

**THE BRITISH GOVERNMENT
AND THE
INTERNATIONAL COMMITTEE OF THE RED CROSS
RELATIONS, 1939-1945**

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THESIS DECLARATION

I declare that this thesis is my own account of my research and contains as its main content work which has not previously been submitted for a degree at any tertiary education institution.

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ABSTRACT

Since its inception in 1863 the International Committee of the Red Cross (ICRC) has pursued its mandate to bring succour to victims of war by strict adherence to its core principles of neutrality and impartiality when dealing with belligerents. The problems of carrying out this mandate during the Second World War were manifold. This was owing not only to the brutal nature of the conflict, but the numerous restrictions under which the Committee was permitted to operate. Although much has been written of the restrictions placed upon the ICRC by the German and Swiss governments and indeed, the Committee's own principles and statutes, the role of the British in determining the success or failure of the ICRC's mission has been mostly ignored by historians. This thesis addresses this problem by analysing the often difficult diplomatic relations between the ICRC and the British government during the Second World War.

Through examining these relations this thesis provides new insights into several key wartime events concerned with International Humanitarian Law, neutrality, prisoner of war history, espionage studies and the history of the British blockade in Greece and France. A new perspective will also be offered herein, on the ICRC's controversial and much maligned vice-president Carl J. Burckhardt, who was both the bane of British-ICRC relations and the Committee's most influential wartime member. In conclusion this thesis will argue that the role of the British government in the ICRC's wartime activities was both far more damaging than has been acknowledged and, paradoxically, of great importance for the long-term development of the ICRC into the multi-faceted humanitarian agency it is today.

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INTRODUCTION

'It is essential that the Committee should keep its activities untouched by politics in any shape or form' – Max Huber, President of the International Committee of the Red Cross, 1928-1944

THE MISSING HISTORY

The story of the International Committee of the Red Cross (ICRC) in the Second World War was one of struggle, perseverance and, in contrast to the above statement, politics and diplomacy. Although a humanitarian agency, obliged by the articles of the Geneva Convention to maintain neutrality in its relations with belligerents and impartiality in its services to victims of war, the need to 'reckon with politics without becoming a part of it'¹ has been a constant problem within the ICRC since its founding in Geneva in 1863.

During the Second World War the most notorious example of this problem was in October 1942 when the Committee's leadership elected not to speak out publicly against the Holocaust. The ICRC's fear was that by publicly condemning Berlin's policies it would both stray from its principle of neutrality and displease the Swiss Federal Council, which at the time was practising a policy of conciliation with Germany.² Thus the Committee's decision was both an act of neutrality and an example of shrewd, cynical diplomacy. Such is the complex nature of the ICRC.

¹ Jean Pictet, *The Fundamental Principles of the Red Cross* (Geneva, 1979), p.59.

² See generally Jean-Claude Favez, *The Red Cross and the Holocaust*, eds. and trans. John and Beryl Fletcher (Cambridge, 1999). On Swiss-German relations in late 1942 see Neville Wylie, *Britain, Switzerland and the Second World War* (Oxford, 2003), pp.307-308, 239-241. On the closing of the Swiss border to Jewish refugees by the Federal Council at the time of the ICRC's non-appeal see Jean-François Bergier, *Switzerland and Refugees in the Nazi Era* (Berne, 1999) hereafter *Bergier Report*, Part 3 and Conclusion.

Unsurprisingly, the subject of the Holocaust non-appeal has dominated recent histories of the ICRC, which, for the most part, have been critical of the Committee's efforts during the Second World War.³ As one historian has noted, since the opening of the ICRC's archives to the general public in 1996 the well-meaning philanthropists of Geneva have joined the Swiss government, Swiss banks and Swiss business in being scrutinised for their complicity in the Nazi regime's crimes.⁴ It is, however, striking that few historians have thoroughly examined some of the key issues of the Holocaust non-appeal – the Committee's relations with belligerents, political motivations and character of its leadership – within a different Second World War context. The purpose of this thesis is to rectify this omission by analysing the diplomatic relations between the ICRC and the allied belligerent with which it had the most contact during the war years, the British government. In doing so three main issues will be addressed.

