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Inter arma caritas

1965

GENEVA

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The French edition of this Review is issued every month under the title of *Revue internationale de la Croix-Rouge*. It is, in principle, identical with the English edition and may be obtained under the same conditions.

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SUPPLEMENTS TO THE REVIEW

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SPANISH

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GERMAN

C. Pilloud : Die Vorbehalte zu den Genfer Abkommen von 1949. — Ehrung des Internationalen Komitees vom Roten Kreuz.

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THE EUROPEAN CONVENTION ON HUMAN RIGHTS : A USEFUL COMPLEMENT TO THE GENEVA CONVENTIONS

by K. Vasak

Although by the very nature of its mission the Red Cross is concerned primarily with man's suffering, its efforts to provide the utmost possible protection for the "victim" dovetail with the vast present-day movement for the international defence of human rights. There is nothing fortuitous in this. As a result particularly of the 1949 Conventions, the humanitarian principles underlying the work of the Red Cross have been incorporated in a body of law and the distinction between this "humanitarian" law and international law in general is becoming less and less marked. If humanitarian law still deserves a place to itself, this is due less to its intrinsic character than to the methods used to ensure its observance.

This progressive acquisition by humanitarian principles of the *force of law* has gone hand in hand with a genuine *humanization* of international law, which tends less and less to be "international" in the sense of "inter-state", but increasingly so in embracing the human being. Apart from the State, other beneficiaries of international law have emerged, among whom man and his sufferings tend to come more and more to the fore.

As a result of this twofold evolution, there is today a common ambit for humanitarian law and general international law. Under the circumstances it is not surprising that the Red Cross feels that the development of international protection for man is coming more and more within its purview, as such a development is capable of sustaining and widening the basis of its mission. Whilst the 1949 Geneva Conventions and—underlying them—the supra-legal principle of humanity, form that basis, other codes have arisen to carry them a stage further, such as the European Convention on Human Rights¹.

¹ For a full study of this Convention, see my publication: *La Convention européenne des droits de l'homme*, Paris 1964; Librairie générale de droit et de jurisprudence, 327 pages.

THE EUROPEAN CONVENTION ON HUMAN RIGHTS

The European Convention on Human Rights was signed on November 4, 1950, and came into force on September 3, 1953. So far it has been ratified by all member States of the Council of Europe (Austria, Belgium, Cyprus, Denmark, Federal Republic of Germany, Greece, Iceland, Ireland, Italy, Luxemburg, Netherlands, Norway, Sweden, Turkey and the United Kingdom) with three exceptions (France, Malta and Switzerland). A Protocol was added on March 20, 1953, which became effective on May 18, 1954¹.

Present in the minds of the authors of this Convention was the perspective of union of the European democracies and the Convention's first objective is to guarantee especially those rights of man which permit of the free operation of their institutions. It is therefore civic and political rights which are protected by the Convention, whilst it is left to the European Social Charter, signed in Turin on October 18, 1961, to guarantee economic and social rights.

The rights guaranteed by the Contracting Parties to the Convention collectively are as follows: the right to life, liberty, safety, the rule of law, respect for privacy and family life, inviolability of the home and correspondence, freedom of thought, conscience, religion, expression and opinion, freedom of assembly and association, including the right to form trade unions, the right to marry, to a hearing in a national tribunal, the right to own property, to education, the right of parents to choose the type of education they consider suitable for their children. States undertake to hold free elections at reasonable intervals; torture, degrading or inhuman punishment or treatment are forbidden; so are slavery, compulsory labour, legislation with retroactive effect and discrimination of any kind whatsoever.

It is not the Convention's assertion, on an international level, of a certain number of fundamental rights for the benefit of the individual which constitutes its originality. Its originality resides in the fact that its authors, holding the view that a law not enforceable is worth no more than the paper it is written on, set up a whole judicial array for the international guarantee of fundamental human rights and freedoms. This takes the form of a European Commission and a Court of Human Rights which, apart from the Committee of Ministers of the Council of Europe, are responsible

¹ Another Protocol — No. 4 — which was signed on September 16, 1963, has not yet become effective.

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for ensuring that the Contracting Parties observe the rights protected by the Convention.

Let us first consider each of these bodies and then the connection between the European Convention on Human Rights and the Geneva Conventions.

I. ENQUIRY AND CONCILIATION BY THE EUROPEAN COMMISSION OF HUMAN RIGHTS

The European Commission of Human Rights, according to Article 19 of the Convention, is responsible, in conjunction with the Court, for ensuring the observance of the engagements undertaken by the High Contracting Parties. The number of members is equal to the number of contracting parties. Present membership is fifteen, as three of the States of the Council of Europe, i.e. France, Switzerland and Malta, have not yet ratified the Convention. The Commission is elected by the Committee of Ministers of the Council of Europe from the Consultative Assembly's nominees. Members are elected for a term of six years; they sit as individuals, so that they are quite independent of their "electors" and country of origin.

The Commission's headquarters is in the same town as that of the Council of Europe, i.e. Strasbourg. Its proceedings are in private, a fact which has often been criticized. It is justified, however, by its mission of conciliation under the Convention, which is more likely to be effective if performed with discretion. A secondary reason for the holding of proceedings in private is the aim of the authors of the Convention to avoid any undue publicity for spiteful or ill-intentioned demands.

A. The Commission's Competence

Any Contracting Party (under Article 24 of the Convention), person, non-governmental organization or group of individuals (Article 25) may have recourse to the Commission. In the case of Article 25, however, the Commission's competence to examine individual petitions must have been recognized beforehand by the State implicated. So far ten of the fifteen Contracting Parties have made the necessary declaration, viz. Austria, Belgium, Denmark, Federal Republic of Germany, Iceland, Ireland, Luxemburg, Netherlands, Norway, Sweden.

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Complaints lodged by one Contracting Party against another appear at first sight to be analogous to diplomatic protection. This resemblance is deceptive, as a State may submit to the Commission an infringement of the Convention committed against individuals who are not nationals of that State. A case in point was Greece's second complaint against the British Government concerning the application of the Convention in Cyprus, a British colony at the time. Another instance was Austria's complaint against Italy in respect of six young men, German-speaking but Italian nationals, in the Alto Adige.

Petitions by individuals have been much more numerous than those presented by States. From the 5th July 1955, when the Commission began to examine them, until the 31st of December 1964, 2388 individual petitions were lodged with the Commission, as against three brought by States.

The individual's right of petition is undoubtedly the cornerstone of the structure devised in Rome in 1950. It is also the most original feature of the whole procedure under the Convention; for the first time individuals may have direct recourse to an international judicial organ concerned with human rights. It is true that not all States acknowledge this right, and even where recognized, it may only be exercised during proceedings *in camera*. Nevertheless it is an effective weapon in the defence of human rights and the large number of cases already brought by individuals shows that Europeans, in particular, have made frequent use of it.

B. Procedure of the Commission

Simplicity is not a characteristic of the Commission's procedure, for petitions, whether by States or individuals, must go through slow and complicated channels. This is only to be expected of proceedings as revolutionary as those introduced into international law by the Convention.

Roughly speaking, there are three phases in the procedure:

- the Commission's investigation into the admissibility of the complaint;
- examination by a sub-commission of the admissible complaint;
- examination of the admissible complaint in plenary session of the Commission.

1. *Investigation of Admissibility*

Admissibility of a petition, whether by an individual or State, is determined by the Commission in plenary session, that is to say, it examines petitions to verify that they fulfil the conditions laid down in the Convention. There are seven such conditions. The first two are considered by the Commission to be common to both State and individual petitions: the State or individual must have exhausted all domestic means of obtaining redress of the alleged breach, and the petition must be lodged within six months of the date of the final decision taken at the national level.

The remaining five conditions are considered by the Commission to apply solely to individual petitions. They are: no petition shall be anonymous, identical to one already examined by the Commission, incompatible with the Convention, manifestly ill-founded or abusive.

There is a considerable fund of precedents in matters of admissibility already established by the Commission, no small part of whose function consists of this determination of admissibility. The vast majority of petitions are declared inadmissible for not complying with one or other of the conditions mentioned above. Up to December 31, 1964, only 36 individual and three State petitions had been declared admissible.

2. *Examination of the admissible petition by the Sub-Commission*

Admissible petitions are examined by a sub-commission comprising seven members of the Commission and having a twofold task. Like an examining magistrate, the sub-commission enquires into the facts of the case and it also endeavours to effect a friendly settlement based on respect for human rights as recognized by the Convention. If this is successful, the sub-commission draws up a brief report on the facts of the case and the settlement arrived at. Such a friendly settlement has just been arranged in a case concerning Belgium (Boeckmans' petition). Failing any such agreement, the petition goes before the plenary Commission.

3. *Examination of the admissible petition by the Commission*

When conciliation fails, the plenary session of the Commission draws up a report on the facts and states whether in its opinion there has been a breach of the Convention by the State implicated.

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As can be seen, proceedings before the Commission do not result in a binding decision, but only in a report and opinion. Fairly long-established practice, however, shows that States attach no little importance to this opinion, for although it is not legally enforceable, its moral force is the greater for being the result of proceedings which are often lengthy and meticulous.

The Commission's work is completed with the publication of its report, but the case continues.

The report is in fact the starting point for proceedings leading this time to a compulsory ruling. Within three months after the date on which the Commission submits the report to the Committee of Ministers of the Council of Europe, one of two situations may arise:

(i) the case may be referred to the Court of Human Rights by the Commission or by the Contracting Party concerned; or

(ii) the case not being so referred, it is incumbent on the Committee of Ministers of the Council of Europe to take a decision.

There are thus two decision-making bodies set up under the Convention: one judicial, the European Court of Human Rights; the other political, the Committee of Ministers of the Council of Europe.

II. THE EUROPEAN COURT OF HUMAN RIGHTS AND THE COMMITTEE OF MINISTERS OF THE COUNCIL OF EUROPE

The existence of two bodies for deciding disputes under the Convention arises from the non-compulsory character of the jurisdiction of the European Court of Human Rights, the Committee of Ministers sitting as a decision-making body only if the case does not come before the Court.

A. European Court of Human Rights

This Court consists of a number of judges equal to the number of Member States of the Council of Europe. Consequently, at the present time it comprises 18 judges. They are elected by a majority of the votes cast by the Consultative Assembly of the Council of Europe, from a list of persons nominated by the Member States; each State is entitled to present three candidates, two of whom must be nationals of the State. Judges are elected for nine years and may be re-elected. Although there is no provision in the

Convention affirming their independence, it is nevertheless a necessary consequence of the judiciary authority vested in the Court. In addition, the rules of Court contain several clauses which presuppose the judges' independence.

Like the Commission and the Council of Europe, the Court sits in Strasbourg.

1. *The Competence of the Court*

The Court is not *ipso jure* empowered to take cognizance of a case: its jurisdiction must first be recognized as binding by the Contracting Parties or accepted by them in a specific case. So far nine of the fifteen Contracting Parties have recognized the Court's jurisdiction as binding; these States are Austria, Belgium, Denmark, Federal Republic of Germany, Iceland, Ireland, Luxemburg, the Netherlands and Norway. Under Article 48 of the Convention, recourse may be had to the Court by the Commission or by a Contracting Party involved, i.e. the country of which the victim is a national, the country which referred the case to the Commission, or the country against which the complaint was lodged. Furthermore, Article 44 provides that only Contracting Parties and the Commission have the right to bring a case before the Court. We shall see later the significance of this essential provision of the Convention.

2. *Court Procedure*

The procedure of the European Court of Human Rights follows more or less the same rules as the International Court of Justice. However, the function of the Commission and the position of individual petitioners raise special problems. In principle, the Court exercises its judicial functions through a chamber of seven judges. The Rules of Court provide, however, for cases when the Chamber can and even must refer a question or even the whole case to the plenary Court.

The report issued by the Commission constitutes the point of departure and the very basis of the whole procedure. To this there are normally two phases: firstly the exchange of written communications between the Parties and possibly the Parties and the Commission and secondly the oral phase, when the case is examined at a hearing of the Parties which is in principle public, unless the Court decides otherwise.

