciate the role of the ICRC, as shown by Professor Miterev's letter of 8 December 1962.³⁷ That lull was of short duration, and the Vietnam War would soon lead to a fresh deterioration in relations between the ICRC and the Alliance. It was nevertheless indicative of the progress made since the time when the Soviet Union and the Alliance declared open war on the ICRC, refused to cooperate with it in any way and demanded that it be eliminated, pure and simple.

The Swiss Government, on the other hand, always keen to maintain Switzerland's neutrality and no doubt convinced that it was in a better position than the ICRC to discharge the mandate proposed by the United Nations, did not approve the ICRC's decision. However, the objections of the Federal Council did not stop the ICRC. It would seem that Boissier took it upon himself to wait until the crisis had blown over before informing his colleagues of the Federal Council's reservations.

More generally speaking, the ICRC's decision to act on the United Nations request prompted widely divergent reactions, in keeping with the emotions kin-

twice before, in 1917 and 1944). The ICRC had been nominated by former Norwegian deportees and political detainees interned in German concentration camps during the Second World War, on the strength of its work to provide assistance to the victims of Nazi persecution. The available documents do not indicate to what extent the ICRC's undertaking during the Cuban missile crisis influenced the Nobel Committee's decision.

³⁷ See footnote 21.

dled by this unprecedented political crisis, from hearty approval to scathing criticism, among public opinion, in the media and within the Red Cross Movement.

Lastly, the ICRC was fully aware of the questions of principle its action raised, that it took the organization in a new direction and that it set a precedent that might be invoked in other situations when world peace was at risk. No wonder, then, that it brought the question of its intervention during the Cuban missile crisis before the Council of Delegates in Geneva in September 1963, and subsequently before the 20th International Conference of the Red Cross, which was held in Vienna in 1965, in order to have the Movement and the international community take a position on its initiatives. By so doing, they ratified *a posteriori* the line of conduct which the ICRC followed throughout the crisis.