Firstly, by examining relations with an Allied government this thesis will explore a hitherto neglected field of the ICRC's diplomatic history, which has to date been generally focused on the Committee's wartime relations with Berlin and Berne.⁵ Secondly, an examination will be made of the ICRC's attempts to expand its operations in response to the conflict and the British reaction to these endeavours – generally one of obstruction, objection and suspicion. Finally, this thesis will demonstrate how the ICRC's difficult

³ See Favez, *Holocaust*. Caroline Moorehead also begins her overview of the ICRC's entire history by documenting the Holocaust non-appeal – Caroline Moorehead, *Dunant's Dream: War, Switzerland and the History of the Red Cross* (London, 1998), introduction. David P. Forsythe addresses the ICRC's history in the Second World War by focusing almost solely on the non-appeal – David P. Forsythe, *The Humanitarians: The International Committee of the Red Cross* (Cambridge, 2005), pp.45-48; David P. Forsythe and Barbara Ann J. Rieffer-Flanagan, *The International Committee of the Red Cross: A Neutral Humanitarian Actor* (London, 2007), pp.13-17.

⁴ Favez, *Holocaust*, foreword, p.ix.

⁵ For ICRC relations with Berlin and Berne see generally Favez, *Holocaust*; André Durand, *History of the International Committee of the Red Cross: From Sarajevo to Hiroshima* (Geneva, 1984), chs.7, 9; Forsythe, *Humanitarians*, pp.40-49.

relations with Whitehall over such issues as prisoner of war (POW) welfare and blockade policy shaped the evolution of the Committee's post-war development in terms of its capabilities and political status – a field of inquiry that has recently drawn the attention of not only historians but scholars of International Humanitarian Law (IHL) and humanitarian diplomacy.⁶

Beyond legal and political fields, interest in the history of the ICRC and the Red Cross movement it engendered has also heightened in recent years. In regards to the Committee's role in the Second World War, however, the focus has been less on the ICRC's diplomatic history and more on the sanctity of its principles and the success, or lack thereof, of the Committee's work in the field. This trend was started by the ICRC itself which, until the mid 1990s, was the primary contributor to the writing of its own history. Unsurprisingly, this history de-emphasised the complexities of the Committee's political status by focusing on the humanitarian actions of its delegates and providing basic statistical information on its day-to-day operations.

To this end, in 1948 the ICRC published a three-volume report on its activities during the Second World War, covering – with infuriatingly variable details – everything from financial contributions to the personal exploits of delegates stationed in the Greek islands. One suspects the main purpose of this report was to provide weight to the ICRC president Max Huber's attempt to justify the sanctity of Red Cross neutrality in his *Principles and Foundations of the Work of the International Committee of the Red Cross: 1939-1946* (1946).

⁶ Two of the most recent works of note on the changing nature of IHL are *Just War or Just Peace?: Humanitarian Intervention and International Law* (Oxford, 2003) by Simon Chesterman and *Humanitarianism in Question: Politics, Power, Ethics* (New York, 2008) edited by Michael Barnett and Tom G. Weiss. For discussion of IHL with an emphasis on the ICRC's involvement see Forsythe and Rieffer-Flanagan, *Neutral Humanitarian Actor*, ch.3.

Little more than a pamphlet, Huber's work was a riposte to the ICRC's post-war detractors, and was as unsuccessful in its aims as it was flimsy in substance. This owed in no small part to Huber's romanticised view of Swiss and ICRC neutrality as an 'irrevocable political axiom',⁷ sacred since Switzerland was deemed a neutral state by the terms of the Second Treaty of Paris in 1815. This notion has since been refined, with a clear distinction recognised between the legal precedent for Swiss neutrality and the maintenance of the ICRC's neutrality through its actions.⁸ Huber's concept of neutrality was not his only opinion to ring hollow.

The other beliefs that characterised Huber's wartime presidency – humanity, charity and traditional Christian values – were an obvious advantage for the leader of a philanthropic organisation. In the midst of total war, however, these values were of negligible use and even Yves Sandoz – a supporter of Huber and current Committee member – has conceded that 'Max Huber probably placed too much faith in the virtues of the Red Cross ideal and system'.⁹ It was this very ideal, however, that post war histories of the ICRC sought to promote.

Another ICRC member to take up the challenge of defending the Committee's ideals was one of its wartime heroes, Marcel Junod. His fascinating, if at times self-glorifying, memoir *Warrior Without Weapons* (1951) continued where Huber left off by emphasising the sanctity of the ICRC delegate's only 'weapon' in the field, namely the Geneva Convention, whose articles grant the

⁷ Max Huber, *Principles and Foundations of the Work of the International Committee of the Red Cross: 1939-1946* (Geneva, 1946), p.26.

⁸ François Bugnion, 'Swiss Neutrality as Viewed by the International Committee of the Red Cross', 26 May 2004 – *ICRC Website*, <http://www.icrc.org/web/eng/siteeng0.nsf/htmlall/629cix?opendocument> (accessed 18 November 2008).