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The Commission assists the Court in a manner similar to a “Ministère Public”, representing the European community’s general interest in human rights as postulated by the Convention. In no case, however, is the Commission a party to the proceedings. It usually assists the Court through three delegates appointed by it, who ensure *inter alia* that the Commission’s report is not misinterpreted.

Individual petitioners cannot bring a case before the Court and therefore may not appear as a party to the proceedings. This does not imply, however, that they will be entirely precluded. The rules of Court contain several provisions enabling individuals to be heard, notably as witnesses. But in the main an individual must rely on the Commission which, as the representative of the general interest, may deem it expedient to make known his opinions to the Court. These problems concerning the position of the Commission and of the individual in the Court proceedings were at the centre of discussions in the Lawless case and the judgment of November 14, 1960, is of considerable importance in this respect.

Cases are usually settled by a judgment of the Court for which the grounds must be given. The Court states in its judgment whether there has been a breach of the Convention or not. Its ruling is final, allowing for no appeal. It is mandatory on the Contracting Parties, which draw the inferences implied by its execution, which is supervised by the Committee of Ministers of the Council of Europe.

So far two cases have been before the Court, those of Lawless and of de Becker. The first was settled by a judgment in which the Court found that there was no breach of the Convention by the Irish Government, accused of having detained without trial the applicant Lawless; the second, which claimed that Article 123 of the Belgian Penal Code was incompatible with the Convention, was struck from the Court rolls after amendment of this article by the Belgian Parliament.

B. Committee of Ministers of the Council of Europe

The Committee of Ministers, which is the executive organ of the Council of Europe, intervenes only if the case introduced before the Commission is not submitted to the Court. Its function as a decision-making body is therefore to some extent subsidiary, as it makes no pronouncement except in the absence of one by the Court. However, since not all States have accepted the jurisdiction of the Court as compulsory and as even those States which have

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done so are not compelled to bring a case in which they are involved before the Court, the Committee of Ministers has actually had to decide more often than the Court whether a breach of the Convention has occurred.

The composition of the Committee of Ministers is the same whether it serves as a decision-making body under the Convention, or as an organ of the Council of Europe. Regulations governing its proceedings have not been specified as clearly as desirable and this problem was recently referred to the Committee of Experts on Human Rights.

When the Committee of Ministers decides there has been a violation of the Convention, it may, if the State concerned does not take satisfactory measures, decide on "what effect shall be given" to its original decision. Article 32 of the Convention does not specify the nature of this "effect", thus leaving the Committee of Ministers wide powers to decide what measures it would be suitable to take against a State which took no steps to repair its violation of the Convention. The Convention itself mentions only one sanction, namely, publication of the Commission's report. It is, however, expected that a State will usually endeavour to draw from the decision of the Committee of Ministers or of the Court the right conclusions and will take the requisite measures for its implementation.

The Committee of Ministers has had on several occasions to give a ruling, such as in the Nielsen case implicating the Danish Government, the dispute between Austria and Italy, as well as a whole series of cases of concern to the Austrian penal procedure.

* * *

No description of the machinery set up under the Convention for the Protection of Human Rights would be complete without mentioning one provision which could be of enormous importance for the protection of human rights in Europe. This provision is contained in Article 57 of the Convention, according to which "on receipt of a request from the Secretary General of the Council of Europe, any High Contracting Party shall furnish an explanation of the manner in which its internal law ensures the effective implementation of any of the provisions of this Convention".

This provision was inspired by the work of the United Nations; it is a useful constituent of the Convention in that it strengthens

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the protection accorded to the rights stipulated in the Convention. It was implemented for the first time in October 1964 and time alone will tell the importance of its latent possibilities.

III. EUROPEAN CONVENTION ON HUMAN RIGHTS AND THE GENEVA CONVENTIONS

Although there has been no complete study so far of the connection between the European Convention on Human Rights and the Geneva Conventions nor of the influence of the one on the other, it is nevertheless possible to descry some lines of future investigation.

1. What most strikes the observer comparing the Rome Convention with the Geneva Conventions is that the former, like the latter, has deliberately and completely rejected the principle of *reciprocity* of obligations, even though it is the very basis of international law. In fact, under Article 1, Contracting Parties recognize the rights, protected by the Convention, of *all persons* to whom their jurisdiction extends. The European Commission on Human Rights has specifically confirmed the objective character of the rights protected by the Convention in its decision on the case opposing Austria and Italy. The question which arose in this case was whether the conviction of six youths in a village of the Alto Adige for the murder of an Italian Customs Officer in August 1956 involved a breach of the right to proper judicial procedure protected by Article 6 of the Convention on the rule of law. The Italian argument which interpreted the Convention as a series of reciprocal agreements among the Contracting Parties, was as follows: On ratifying the Convention of October 26, 1955, Italy undertook obligations only towards States which were Contracting Parties at that time. However, as the events with which the petition was concerned occurred in 1956 and the trial took place in 1957 at the Bolzano assizes, and in March 1958 before the Trento Appeals Court, and again in January 1960 before the Supreme Court, and as Austria only became a Contracting Party on September 3, 1958, the consideration of the petition was not within the competence *ratione temporis* of the Commission; indeed only the judgment of the Supreme Court was given after September 3, 1958, but the Austrian Government had raised no protest against that judgment.

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The Commission rejected the Italian argument. After having observed that no clause of the Convention limits a State's right to lodge a petition merely in respect of events occurring subsequent to ratification of the Convention by that State, the Commission stated:

In concluding the Convention it was not the intention of the Contracting States to concede reciprocal rights or obligations which would be of use in the pursuit of the objectives and ideals of the Council of Europe . . .

The Commission was of the opinion that "consequently the obligations in the Convention to which the Contracting Parties have subscribed are essentially of an objective nature, in view of the fact that their aim is to protect the fundamental rights of individuals against encroachment by Contracting Parties, rather than to create subjective and reciprocal rights among those States".

2. The Geneva Conventions are applicable essentially in war time; only Article 3, which is common to the four Conventions, lays down a certain number of obligations—in fact rights to which individuals are entitled—binding on Contracting Parties even in case of armed conflict not of an international character. On the other hand, the rights protected by the Rome Convention must be respected in all circumstances, unless the State takes measures derogating from its obligations "in time of war or other public emergency threatening the life of the nation". Even then the State may not derogate from the right to life (except in respect of "deaths resulting from lawful acts of war"), or the prohibition of torture, inhuman and degrading punishment and treatment, slavery, forced labour and retroactive penal legislation. Comparison of the respective scope of the Geneva Conventions and of the Rome Convention shows that in time of war the former give victims broader protection than is granted by the latter, whereas the Rome Convention can extend the "minimum" provided for by Article 3 of the Geneva Conventions in the event of armed conflict not of an international character; this no doubt, in the main, covers the concept "public emergency threatening the life of the nation".

3. From what has just been said, it is clear that it is essentially during these "armed conflicts not of an international character" that the Rome Convention is a useful adjunct to the Geneva Conventions. There is one serious problem in this respect: the obligations laid down by Article 3 of the Geneva Conventions are

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binding not only on States but also on other Parties to the conflict who have not, or do not yet possess, the status of a State: but is the Rome Convention also binding on parties other than States? Personally I am convinced that this is so¹: therefore, we can state, for example, that the prohibition on the taking of hostages “in the event of armed conflict not of an international character” is binding on parties to the conflict other than States when Article 3 of the Geneva Conventions is inapplicable. This prohibition springs from Article 3 of the Rome Convention which in all circumstance forbids “inhuman treatment”. Nothing shows better than this example relating to hostages the complementary rôle of the Rome Convention.

CONCLUSION

It remains true that the application of the Rome Convention is restricted, as it is binding only on 15 European States. It is therefore to be hoped that, in the absence of a universal Convention on Human Rights—or pending it—the world will be covered by a network of regional Conventions². Efforts being made—for a long time in Latin America, more recently in Africa and lately in Asia—show that this hope is in the process of being translated into reality. The Red Cross—and all men, in consequence—can but rejoice at this prospect.

Dr. KAREL VASAK

Member of the Secretariat-General
of the Council of Europe

¹ For detailed argument see my study, *op. cit.* pp. 77-79.

² Cf. my article “The European Convention on Human Rights beyond the frontiers of Europe”, in *The International and Comparative Law Quarterly*, October 1963, pp. 1206-1231.

INTERNATIONAL COMMITTEE OF THE RED CROSS

EXTERNAL ACTIVITIES

The President of the ICRC in the United States

In its issues of June and July 1965, the *International Review* gave some account of Mr. Samuel Gonard's journey. Having left Geneva at the beginning of May, the ICRC President successively visited Pakistan, India, Thailand, the Philippines, Japan, Korea, then Mexico ¹. The last stage of his journey was spent in the United States ¹, where he stayed one week in July and was joined by Mr. Pierre Basset, head of administration and finance of the ICRC in Geneva.

Mr. Gonard visited the headquarters of the American Red Cross in Washington, where he had talks with senior members of that National Society, renewing most cordial personal contacts in particular with its Chairman, Mr. Roland Harriman and its President, General James F. Collins. He also visited the headquarters of the eastern zone of the United States, then the New York branch. He also visited several local organizations in different States and was welcomed by the New Orleans Chapter.

During his stay in the United States, the President of the ICRC also met a number of leading personalities. He was thus able with Mr. Dean Rusk, Secretary of State, and Mr. Cyrus R. Vance, Assistant Secretary of State, to make an extensive survey of all areas in which fighting is taking place and in which the ICRC is

¹ *Plates*: Some pictures taken of the journey made by Mr. S. A. Gonard, President of the ICRC, in Asia and America: Karachi, New Delhi, Bangkok, Manila, Tokyo, Seoul, Mexico and Washington.

attempting to carry out its rôle of neutral intermediary on behalf of the victims involved.

Mr. Dean Rusk reaffirmed that the United States Government intends observing the Geneva Conventions, hoping that the ICRC's efforts with other governments will be successful in enabling visits also to be made to prisoners in their hands.

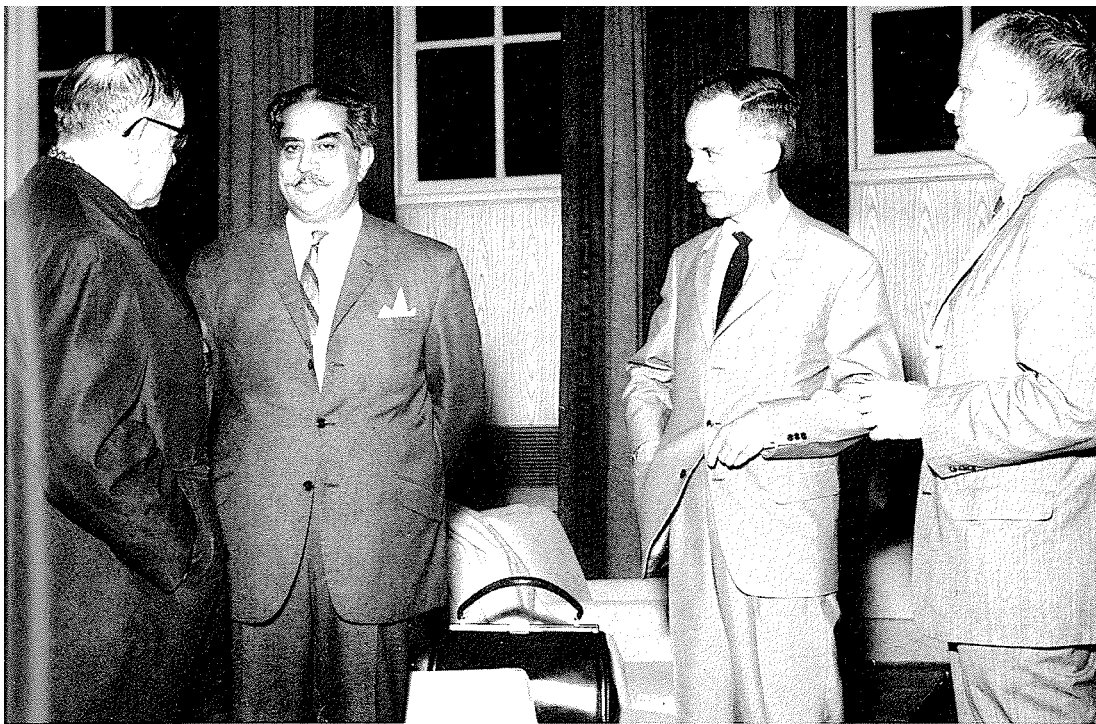
Mr. Dean Rusk informed President Gonard that parliamentary procedure for making an annual and regular grant by the United States Government is likely to have a satisfactory result in the near future. The President pointed out that the budget which constantly showed a deficit for the ICRC's actions would thereby be relieved and he recalled that the ICRC concerns itself as a matter of urgency with coming to the aid of victims and attempts later to find the necessary funds for each action.

The President was received in New York by U. Thant, Secretary-General of the United Nations Organization, with whom he spoke, in particular of the information given to troops placed at the UN's disposal concerning the Geneva Conventions as well as the respect for these by all fighting formations, whatever the form of warfare or conflict in which they take part.

During the course of his mission in Asia and America, Mr. Gonard was accompanied successively by Mr. André Durand, general delegate of the ICRC for Asia, and Mr. Jean-Pierre Maunoir, delegate, Mr. Michel Testuz, delegate in Japan, Mr. Pierre Jequier, general delegate for Latin America and by Mr. Pierre Basset, head of the ICRC's administrative services. The honorary delegates of the ICRC resident in the Far East also contributed to the journey's success, notably Mr. W. A. Trueb in Bangkok, Mr. John Mittner in Manila and Mr. Harry Angst in Tokyo.

Yemen

Relief in Republican Territory.—Since the beginning of the year, the ICRC delegation in the Arab Republic of the Yemen has made various distributions of food, pharmaceuticals and clothing. The



PAKISTAN. — Syed Wajid Ali Shah, Chairman of the Pakistan Red Cross, welcoming at Karachi the President of the ICRC, Mr. Samuel A. Gonard, accompanied by Mr. A. Durand, general delegate for Asia and Mr. J. P. Maunoir, delegate. (From left to right, Messrs. Gonard, Ali Shah, Maunoir and Durand.)

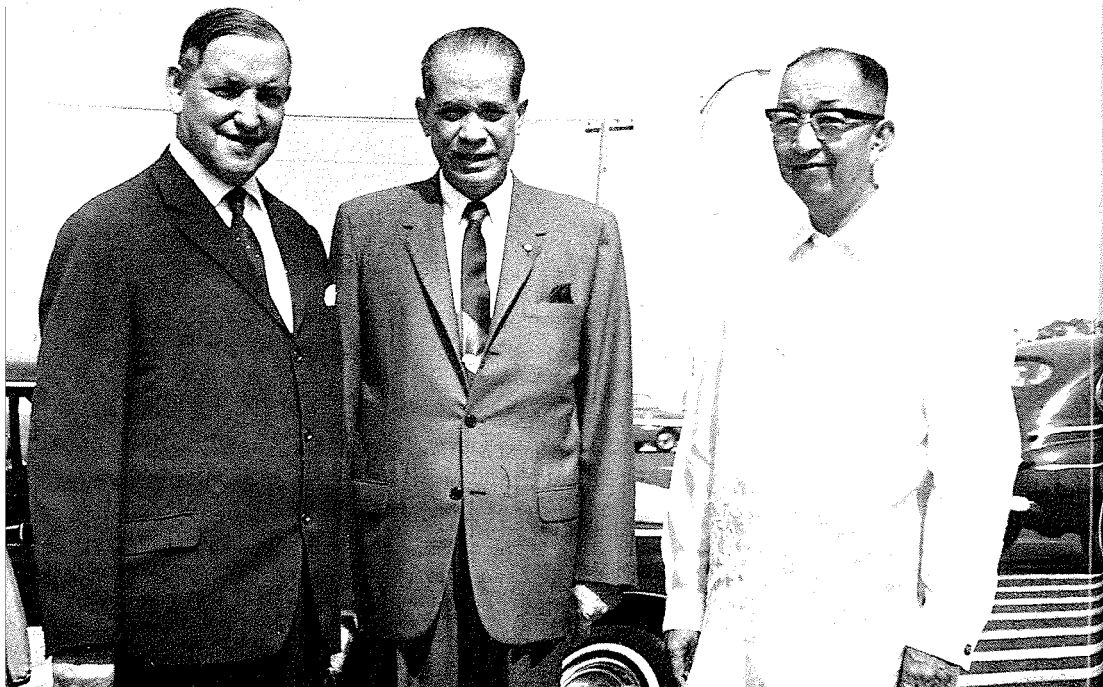
INDIA. — At Indian Red Cross headquarters, Maj. Gen. C. K. Lakshmanan, Secretary-General, showing to Mr. and Mrs. Gonard (on left) panels illustrating the National Society's activities.





THAILAND. — Reception at Red Cross headquarters. (From left to right) Mr. Chao Phya Sridharmadhibes, former Executive Vice-President of the Society, Mr. Phra Tiranasar, present Executive Vice-President, and Mr. Gonard.

PHILIPPINES. — The President of the ICRC meeting Mr. E. Abello, President of the National Red Cross, (centre) and Dr. T. Calasanz, Secretary-General, in Manila (right).





JAPAN. — Leading personalities of the Japanese Red Cross describing the programmes and activities of the Society to Mr. Gonard and members of the ICRC delegation (facing).

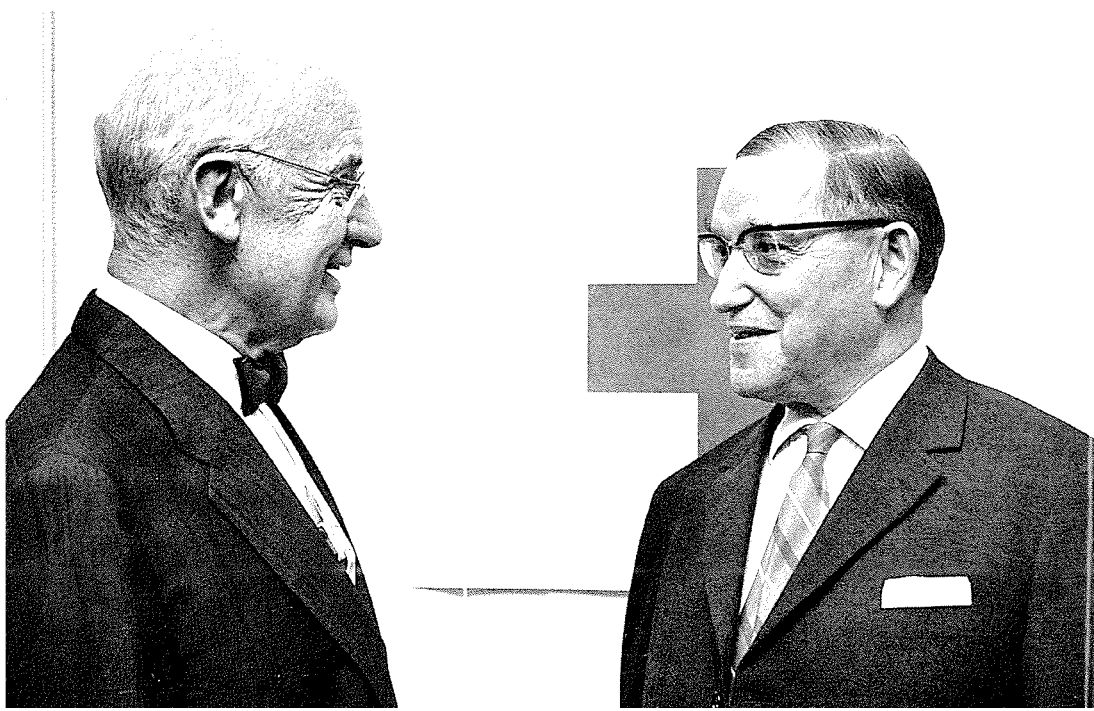
KOREA. — Working session in Seoul at the Republic of Korea National Red Cross headquarters. (From left to right, Mr. Durand, Mrs. Choi, Mr. Gonard, Mr. Doo-Sun Choi, President of the Society, Mr. Maunoir.)





MEXICO. — On his arrival in Mexico, Mr. Gonard being welcomed on behalf of the Mexican Red Cross by Mr. J. J. Menchaca (*on his right*) and Mr. S. Gonzalez (*on his left*), members of the Central Committee of the National Society.

UNITED STATES. — Mr. E. Roland Harriman, Chairman of the American Red Cross, receiving Mr. S. A. Gonard in Washington.



Swedish Red Cross contributed to this relief action with a donation of 35,000 frs. comprising medicaments, clothing, articles of bedding and five sewing machines. The Swiss Red Cross sent 12,000 francs worth of clothing, whilst the ICRC obtained the following items for the victims of the events in Republican Yemen: 4,600 pairs of slippers, 400 jackets, 100,000 cigarettes, 208 sheets, 5,000 kgs. of soap and 28,000 kgs. of milk products. It spent 37,000 francs in medicines, medical articles and surgical equipment for its mobile medical teams.

For refugees in the South.—In view of the urgent needs of the refugees installed on the borders of the Yemen and of the Federation of South Arabia, the ICRC is in the process of organizing a relief action in that area. A medical team attached to the Sanaa delegation has gone amongst the refugees for that purpose and a special consignment of powdered milk, cheese, soap and medicaments has been despatched from Geneva.

Cyprus

The ICRC delegate in Cyprus, Mr. Max Stalder, visited Kokkina on June 12, 1965, together with General Thimayya, commanding the UNO forces. He noted that the situation there had appreciably improved. The General had received a letter from President Makarios informing him that in future Kokkina would no longer be considered to be a prohibited zone and that food, clothing and medicaments could freely be sent there.

The health situation is satisfactory which was also confirmed by the Turkish doctor at Kokkina. The many houses which had been destroyed during the course of the events have been rebuilt and, thanks to tents supplied last autumn by the British and US Governments and made available to the ICRC's delegation in Cyprus, there is now no refugee without shelter.

Africa

The general delegate of the International Committee of the Red Cross for Sub-Equatorial Africa, Mr. Georg Hoffmann, has continued his visits to governments and National Red Cross

Societies in South-West Africa during the first seven months of the year. From Nairobi he went to Salisbury, Pretoria, Cape Town and Johannesburg. He then went to West Africa and attended the seminar organized by the League of Red Cross Societies in Abidjan¹ (Ivory Coast). His itinerary subsequently took him to Dakar (Senegal), Bathurst (Gambia), Freetown (Sierra Leone) and Monrovia (Liberia). In May he visited Ghana and Guinea and in June, Nigeria.

Everywhere Mr. Hoffmann went he observed the interest taken by governments for the dissemination of the Geneva Conventions and for their inclusion in courses for colleges and army training schools.

Germany

Accepting an invitation from the German Red Cross in the Federal Republic of Germany, Mr. Samuel A. Gonard, President of the International Committee of the Red Cross, was in Bonn from July 18 to 20 where he had discussions with the National Red Cross. Together with Mr. Herbert G. Beckh, delegate, and Mr. René-Jean Wilhelm, an Adviser in the Legal Department, he had an interview with the President of the German Red Cross, Mr. H. von Lex and his colleagues during which the National Society's activities were discussed, as well as the forthcoming International Conference of the Red Cross in Vienna in October.

Mr. Gonard inspected a special relief team for emergency action in cases of natural disaster.

Mr. Gonard and the principal officials of the National Society were received by Mr. Lübke, President of the Federal Republic and Honorary President of the German Red Cross. They were also received by Mr. Schröder, Minister for Foreign Affairs, with whom Mr. Gonard discussed questions of common interest to the German Federal Government and the ICRC.

Reuniting of families.—From June 9 to 17, Mr. H. G. Beckh, ICRC delegate, held discussions with a number of officials of the

¹ We would mention that the *International Review* published a detailed article on this subject in its issue of June 1965.

German Red Cross in Bonn, Hamburg and Stuttgart. In Hamburg, in conjunction with the head of the Tracing and Family Reuniting Service, he studied the problems arising from inquiries from Rumania, Poland and the Democratic Republic of Germany.

The ICRC is pursuing its efforts to reunite families whose members have been separated as a result of the conflicts and tension which have been and indeed are still going on in various parts of the world.

Visits to detention centres.—The ICRC delegate visited eight detention centres in the Federal Republic in which prisoners are held for contravention or alleged contravention of laws for political reasons. He was able freely to interview 18 detainees without witnesses.

* * *

Santo Domingo

The *International Review* has kept its readers informed of the ICRC's action in Santo Domingo which started in May 1956 with the arrival in the capital of one of its delegates from Geneva.¹ At present, in view of the general improvement in internment conditions and in agreement with the President of the National Red Cross Society, the ICRC has considered it could terminate its activity in the Dominican Republic. Mr. Pierre Jequier, general delegate for Latin America, and Mr. Serge Nessi, assistant delegate, returned to Geneva at the time of our going to press.

It is worthwhile recording, however, that before leaving Santo Domingo, the ICRC representatives again visited all places of detention in which prisoners were to be found and observed that, as a result of the requests they had made to the appropriate authorities, namely the "Constitutional Government" of Colonel Francisco Caamano Deno and General Antonio Imbert's "Government of National Reconstruction", conditions of internment have been improved, especially in the fortress of La Victoria where there are less than 200 prisoners, whereas at the time of the first visit 2000 persons were undergoing internment there.

¹ *Plate*: ICRC relief being handed to a hospital in Santo Domingo. A volunteer of the Dominican Red Cross aiding one of the wounded.

The Dominican Red Cross has offered medicaments to the infirmary of this penal establishment in which a woman of Belgian nationality, a former broadcasting announcer, had been detained. The ICRC delegates succeeded in obtaining her release and transfer to a hospital.

The representatives of the ICRC visited prisons (Constitutionalists) which were all concentrated in the Ozama fortress perimeter in better conditions than had previously been the case. Each detainee is in possession of a straw mattress and can receive family visits once a week on a roster system. The prisoners stated that they had not been subjected to ill-treatment.

The International Committee would naturally be prepared to bring its humanitarian aid should this again appear to be necessary.

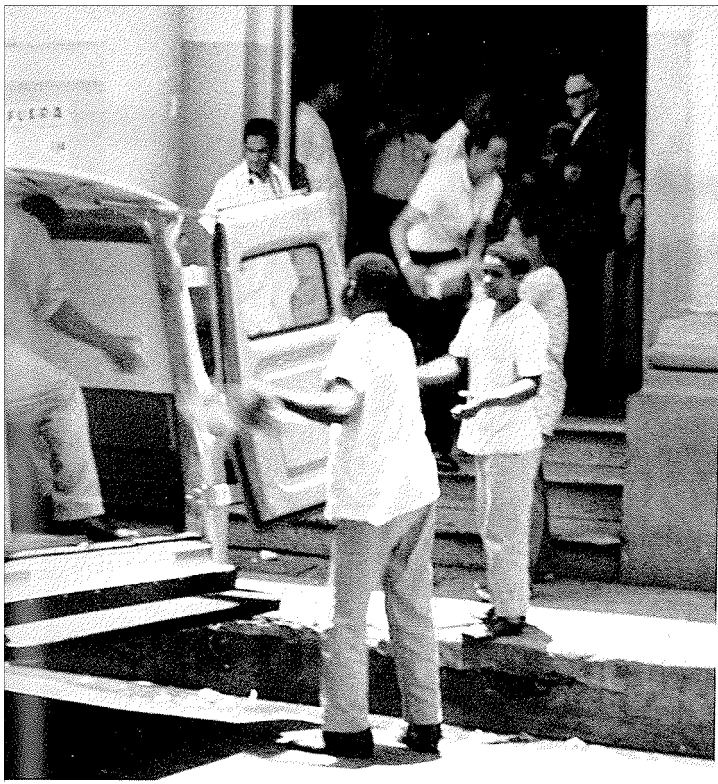
I N G E N E V A

UN Secretary-General's visit

Mr. Thant, United Nations Secretary-General, paid an official visit on July 7 1965 to the International Committee of the Red Cross, meeting in plenary session. The President, Mr. Samuel A. Gonard¹, in his address of welcome, stressed the common ideal of the United Nations and the Red Cross to promote the spirit of peace.

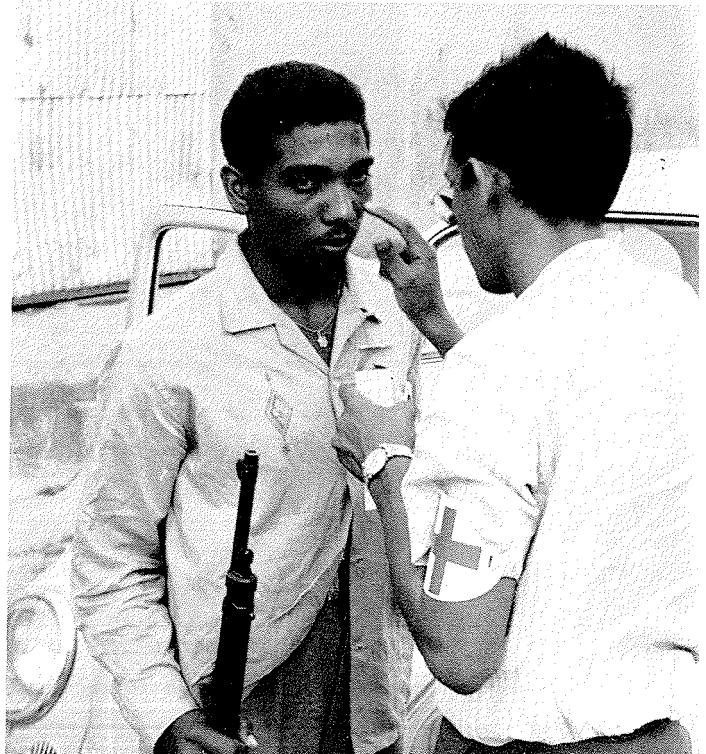
Mr. Thant then heard two of the ICRC directors, Mr. Roger Gallopin and Mr. Jean S. Pictet, describe the main present-day ICRC missions connected with war and also the institution's theoretical and legal work for the more effective protection of populations against the evils of armed conflict. The United Nations Secretary-General then thanked the International Committee for its welcome and expressed his high opinion of its humanitarian work. He recalled how on several important occasions the United Nations had co-operated with the ICRC and he underlined that the efforts of the two institutions dovetail to further the common cause of international peace and understanding.

¹ *Plate* : Mr. Thant signing the ICRC's gold book.



ICRC relief being handed over to a hospital in Santo Domingo in the presence of Mr. Jequier, ICRC delegate and the President of the Dominican Red Cross, Mr. Fernandez Martinez. (Left to right, background, Messrs. Fernandez Martinez and Jequier.)

SANTO DOMINGO



A volunteer of the Dominican Red Cross giving treatment to a wounded "Constitutionalist".



IN GENEVA. — U. Thant, Secretary-General of the United Nations Organization signing the gold book of the ICRC at its headquarters.

Photo J. Zbinden

RESPECT FOR THE RULES OF HUMANITY IN VIET NAM

The International Committee of the Red Cross has intervened whenever possible in order to come to the aid of the victims of the war in Viet Nam. Information on this subject has been given in recent issues of the *International Review*.

In view, however, of the extension of hostilities, the ICRC has addressed to the governments of the Republic of Viet Nam, of the Democratic Republic of Viet Nam and of the United States of America an appeal urging them to respect, in present conditions, the humanitarian provisions of the Geneva Conventions to which these States have acceded. We are now in fact in the midst of an armed conflict to which all these Conventions must apply.

We publish below the text of this appeal, which has also been sent to the "National Front of Liberation of South Viet Nam" and recently repeated as a matter of urgency to the States concerned as well as to the NFL :

The hostilities raging at the present time in Viet Nam—both North and South of the 17th parallel—have assumed such proportions recently that there can be no doubt they constitute an armed conflict to which the regulations of humanitarian law as a whole should be applied.

All Parties to the conflict, the Republic of Viet Nam, the Democratic Republic of Viet Nam and the United States of America, are bound by the four Geneva Conventions of August 12, 1949, for the protection of the victims of war, having ratified them and having adhered thereto. The National Liberation Front too is bound by the undertakings signed by Viet Nam.

Pursuant to the common Article 1 of the four Geneva Conventions, "The High Contracting Parties undertake to respect and to ensure respect for the present Convention in all circumstances". It is likewise said in Article 2 that "The present Convention shall apply to all cases of declared war or of any other armed conflict which may arise between two or more of the Contracting Parties, even if the state of war is not recognized by one of them".

INTERNATIONAL COMMITTEE

In keeping with its humanitarian tradition, the International Committee of the Red Cross in Geneva reminds the governments of the aforesaid countries and the National Liberation Front of their obligations pursuant to the Geneva Conventions.

It is incumbent on them to implement the provisions thereof and to permit the ICRC to carry out its mission as a neutral intermediary, as laid down in these Conventions.

In particular the life of any combatant taken prisoner, wearing uniform or bearing an emblem clearly indicating his membership of the armed forces, shall be spared, he shall be treated humanely as a prisoner of war, lists of combatants taken prisoner shall be communicated without delay to the International Committee of the Red Cross (Central Tracing Agency), and the delegates of the ICRC shall be authorized to visit prison camps.

In addition, Parties to the conflict shall respect and protect civilians taking no part in hostilities, they shall abstain from attack against such persons and subject them to no form of violence.

The ICRC is prepared to co-operate with the authorities concerned as far as it is able in the loyal and strict application of the Geneva Conventions drawn up by the community of nations to alleviate the hardships engendered by war.

The ICRC conveys the present communication to the governments of the three aforesaid countries and will endeavour to deliver it also to the National Liberation Front. It would be pleased to know what measures are taken by the governments in conformity with the duties devolving upon them pursuant to the Geneva Conventions.

IN THE RED CROSS WORLD

Ireland

Mrs. Tom Barry, the active Chairman of the National Red Cross held a press conference in Dublin on May 6, 1965, at which she explained the significance of "Old People's Year" which she was to open officially a week later in the presence of the Prime Minister, Mr. Lemass, leading personalities and a keenly interested public.

Whilst paying tribute to the efforts being made in public health matters, she stressed the importance of co-operation between all services. Improvements could be made by calling upon men and women of good will. There was still much to be done especially as regards the old who were not in hospitals.

In each area she suggested the appointment of at least one nurse as a doctor's assistant and a chiropodist. On the other hand, a reasonable system of house-to-house visits could be undertaken and entrusted to the Red Cross or any other organization wishing to associate itself with this. She pointed out how necessary it was to provide some years of repose and peace at the end of a life of duty and work. A booklet has therefore now been produced by the Irish Red Cross, whose cover has been based on that of our *International Review*, a tribute of which we are proud, which presents 19 studies of this vast subject under various aspects.¹

This publication not only describes the methods employed, results which have already been obtained, but also all that remains to be accomplished for old people. The authors of the articles mention above all the lonely ones, for whom at least one hot meal a day should be provided, the problem of heating, as well as organized and paid home-help by those capable of undertaking it. Mrs. Barry paints a picture of the ideal old people's home. A series of buildings in which 20 to 30 tenants would have their own rooms, but where there would be a communal dining and sitting room.

¹ *Our Old People's Year, 1965-66*, Irish Red Cross Society, Dublin, 1965.

IN THE RED CROSS WORLD

The home would be run by a nurse who would also care for old people preferring to remain in their own homes, but who would be too heavy a charge on their families. A private fund could perhaps be formed to come to their aid.

At the inaugural ceremony, the Prime Minister of Ireland paid tribute to the initiative of the Red Cross and he warmly wished it all success in its enterprise. Mr. Lemass gave the assurance that the Government pays particular attention to making progressive increases in old people's allowances. He also referred to the question of housing and stressed the fact that the family is a deeply rooted institution in Ireland. Nevertheless, the existing situation demands fresh efforts, since the improvement in living conditions together with medical progress have resulted in increased longevity. At the same time, the population has also increased which has led to social problems needing to be rapidly resolved. The construction of 36 houses grouped around a centre requires, however, an additional effort on the part of each taxpayer. For this reason, a voluntary contribution, as is practised within the Red Cross, is of such importance today.

Mr. Lemass also spoke of medico-social assistance in the home. In fact, Mrs. Barry had shown, supported by figures, that such form of more personal assistance also had the advantage of being less onerous, provided, however, that this was carried out by voluntary organizations in a sensible and co-ordinated manner. For the past five years, the Irish Red Cross has continuously worked in this direction in the framework of its programme for old people.

The Minister of Health, in his turn, then broached this question and congratulated the Red Cross on having drawn the public's attention to the urgency and magnitude of this task to which the forthcoming year would be devoted. He also raised problems of a psychological and social nature for which solutions are not always easy to find.

The Red Cross having fixed the objective by showing ways to be followed in publishing this booklet, Mr. O'Malley exhorted the whole community to support this noble effort and co-operate in this action. Duplication and waste would therefore be avoided and nothing is healthier for a country than to be able to count its old people as positive elements in society.

Other speakers mentioned factors which must be taken into account to ensure the complete success of the National Red Cross Society's campaign, for which the ICRC also extends its best wishes.

Portugal

Portugal was one of the first countries to display interest in an effective manner in the international cause of victims of war. In 1863 a number of relief committees were set up which were at the origin of the present-day national societies.

Already at that time, the ICRC (then known as "International Committee for Relief to Military Wounded") had observed the favourable trend in Lisbon: "There is as yet no Committee in Portugal, but the Government has promised its protection to one if formed and Dr. José Antonio Marques, assistant head of the Army Medical Service, has publicized the resolutions passed by the Conference¹ in such a way as to encourage his fellow countrymen. It would therefore be indeed surprising if some Portuguese philanthropists would not come forward to champion our cause with State support."²

The optimism in these lines was fully justified as Portugal was one of the states signatory to the First Geneva Convention of August 22, 1864. Portugal was represented by Dr. Marques and at the opening of the Conference on August 8, he had presented credentials vesting in him authority to negotiate and sign the planned Convention on behalf of H.M. the King of Portugal and of Algarves.

Six months later a Society had been formed in Lisbon under the name "Portuguese Commission for Assistance to Military Wounded and Sick in Time of War" which, under our common sign, was soon to carry out relief work both nationally and internationally.

*

¹ Convened by the Committee of Five and held in Geneva in October, 1863.

² *Communication du Comité international de secours aux militaires blessés*, Geneva, 1864.

IN THE RED CROSS WORLD

Thus, from June 19 to 26, 1965 the Portuguese Red Cross commemorated the Centenary of its foundation. The celebrations were attended by a huge gathering including many dignitaries from abroad who came to Lisbon to convey the congratulations of sister societies. The ICRC was represented by one of its Vice-Presidents, Mr. Jacques Freymond, and the League by its Secretary-General, Mr. Henrik Beer.

A number of receptions were held, one of them at the headquarters of the Red Cross, and a demonstration was given by the Medical Team Volunteers from the National Society. Visits had also been arranged to several welfare services, the fine hospital run by the Red Cross and the estate of model dwellings built by the Society to house the inhabitants of the "shanty towns" in the outskirts of the capital.

The ICRC, for its part, will not forget the valuable assistance it received from the Portuguese Red Cross during the Second World War, when, through the intermediary of its Lisbon Delegation, it forwarded some 250,000 tons of parcels and goods to war victims. It was pleased to convey its congratulations and wishes to the Portuguese Red Cross in this year of celebration of a great anniversary.

Various documents published for the occasion describe the work accomplished in a number of fields, particularly by the Medical Team Volunteers who, since 1887, have intervened with dedication in all circumstances and in all climes, with the necessary ambulances and equipment.

Spain

The Madrid newspaper, ABC, recently issued an article on diabetes and its symptoms, the prevalence of the disease in Spain and the prophylactic measures in which the National Red Cross participates. It is interesting to note how the struggle against this scourge is undertaken and we think it might be useful to summarize the methods.

According to the author there are some 30,000 known diabetic cases in Spain ; this number however seems to be on the low side and to judge from the results of examination of workers in various factories and enterprises should be increased. The problem is, in any case, one which is of grave concern to the medical profession. The Spanish Red Cross, for its part, has set up in its central Madrid hospital a free diabetes clinic for all ; it is one of the weapons in the struggle against diabetes undertaken by the National Red Cross on the initiative and under the guidance of Dr. L. P. Pallardo, one of Spain's most renowned specialists in the treatment of diabetes.

To assess the incidence of this disease, systematic surveys are carried out in all sections of the population. Treatment is given with due regard to the patient's family situation in order to prescribe appropriate diet according to means and occupation. It must be remembered that the diabetic is not always able to follow any occupation which he or she may wish.

This programme therefore shows the need for social service and assistance for the benefit of diabetic cases. Such service is given by the Red Cross clinic in Madrid and it includes laboratory tests, hospitalization where necessary, lengthy treatment and, where required, the free supply of insulin.

Each case dealt with by the Red Cross is given a card showing exactly the nature of his illness. This can be extremely useful in the event of accident or of fainting in the street.

On the social welfare side, attention is given to ensuring that child diabetics in schools, orphanages and holiday camps receive appropriate diet and medical control. Efforts are also made to improve the position of adult sufferers by setting up, for example, special canteen facilities for diabetics in factories and large undertakings ; by seeking a solution to the problem of life insurance, the premiums for which are excessively high in respect of diabetic cases ; by endeavouring to introduce legislation enabling patients to change their occupations if their state of health makes it necessary.

The diabetic patients—under medical control—can and should be able to lead a normal life. This is the aim to which the Spanish Red Cross is directing its efforts ; satisfying results have already been achieved both in Madrid and in various provinces.

USSR

The Soviet Red Cross Review (Moscow, March-April 1965) published an interesting article by Mrs. N. Slaïkovskaia, extracts of which it gives us pleasure to reproduce in translation. Readers will be able to realize the immense work accomplished by the Tracing Service of the Alliance of Red Cross and Red Crescent Societies of the USSR, with which the Central Tracing Agency in Geneva maintains a constant and productive connection.

The Tracing Service of the Alliance of Red Cross and Red Crescent Societies of the USSR in Moscow annually receives over 35,000 enquiries from Soviet and foreign nationals. It is in constant touch, in the course of its tracing work, with the International Committee of the Red Cross and the National Red Cross Societies of more than seventy countries. Replies to requests for investigation come from all quarters of the globe.

From the thousands of recently successful cases let us take at random four files, each containing an account of persevering investigation and moving replies.

Thereska's name is Maria.—The secret had been well kept. It was only after the death of the woman whom Thereska called mother that the young girl learnt by chance that her real name was Maria Kojoukh. She had been born in a concentration camp and her mother had died shortly after. The father managed to save his daughter who was then only three months old and gave her into the custody of a Polish woman. "If I live I shall come back for Maria", said Ivan Kojoukh.

After the war, many letters from Ivan arrived in the little Polish town of Graiewo but the woman, who loved the little Russian girl, did not reply. After the death of her adoptive mother, in October 1960, Maria-Thereska approached the Tracing Service of the Soviet Red Cross. The task was not easy. All the young girl knew of her father was his name which she had learnt from her Polish grandmother.

"Unknown", "Not resident here"; such were the replies which reached the Tracing Service from various regions of the USSR. The enquiries went on for more than two years. There were

many people named Kojoukh, but Maria-Thereska's father was not among them. On learning of Maria-Thereska's story none of the namesakes was indifferent ; all offered their help and asked for the young girl's address.

Finally, a letter arrived from Astrakhan : " I now have but one wish ", wrote Ivan Nicolaievitch Kojoukh, " that is to see my daughter again after twenty years' separation ".

Thanks to a number.—During the Second World War, after a successful guerilla operation, the enemy attacked a village, chasing all the inhabitants from their houses and wreaking their vengeance on defenceless old men, women and children. The wife and five children of the resistance fighter Kourdoumiakoff were deported by the SS to the West with other inhabitants of the village. The mother and the youngest daughter Larissa were cremated. The other four children were dispersed in various places except for Vladimir and Kolia who were together in the same camp.

In 1945, they were released by the Soviet Army, but the younger brother, Kolia, aged 4, could not even stand up. He was like a skeleton covered with a dirty yellow skin. " Your little brother must be taken care of ; we are sending him to hospital ", Vladimir, the eldest brother, was told. They never saw each other again. Vladimir, Nina and Ludmilla Kourdoumiakoff were reunited after the war but they did not know what had become of Kolia.

The Tracing Service of the Red Cross and Red Crescent Societies of the USSR finally succeeded, recently, in tracing Kolia too. It was far from easy. In the children's home where he had been raised, his name and surname had been registered incorrectly, but one detail which Vladimir had been able to give to the Tracing Service was useful : he and his brother, like all the prisoners in the concentration camp, had had their hand marked with a registration number and Kolia's number followed Vladimir's.

Brothers in arms meet again.—Roman Solovieff was taken prisoner after having been seriously wounded in fighting near Barvenkovo. When he found himself behind the barbed wire of the Tannwals concentration camp (Sudetenland), he swore he would try to escape. After careful preparation, his attempt failed and he realized that alone he would never be successful.

He learnt that there was an escape committee in the camp and he made contact with it. This committee organized a revolt and mass escape. Solovieff's group joined one of the guerilla units in Czechoslovakia.

After the war, the Czech, Polish and Russian brothers in arms who had fought side by side against the common enemy were dispersed. The years passed and one day a letter arrived in Moscow from the Czech citizen Alexander Nicolaievitch Raievsky, asking for the address and news of his comrade, Roman Athanasievitch Solovieff, and 250 others who had broken out of the Tannwald concentration camp. The Tracing Service undertook an investigation and communicated the results to the enquirer.

Tracing the "Tchapaïevtzy".—The fame of the fighting exploits of the first brigade of "Tchapaïeff partisans" which operated in Czechoslovakia during the Second World War, spread far and wide beyond the Carpathians.

Twenty years have not dimmed the memory of the Soviet guerilla who fought with the brigade for a year of severe hardships.

Stefan Richtarek and his friends of the Tchapaïeff brigade wished again to meet their Russian friends in order to visit the scenes of memorable fighting together. Upon their request, the Tracing Service in Moscow found and communicated to them the address of Victor Nicolaievitch Kokine who had directed the "Tchapaïevtzy" military operations during the war.

* * *

It is difficult to undertake tracing work after almost a quarter of a century : records may have been destroyed, details given by relatives are not always accurate and complete. It often seems that all trace of the person sought has been lost and there is no hope of achieving any result. But the Tracing Service staff carry on their work with attention to minute details and with perseverance, displaying both competence and understanding to a marked degree. One enquiry in four meets with success ; such is the result of their humanitarian activity.

MISCELLANEOUS

APPLICATION OF THE FOURTH GENEVA CONVENTION

The ICRC has received from the German Red Cross in the Federal Republic the text of regulations issued by the Ministry of Health for the implementation in the Federal Republic of Germany of Articles 18 to 20 of the Geneva Convention of August 12, 1949, relative to the protection of civilian persons in time of war. As these regulations are a practical step in the application of this Convention, the International Review believes readers will be interested in the text thereof, which we have had translated.

A. PROTECTION OF CIVILIAN HOSPITALS

I. Establishments entitled to Protection

Civilian hospitals shall be granted the protection provided for in Article 18, par. 1, of the IVth Geneva Convention of August 12, 1949 (Bundesgesetzbl. II, 1954, pp. 781, 917 ff). According to that Article a civilian hospital is an establishment intended for the reception, care and hospital treatment of wounded, sick or infirm civilians and maternity cases, and organized to that effect. The size of the hospital and number of beds is irrelevant. The hospital may consist of one or several buildings or may be confined to only a part or parts of a building. A hospital includes the staff quarters near or adjoining it as well as the technical installations necessary for its operation. All arrangements must be made to ensure that treatment is given and supervised by qualified personnel.

Every temporary hospital shall be deemed to be a civilian hospital. Homes for children, the aged, the disabled, the blind, the deaf and dumb, and similar establishments, are considered to be civilian hospitals only if they are staffed by nurses.

II. Official Recognition

State recognition implies that a hospital is of civilian status and is not used for purposes harmful to an enemy. Recognition merely

MISCELLANEOUS

takes the form of a declaration. The civilian status of a hospital and, consequently, the protection provided for in Article 18, par. 1, are therefore acknowledged, subject to the conditions stipulated and applicable even when official recognition has not yet been granted. Hospitals are entitled to such recognition when they fulfil the requisite conditions.

1. *Conditions*

Official recognition shall be granted by the " Land " authorities to a hospital when it :

- a) conforms to the requirements indicated in the first paragraph of section A,
- b) contains no installation or object which may be used for acts contrary to the hospital's humanitarian mission and harmful to an enemy. Acts harmful to an enemy are those which either facilitate military operations against an enemy or hinder an enemy's military operations, but measures taken for the protection and supply of the civilian population as well as the facts mentioned in the second paragraph of Article 19 of the IVth Geneva Convention shall not be so construed. Consequently, the following shall not be considered harmful to an enemy : the reception, treatment and nursing of wounded or sick persons to whom the Ist, IIInd or IIIrd Geneva Convention apply ; the presence of small arms and ammunition taken from such persons but not yet handed to the proper service.

2. *Form and content of recognition*

Official recognition shall be notified in a document conforming to appendix 1 of these regulations. The document shall contain the name and address of the hospital and its manager and shall bear the seal of the competent authority.

Upon issuance of the document, the hospital manager shall be warned in writing that it must be kept in the hospital and presented for control at any time ; in addition he shall notify the relevant authorities of any facts which might give rise to the repeal of the recognition.

3. *Repeal*

Official recognition shall be repealed if, when it was granted, the hospital did not comply with the conditions laid down in the first paragraph of section A hereof or if the hospital ceases to comply with them and the manager does not within a reasonable time arrange for the hospital to resume compliance.

III. State authorization to display the protective sign

1. *Conditions*

The protective sign is a red cross on a white ground (article 38 of the 1st Geneva Convention of August 12, 1949 ; Bundesgesetzbl. II, 1954, p. 781). This sign may only be displayed on a recognized civilian hospital and only with the special authorization of the State.

The authority concerned, in accordance with its terms of reference, shall exercise discretion in the granting of such authorization. Decisions in this respect shall be the result of careful deliberation in order to avoid any vitiation of the protective sign. The " Wehrbereichskommando " (local military command) shall be informed when a hospital is granted recognition.

2. *Form and content of authorization*

Authorization to display the protective sign shall be contained in a document conforming to the specimen appended hereto as annex 2. Upon delivery of this document the manager of the hospital shall be notified in writing of the following conditions :

- a) The protective sign shall be displayed on the roof, at the front and at the back of the building as well as at the main entrances. If this is not possible the sign shall be placed elsewhere in such a manner as to be clearly visible from all sides. If the hospital comprises several buildings, each of them shall be so marked. The protective sign should be visible from afar. When the hospital consists of one or several storeys of a building whereof the remainder is used for other purposes, the protective sign

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may not be affixed very prominently except at the entrance to the hospital. In addition preparation should be made to replace any obliterated or destroyed protective signs with temporary markings.

- b) Full preparation must be made for rapid display of markings. The competent authority will decide when markings are to be displayed. If there is reason to fear that the area in which the hospital is located may become occupied territory or a combat zone, markings shall be displayed without instructions from the competent authority if these cannot be obtained in good time. Occupied territory is territory which has fallen into enemy hands. A combat zone is any territory where military operations on land or preparations therefor take place. Enemy parachute landings may transform a hitherto unoccupied area into a combat zone.
- c) In accordance with appendix No. 2 of these directives, the hospital manager shall keep the authorization to display the protective sign in the hospital itself, in order to be able to produce it at any time. He shall notify the competent authority of any facts which may be relevant to the continuance of the authorization.
- d) The hospital manager shall ensure that the hospital staff are instructed in the essential provisions of the IVth Geneva Convention and, in particular, in their rights and obligations under the terms thereof. When the authorization is granted its repeal at any time shall be stipulated.

3. *Repeal of the authorization*

The official authorization shall be repealed if the conditions specified in III/1 above were not fulfilled at the time when it was granted, or the hospital ceases to comply with them, or when the conditions specified in III/2 above have been contravened without due remedy within a reasonable time.

The authorization may be cancelled for other reasons in the public interest.

B. PROTECTION OF CIVILIAN HOSPITAL PERSONNEL**I. Definition**

The personnel of a civilian hospital comprises persons engaged solely for the operation and administration of the hospital (permanent and temporary staff).

1. Permanent Personnel

The permanent personnel consists of persons regularly and solely engaged in the operation and administration of the hospital or in the search for, removal and transporting of and caring for wounded and sick civilians, the infirm and maternity cases, and who for those purposes are subject to hospital discipline. In particular, the permanent personnel includes the doctors, nurses and members of religious orders attached to the hospital, the administrative personnel, nursing assistants, technical staff and persons working in the laboratories, kitchens, laundries, etc. On the other hand, permanent personnel does not include persons employed in auxiliary undertakings servicing the hospital, such as agricultural enterprises.

2. Temporary Staff

Temporary staff comprises persons who temporarily or as a secondary occupation are engaged in the operation or administration of the hospital or in the search for, removal and transporting of and caring for wounded and sick civilians, the infirm and maternity cases, and who for those purposes are subject to hospital discipline. This staff category includes doctors who have a practice of their own apart from their work at the hospital, hourly paid nursing staff, members of religious orders who have ecclesiastical duties other than those they perform in the hospital, as well as technical personnel who also work elsewhere than in the hospital. Persons in auxiliary undertakings servicing the hospital are not included in the hospital temporary staff.

II. Duration of Protection

Permanent civilian hospital personnel are entitled to the protection provided for in article 20. Temporary personnel are protected only during the discharge of their duties at the hospital. Any person committing acts harmful to an enemy forfeits the right to protection.

III. Identification of Personnel

1. *Identity Card*

An identity card conforming to appendix 3 of these regulations shall be supplied to both permanent and temporary staff. It shall show to which category the holder belongs. It shall be printed in the Latin alphabet in indelible ink or colour. It shall show only such information as is specified and shall bear in indelible ink the seal of the competent authority.

The photograph (or photomat) on the card should be recent and a true likeness of the bearer, shown bare-headed and about half-way between full-face and profile so that one ear is visible. The size of the photograph shall be not smaller than 38 mm × 52 mm and not larger than 45 mm × 60 mm. The photographs of female nurses may show them wearing their regulation uniform bonnet. The photograph shall be fixed to the card by at least two eyelets in diagonally opposite corners. The official seal must be stamped in such a manner that half overlaps the photograph. Photographs already bearing an official stamp or part thereof shall not be acceptable. Identity cards for personnel working in hospital shall be made out immediately and retained in the hospital in a manner precluding any abuse and permitting immediate distribution to the staff at any time on orders from the competent authority. Persons ceasing to be employed at the hospital shall deliver their identity cards to the competent authority for destruction.

If there is reason to fear that the area in which the hospital is located might become occupied or a combat zone, the competent authority shall give instructions for the identity cards to be distributed to the personnel; this can be done even without orders from the competent authority if circumstances prevent them being received in good time.

The bearer shall constantly carry his identity card on his person, even when not on duty at the hospital.

2. *Armlet*

Hospital staff shall wear an armlet bearing the red cross on white ground (Article 38 of the 1st Geneva Convention of August 12, 1949, Bundesgesetzbl. II, 1954, p. 781). The armlet shall be water-resistant and shall bear the official stamp of the competent "Land" authority, which shall issue to the hospital one armlet for every staff member entitled to the protection of Article 20. The hospital shall keep the armlets so that they may be distributed to the personnel at any time. These armlets shall be issued to the staff at the same time as the identity cards.

The armlet shall be worn on the left arm and only on duty. It may be worn on the way between the hospital and home, but only by permanent staff.

List of Personnel

The hospital management shall keep an up-to-date list of permanent and temporary staff. This list shall be available for consultation in the hospital at all times.

PROGRESS IN ORTHOPAEDICS

The review Monde Combattant (Paris, Nos. 149-150) has published an interesting article on a prosthesis which has recently been realized. This concerns a hand with electronic fingers which seems to be a real advance in the field of artificial limbs. We therefore think it to be of interest to reproduce below Mr. Branko Kolovic's article, which has appeared in the World Veterans Federation's publication.

In spite of recent scientific progress, among the major problems remaining unsolved are the restoration of sight to the blind, and the full substitution of a hand. As the eye, the human hand is such a delicate, beautiful and artful mechanism, that so far all attempts to imitate nature have failed. The problem has been attracting researchers and experts all over the world, but no completely adequate substitute has yet been found. The movements of all prosthetic

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devices are still rigid and limited. The development of electronic science has stimulated scientists to study its possible application to artificial hands. Such studies are being carried out in several countries: among others, in the Soviet Union, where Professor Aaron Kobrinsky is working on such a device for the Artificial Limb Research Institute; in Italy, by Professor Gualtiero Horn; in the United States, at the University of California, Berkeley; in Great Britain, where three new devices were publicly demonstrated recently at the International Symposium on Biomechanics at the London Youth Science Fortnight. Another study, carried out in Yugoslavia, has reached an advanced stage.

Headed by Dr. Rajko Tomovic, professor at the Electro-technical Faculty of Belgrade, a group of young Yugoslav experts—engineers, physicians, technicians—has tried for some time to construct an artificial hand which would come “as close as possible” to the natural human hand.

The most difficult problem to overcome is the lack of sensory control in artificial hand function. After long and persistent theoretical and practical work and laboratory experiments, the Yugoslav experts constructed an artificial hand with automatic control, which seems to have attained the highest range in this field at the present time. The technical work was done by technicians of the laboratories and workshops of the “Mihailo Pupin” Institute for Automation and Telecommunications in Belgrade.

The idea of the initiator, Professor Tomovic, was to create an artificial hand that could more successfully substitute for the natural one. The movements of fingers of this electronic-automatic device are meant to be the same as those of a real hand: partly voluntary, partly automatic. The resulting model thus differs from all prostheses hitherto known in that it uses not only the voluntary commands of the user, but also his reflexive ones. The new hand therefore should answer, at least partially, the majority of requirements of a natural hand, and furthermore make possible many actions, such as grasping objects of various forms, even by all fingers.

According to the explanations of Dr. Bosko Zotovic and Dr. Petar Arezina, who from the beginning participated in making the prototype of the prosthesis, as indispensable medical con-

sultants, the movements made possible by this artificial hand with automatic control are done automatically in that the reflexive nervous fibres, which convey impulses from the periphery of the human hand, are replaced by special artificial sensations—through sensitive elements placed at appropriate spots of the artificial fingers. At the touch of these elements with the object to be taken, automatically (similar to the natural hand) the electric impulses are conveyed to a special electronic box (instead of the brain cortex with the natural hand). By way of particularly sensitive elements placed at the socket of the stump, voluntary control is possible: the opening and closing of the artificial hand. This voluntary action is done by a minimum contraction of remaining stump muscles which stimulate the sensitive elements in the artificial socket. From there they are conveyed to the electric box, in which by means of electronic logics, definite commands are given electrically to an electro-motor built into the root of the artificial hand.

By their form as well as by their functions, all the fingers resemble the fingers of a normal hand. The thumb is entirely apart.

The hand can be clenched into a fist and pinch. Its weight is one pound. Its user can lift an object as heavy as 30 kg.

This invention has been successfully demonstrated at international meetings outside Yugoslavia. This new hand opens possibilities for performing even finer and more precise movements such as opening a box of matches, taking out the match stick and bringing a cigarette to the mouth etc. However, the device is still at the experimental stage, and another period will be necessary before production on a large scale can start.

In further improvements of the hand—to make this “dead” appliance the component part of the human organism—the rôle of the medical profession will be particularly significant. Since every human being is an individual case, physiologically as well as psychologically, the task of medical experts is as delicate as the technical idea itself. Several of the prototypes to be made in the “Mihailo Pupin” Institute, will be put at the disposal of the Centre for Prosthetics in Belgrade, where, under the supervision of Dr. Zotovic and Dr. Arezina, the examinations and testing with larger groups of arm amputees will be continued. Very important in this future

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work is the correct placing of the electric sensitive elements, because the muscles which take part in such an action are different in size and strength with each person.

On the recommendation of Dr. Zotovic, the team is now preparing the construction of a new type of the same model with a more delicate regulation of finger movements, so as to enable the user to adjust his grasp in the course of the movement itself, instead of always completely opening and closing the whole hand. This would give the hand an extraordinary flexibility.

“The Laboratory prototype of this device with automatic control has shown that there is a basis to perfect the prostheses on the basis of automation and electronics”, Professor Tomovic told us. In his opinion, and in the opinion of other Yugoslav experts, international co-operation with other countries and interested organizations and institutions, in view of the improvement of this invention, would be valuable not only for the exchange of experiences, but also with regard to concrete solutions of many questions concerning technical processes, usage of materials and construction of parts.

EDUCATION FOR THE BLIND

Blindness in children sets a number of problems—educational, occupational and psychological—with which all who deal with the blind should be familiar. *Réadaptation*¹ (No. 119, 1965) published a useful special issue on the situation and prospects facing the young blind. Qualified authors contributed articles on such questions as : modern trends in education for the blind ; school organization ; teaching through sensory perception, hand-work and motions ; occupational adaptation and employment ; leisure activities ; welfare legislation ; educational, occupational training and integration institutes ; holiday camps.

The opening article by Pierre Henri, President and founder of the *Groupement des intellectuels aveugles*, traces the broad outline

¹ 10, rue de Sèvres, Paris 7.

of developments in education for the blind and our readers will no doubt be interested in the substance thereof, which we give below.

Without the impact of any social influence, personality development in the blind would be dependent on sensory aptitude. Conduct, attitudes, concepts, vocabulary; all would focus only on the satisfaction of vital needs, following the patterns of thought and action induced by experience. In a society made up entirely of blind people, education would concentrate on adapting the individual to the common way of life. He of course would constantly be "seeing with his hands"; he would dip his finger in his glass to judge how full it was, finger the meat on his plate to distinguish the edible from the non-edible parts, and so forth, but no one would mind. But the blind person lives in a world of seeing people and on him are imposed their language, customs and civilization presupposing the gift of sight. Adapting Durkheim's definition of education, it might be said that the education of the blind "is intended to stimulate and develop in them certain physical, intellectual and mental attributes" required by life in a society of seeing people.

But what society expects of its members varies from time to time and from place to place. In the 18th century, for instance, it was a *quantum sufficit* of knowledge, so Valentin Haüy was up to date in thinking it would suffice to bring culture within the grasp of the blind in order to bridge the gulf separating them from people with vision and that, as the doctrine of sensationalism had just rehabilitated the senses as the perception faculties furnishing the sole data of knowledge, the sense of touch could give the blind access to book-knowledge and many crafts, thus enabling them to provide for themselves. Subsequently, but haltingly, the science of teaching the blind was influenced by progress in general pedagogy (introduction of physical training, intuitive and tangible methods, nursery schools, etc.). In France the development of music teaching—which Haüy only considered as a pastime and means of publicity—and piano tuning had a twofold merit in that it did not confine the blind to the exercise of manual trades which machines were soon to make unprofitable, and—what has not been sufficiently stressed—it brought them into the open competitive trades of the community at large instead of isolating them in the coterie of "protected" workshops.

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In spite of trends which moderated the effects of the segregation applied to blind pupils, Valentin Haüy's influence still affected their teaching. The enormous success of braille even gave the illusion that education for the blind merely involved teaching them the system and thereby bringing within their reach the teaching material available to the seeing (textbooks, maps, drawings) so that ultimately the teaching of the blind involved inculcating into them the academic programme intended for students with sight (same purpose, methods, curricula, examinations) whilst their preparation for life could be reduced to an apprenticeship for a trade (music, tuning, repair of cane chairs, brushware, wickerwork, knitting).

This conception was more inadequate than wrong. The principle so dear to the blind that they differ from the seeing only by the absence of sight, demands that they receive the same education. Not only are the faculties to be developed (attention, memory, power of observation, reasoning), components of the complex ability of "substitution", but culture and the possession of qualifying diplomas—even when, as is more and more frequently the case nowadays, they do not lead to accession to the professions—are nevertheless compensatory attributes for the disabled and are assets, both intrinsically and in relations with society.

For some time, however, it has been realized that neither cultural and professional equality nor even relative superiority is sufficient to integrate the blind into a seeing society or to spare them psychological conflict and frustration. As long ago as 1922 Pierre Villay stressed the importance of "social and moral preparation," in a description of a social programme which in part is still valid.

Contemporary trends and terminology in psychology assign to education for the blind the object of adjusting them to contend with the demands of society in a manner appropriate to their own potential. What does this imply, in fact, if not to train to be inconspicuous, or, in other words, to act like everybody else in a world organized by and for people gifted with sight, individuals whose personality is naturally conditioned by absence of sight and by the exercise of a whole system of substitute faculties and procedures which are not necessarily socially acceptable.

It is a century since Dr. Blanchet, in Paris, and twenty-five years later Dr. Nicati, in Marseilles, suggested the education of

blind children be entrusted to the ordinary schools. This system, first tried in Chicago in about 1900, is now widely accepted in the U.S.A., where its advocates accuse the "institutional system" of cultivating an "abnormality complex" in the physically handicapped, and of perpetuating in the public mind the concept of a special case, whereas school integration is preparation for social integration, promotes normal habits and actions, develops the competitive spirit and accustoms the blind to other people's reactions to their affliction. To this argument the proponents of the special school reply that before the school comes the family, the first contributory factor to distortion of the personality, and that in fact attendance at the ordinary school does not dispense with the need for a braille class with appropriate equipment for the blind to receive lessons adapted to their possibilities and needs . . .

. . . Even more than for the able-bodied, the personality of a disabled person is a delicate mechanism depending on the proper fitting of the parts. Any adjustment requires education leading to conformity to standard, so that school, particularly the special school, is much more than just a set of classrooms. This education should be complete, i.e. it should not only do for the pupils what the normal school does for the seeing, but also take into account the physically, intellectually and emotionally deforming effects which blindness may have ; promote social intercourse ; open wide the door of life ; prepare those who are capable of deriving benefit from additional training to enable them to enter into the normal circuit of production ; encourage co-operation by parents ; enlighten the public, etc.

Therein lies the true nature of education for the blind. It is a long-term task ; pupils should be given the benefit early in life ; and it calls for financial sacrifice. If it is not always successful in enabling its beneficiaries to forgo the compensatory measures which they may legally claim, this is undoubtedly due to the seriousness of their handicap which such education is intended to alleviate. The organization and aim of such compensatory benefits should make employment accessible to the blind. Otherwise their work would not be productive enough to suit either the employer or the blind workers themselves, who would then prefer pure and simple assistance.

TWENTY YEARS AGO

The "Landesverband Baden-Württemberg und Südbaden" of the German Red Cross in the German Federal Republic has published in its Mitteilungsblatt (1965, 3/4) an article on events which took place at the end of the Second World War in which the ICRC was involved. This article, entitled "Twenty years ago, Ravensburg was saved by the Red Cross", in fact recalls the large-scale relief action then carried out by the International Committee and which was based on Ravensburg. We now give some of the more important portions of this account.

In March 1945, negotiations took place in connection with the fate of Ravensburg and the German Ministry of Foreign Affairs gave instructions for a suitable building to be found in that town for the installation of a relief depot of the International Committee of the Red Cross.

In view of the increasing destruction of railway communications, it was becoming more and more difficult to ensure, as hitherto, the supplying of allied prisoners of war. Their return had to be rendered possible from an assembly centre located in South Germany and which had to be in proximity to Switzerland. Amongst the towns which came under consideration and which insistently asked for this central depot to be installed was Ravensburg, which was selected, where already by March 14 a first meeting with the appropriate authorities was held.

The town, which interested itself to the maximum extent in the practical realization of this international protection, immediately made available the Württemberg central warehouse and removed all the contents from this important depot as well as from the gymnastic hall and other neighbouring buildings. Arrangements were also made to place vehicles transporting relief under cover.

A further meeting took place in the Town Hall on March 22, presided over by the Mayor, in which took part several leading officials and a representative of the International Committee of the Red Cross, who had come from Geneva. It was soon realized that Ravensburg was the most convenient location from both a technical and geographical point of view as well as regards communications

and installations. Other meetings were held, amongst others at Kreuzlingen.¹ The respective Swiss authorities also approved of the project.

It was a question, at the outset, of supplying 250,000 prisoners of war who were on German territory. The depot had an approximate storage capacity of 4,000 tons. By April 14, the first Red Cross convoy, consisting of 60 railway trucks, arrived at Ravensburg. White-painted vehicles assured subsequent distributions. This relief action lasted from April 14 to June 21. During this period, 232 trucks arrived in the town, loaded with foodstuffs which were then distributed in the form of 435,000 parcels each of 5 kgs. to prisoners and foreign workers who were in fact now free. It has been estimated that the 520 white vehicles of the Red Cross covered more than 19,000 kilometres.

Personnel appointed at the final meeting immediately set to work. The Mayor took special measures to ensure that the protective emblem of the Red Cross could be seen from a distance, marked with luminous paint on the roofs of buildings placed at the disposal of the International Committee. It was indeed through the latter that the Allied air forces were informed that Ravensburg should henceforth be spared. The importance of the ICRC's participation in the "Ravensburg Plan" was shown in a letter sent by Mr. Carl J. Burckhardt, President of the International Committee, to Dr. Kurndt, Counsellor of Legation and to the Mayor, Walzer. He expressed pleasure in seeing this large-scale enterprise put so rapidly into execution . . .

. . . When French forces entered Ravensburg on April 28, the relief action was already in full swing. It was pursued without meeting with any opposition. The "Ravensburg Plan" thus adequately stood the test during the most difficult days. The ICRC continued its relief work. Consequently the town remained intact, with the result that this action of the Red Cross stands out as a landmark in that sombre period of the war's end and of general confusion: "Inter arma caritas".

¹ See article in the *International Review*, April 1965, on the book "Trotz Stacheldraht" (O. Raggenbass) in which Kreuzlingen's rôle during the ICRC's relief action in 1945 is described.

BOOKS AND REVIEWS

A. VERDOODT : « NAISSANCE ET SIGNIFICATION DE LA DÉCLARATION UNIVERSELLE DES DROITS DE L'HOMME »

It was on December 10, 1948, that the United Nations General Assembly, meeting in Paris, adopted the Universal Declaration of Human Rights; this was subsequently adhered to by many States which at that time were not in existence. In addition, pending general treaties, it gave rise to regional treaties such as the European Convention on Human Rights (November 1950), as well as universal agreements on definitive rights, providing for specific legal sanctions.

The 1948 resolution was of course preceded by the work of a number of commissions. Mr Verdoodt has endeavoured to clarify the origin of the Declaration with the aim—which he successfully achieved—of tracing the various tendencies which were observable during the drafting of the preamble and articles of the Declaration. He also attempted to elucidate the final text on the basis of the preliminary work. He has thus set out the factual, ideological and moral reasons which induced the members of the preparatory commissions—government and non-governmental delegates—to choose some laws or wording in preference to others. For this, he had to undertake research and examination of United Nations documents concerning human rights and to analyse the comments which had been made on these documents, particularly those which were written by the authors of the Declaration.

This task of compiling and analysing documents was performed with thoroughness, and to the more useful effect as the author, as pointed out by Mr. René Cassin in his foreword, undertook not only to assemble the official documents but also to analyse the delegates' interventions which had been included in verbatim reports or in recordings. It was therefore in the light of earlier work that he gives an interpretation of the Declaration. It was not his intention

¹Études morales, sociales et juridiques, Editions Nauwelaerts, Louvain-Paris, p. 356.

to judge it morally and philosophically nor to take sides " in the controversy on any practical or legal interpretation ". It is because his study is so objective that it is so useful and enables members of the international legal community the better to understand the aims which they have set themselves.

It is a widely known fact that the Declaration of Human Rights is part and parcel of the general current of thought which led to the creation and development of the Red Cross. It may be noted that the *Revue internationale* (April 1949) has already published articles drawing the parallel between this Declaration and the Geneva Conventions. Mr. Verdoodt's book points to the general trend of efforts after the Second World War to safeguard essential human rights. It was only one year after the vote on the Declaration that the Geneva Conventions of August 12, 1949, were drawn up.

J. G. L.

B. and S. EPSTEIN : THE RED CROSS IN ACTION ¹

In March 1964, the *International Review* devoted an article to a book written by Beryl and Sam Epstein in 1963 under the title " The Story of the International Red Cross ". A condensed edition has now been published under another title.

It repeats the same general ideas as the earlier version and has the same factual and vivid description of historic events of concern to the Red Cross from the time of Henry Dunant and his prophetic views up to the Second World War. It also covers ICRC actions during civil wars and gives an account of actions undertaken by the League and by many National Societies.

Red Cross interventions during armed conflicts and natural disasters are illustrated as well as its work for the benefit of children in hospitals and for the training of nurses.

J.-G. L.

¹ Macfaden-Bartell, New-York, 1965, 128 p. This book is intended for readers having only an elementary knowledge of English.

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EDUARDO DE NO LOUIS : « LA CRUZ ROJA Y EL DERECHO DE GUERRA ».

This study, which goes back to the academic year 1956-57 is none the less of considerable topical interest. Its author, Colonel Eduardo de No Louis, who is Assistant Director of Legal Services at the Ministry of War in Madrid, gives a most clear account of the history, organization and directing ideas of the International Red Cross. As such it gives all that every officer and official responsible for the application of humanitarian law should know of the Red Cross and the Geneva Conventions.

Colonel de No Louis, doctor of law of the University of Madrid, devoted his thesis to " Prisoners of war ". Amongst other functions he was secretary on the editorial staff of the review " Africa " and also acted as secretary to the Commission charged with drawing up the code of military law in 1945. He then became professor of international law and director of studies at the Academy of military law. Member of the mixed commission set up by the Hispano-American Mutual Aid Agreement, he is head of the military law section at the " Francisco de Vitoria " Institute of International Law and directs the " Revista Española de Derecho militar ". It is sufficient to say that this study, to which we have pleasure in drawing the special attention of the Red Cross world, is the work of one of the best qualified in this field.

The author insists, in particular, on the judicial character of the red cross emblem as the protective and indicatory sign, and refers with appropriate comment to the highly important provisions of articles 53 and 54 of the First Geneva Convention of August 12, 1949 regarding the use and respect for the emblem. It is only too certain, as he himself observes, that misuse of the sign of the Red Cross should be scrupulously avoided (or repressed) in the interest itself of the effectiveness of protection.

In concluding his account, intentionally limited to essentials, Colonel de No Louis emphasizes the rôle of the International Committee of the Red Cross in the development of humanitarian

¹ Escuela de funcionarios internacionales, " Cursos y Conferencias ", 1956-57, Madrid, 54 p.

law. "Many achievements in the law of war", he writes, "before being recognized by the Conventions, have found practical realization thanks to the International Committee of the Red Cross using its right of initiative, by constant, tenacious and insistent work . . . thanks to exemplary patience and neutrality."

Whilst pointing out the state of "confusion and profound evolution" of the present world, the author finally observes that on many occasions the international Red Cross has been successful in alleviating suffering, bringing modification to problems seemingly without solution and, to a certain extent, acting as a balancing factor in the increasing dangers of war.

H. C.

MAURICE VEILLARD-CYBULSKI: "INTRODUCTION AU TRAVAIL SOCIAL" ¹

Numerous publications on social work have appeared, but there are few handbooks in French. This book by Mr. Maurice Veillard-Cybulski, doctor of law, is therefore most welcome. He deals not only with general problems of social welfare existing in the world today, but also with the tasks undertaken in various sectors on behalf of infants and youths, family matters, the aged, the sick and the maladjusted. The first chapters relate to social activities on the international level and mention is made on several occasions of the Red Cross, an important factor in social reconstruction. It should be pointed out in passing that if the ICRC's rôle, in time of war, is to ensure the practical application of the Geneva Conventions, it goes far beyond the organization of "the social services in prisoner-of-war camps".

The book opens with an excellent historical summary and the author shows the fundamental changes which have taken place in the field of social services, which in the beginning was the product of charity and was of a purely voluntary character. Today, this is

¹ Published by the Cartel romand d'Hygiène Sociale et Morale, Lausanne 1964, 214 p.

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undertaken by full-time workers, exercising a profession for which they have received a long period of training. Behind them they have institutions which grow ever larger and more powerful, some of which moreover, such as the Red Cross, are of private origins. However, the State intervenes more and more, making increasing resources available to the social services.

Nevertheless, as the author so rightly points out, it is its profoundly human aspect which gives the social services their quality and these must be watchful of bureaucracy and too rigid methods of administration. For there is still much to be done, in spite of increased efforts on the part of these services, since their field of action, as Mr. Veilland-Cybulski points out in the second part of the book, continues to extend. This development, however, can be justified only as long as it takes its inspiration from the humanitarian ideal of service to others.

J.-G. L.

THE RED CROSS AND THE POSTAL SERVICE ¹

In "Le Monde des Philatélistes", Mr. Max-Marc Thomas published a series of articles concerning the early years of the Red Cross.

These articles were collected in a booklet together with a monograph by Mr. Rouard-Watine, Director of the Information and Public Relations Division of the French Red Cross, entitled "La Croix-Rouge et le timbre-poste".

This booklet contains interesting information on the beginnings of Red Cross philately. It is well illustrated with a number of reproductions of vignettes and post-marks, including some used during the war of 1870.

It contains also the first messages sent to prisoners of war by the International Agency for Relief to the Wounded which was set up in Basle by the ICRC. Also reproduced are some of the first letters sent by prisoners of war which benefited from the exemption

¹ Published in "Le Monde des Philatélistes", 5, rue des Italiens, Paris 9^e, Study No. 70, 1965, 20 pp.

of postal charges. The first labels used by the International Committee in Geneva are also illustrated and catalogued.

The information in this booklet will undoubtedly prove of value to all collectors interested in the Red Cross connection with postal services.

C. P.

WHO Chronicle, Geneva, Vol. 19, No. 6, 1965.

United Arab Republic : progress in nursing education.—With the aim of improving nursing services in the United Arab Republic, the Government, with WHO assistance, began in 1961 a project to demonstrate nursing education and services in a model hospital and school of nursing at the Ahmed Maher Hospital, Cairo. It was hoped that the standards of education and practice set by the project would become the established pattern for the country as a whole.

The first phase entailed the revision of the curriculum and of certain policies, the preparation of facilities for both hospital and school, and the recruitment of additional staff. The Government gave every support to the plan: representatives of the Ministry of Health participated in committees for the revision of curricula and policies, initiated a large building programme, obtained equipment and supplies, employed seven graduates of the Higher Institute of Nursing of the University of Alexandria to work with staff provided by WHO, and made whatever other personnel changes seemed necessary for the project.

It was planned to start the second phase—the training of nurses from other nursing schools and hospitals—only after completion of the first. However, interest in the project was so great that courses had to be arranged before the final preparations were completed.

In 1963 it was decided to extend the project so as to provide “models” not only for general hospitals but for all spheres in which nurses served. The plan of operation was revised and the Technical Assistance Board increased assistance, providing for three additional nurses under contingency funds in 1964. Provision is now made for a senior adviser and educators in nursing services administration, general nursing education, public health nursing, and mental health and psychiatric nursing. The Government has also made provision for an additional 17 posts to be filled by graduates of the Higher Institute of Nursing.

Plans for the future include the enrolment each year of 12 graduates of the Higher Institute of Nursing, so that they may gain a year’s practical experience in teaching and administration before assuming these responsibilities professionally.

EXTRACT FROM THE STATUTES OF
THE INTERNATIONAL COMMITTEE OF THE RED CROSS

(AGREED AND AMENDED ON SEPTEMBER 25, 1952)

ART. 1. — The International Committee of the Red Cross (ICRC), founded in Geneva in 1863 and formally recognized in the Geneva Conventions and by International Conferences of the Red Cross, shall be an independent organization having its own Statutes.

It shall be a constituent part of the International Red Cross.¹

ART. 2. — As an association governed by Articles 60 and following of the Swiss Civil Code, the ICRC shall have legal personality.

ART. 3. — The headquarters of the ICRC shall be in Geneva.

Its emblem shall be a red cross on a white ground. Its motto shall be “ Inter arma caritas ”.

ART. 4. — The special rôle of the ICRC shall be :

- (a) to maintain the fundamental and permanent principles of the Red Cross, namely : impartiality, action independent of any racial, political, religious or economic considerations, the universality of the Red Cross and the equality of the National Red Cross Societies ;
- (b) to recognize any newly established or reconstituted National Red Cross Society which fulfils the conditions for recognition in force, and to notify other National Societies of such recognition ;

¹ The International Red Cross comprises the National Red Cross Societies, the International Committee of the Red Cross and the League of Red Cross Societies. The term “ National Red Cross Societies ” includes the Red Crescent Societies and the Red Lion and Sun Society.

- (c) to undertake the tasks incumbent on it under the Geneva Conventions, to work for the faithful application of these Conventions and to take cognizance of any complaints regarding alleged breaches of the humanitarian Conventions ;
- (d) to take action in its capacity as a neutral institution, especially in case of war, civil war or internal strife ; to endeavour to ensure at all times that the military and civilian victims of such conflicts and of their direct results receive protection and assistance, and to serve, in humanitarian matters, as an intermediary between the parties ;
- (e) to contribute, in view of such conflicts, to the preparation and development of medical personnel and medical equipment, in cooperation with the Red Cross organizations, the medical services of the armed forces, and other competent authorities ;
- (f) to work for the continual improvement of humanitarian international law and for the better understanding and diffusion of the Geneva Conventions and to prepare for their possible extension ;
- (g) to accept the mandates entrusted to it by the International Conferences of the Red Cross.

The ICRC may also take any humanitarian initiative which comes within its rôle as a specifically neutral and independent institution and consider any questions requiring examination by such an institution.

ART. 6 (first paragraph). — The ICRC shall co-opt its members from among Swiss citizens. The number of members may not exceed twenty-five.

SOME PUBLICATIONS OF THE ICRC

The Geneva Conventions of August 12, 1949. 2nd Ed. 1950, 8vo, 245 pp. Sw.Fr. 8.—.

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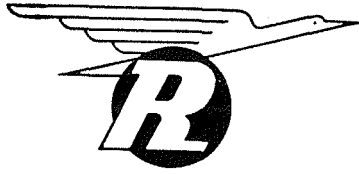
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