⁹ Yves Sandoz, 'Max Huber and the Red Cross', *European Journal of International Law*, 18, no.1 (2007) pp.171-197, *Oxford Journals* <http://ejil.oxfordjournals.org> (accessed 8 March 2008), p.197.

ICRC permission to function as a neutral humanitarian agency on the battlefield.¹⁰

Twelve years after Junod's book was released the ICRC marked its centenary by commissioning one of its active delegates, Pierre Bossier, to write the Committee's first official history *From Solferino to Tsushima* (1963).¹¹ Starting with the Battle of Solferino in 1859 – the bloody aftermath of which drove the Genevan businessman Henry Dunant to establish the Red Cross – the book covered the Committee's history only until the end of the Russo-Japanese war in 1905.

It took fifteen years for another ICRC delegate turned historian, André Durand, to provide the next chapter of the ICRC's official history which covered the ICRC's activities during the First and Second World Wars. *From Sarajevo To Hiroshima* (1978) was originally released only in French and was not translated into English until 1984. Drawing primarily on information already contained in the 1948 reports – with the occasional poorly cited source from Geneva's then closed archives – Durand nevertheless provided an invaluable contribution to our knowledge of the ICRC's history. However, like the work of Junod and Bossier, *Sarajevo to Hiroshima* was a heavily doctored account of the Committee's activities which once again lacked detail in crucial areas, whilst focusing on unnecessary minutiae in others.

With its archives still shut and its histories still official, by the late 1980s the ICRC had become 'wedded to a particular view of its history'¹² which offered

¹⁰ *Convention for the Amelioration of the Condition of the Wounded Armies in the Field* (Geneva, 1864), hereafter *Geneva Convention 1864*, Articles 1-3.

¹¹ This was the first of a series of four official books released by the ICRC covering its history. The latest in the series is *De Budapest à Saigon, 1956-1965* (Geneva, 2009) by Catherine Rey-Schyr.

¹² Neville Wylie, 'The Sound of Silence: The History of the International Committee of the Red Cross as Past and Present', *Diplomacy and Statecraft*, 13, no.4 (2002) pp.186-204, *Routledge*,

little in the way of objective analysis. Nicholas O. Berry's *War and the Red Cross: The Unspoken Mission* (1997) did little to improve this situation. Owing to the book's misguided argument – that the Red Cross movement abandoned its traditional mandate during the Cold War in order to pursue the goal of eradicating the practice of war altogether – Berry's work sits on the fringes of academic scholarship on the history of the ICRC.

A better effort came from George F. Hutchinson, who attempted to provide a detailed history of the Red Cross movement up until the First World War. *Champions of Charity: War and the Rise of the Red Cross* (1996) was a harsh assessment of the ICRC and the Red Cross movement it founded. Both the critical tone and the bitter nature of Hutchinson's argument – that the foundation of the National Red Cross Societies actually 'abetted the militarisation of charity'¹³ – was likely to have been caused, in part, by the author's frustrating experience in the ICRC archives, which he described as being as accessible as those of the Kremlin.¹⁴ Owing to the 'courteous stonewalling'¹⁵ of the ICRC's archivists, therefore, Hutchinson's study was a limited one.

Prior to the release of Hutchinson and Berry's books a former rector from the University of Geneva, Jean-Claude Favez, was granted a greater degree of access to the ICRC's archives than any previous researcher. As a result of this work, in 1988 Favez produced the first history of the ICRC to focus specifically on the period of the Second World War: *Une mission impossible?* Landmark

<http://www.informaworld.com> (accessed 2 November 2007), p.187.

¹³ George F. Hutchinson, *Champions of Charity: War and the Rise of the Red Cross* (Boulder, 1996), p.350.

¹⁴ Ibid, p.2.

¹⁵ Ibid, p.3.

though it was, it took eleven years for the abridged English translation of Favez's work to be published as *The Red Cross and the Holocaust* (1999).

This book was the first thoroughly to scrutinise the ICRC's commitment to neutrality in the Second World War and revealed the Committee's complicity in the Swiss Federal Council's controversial relations with the Nazi regime. The process of translating Favez's pioneering work into English coincided with the aforementioned rise in public scrutiny of Switzerland's wartime history. This scrutiny was compounded by the uncovering of reports in the National Archives of the United States that were compiled by the Office of Strategic Services (OSS) during the war and which named ICRC delegates suspected of collaboration with the Nazis.¹⁶ These allegations were swiftly and convincingly refuted by the ICRC.¹⁷ The timing of the disclosure, however, did little for the Committee's embattled reputation and so in 1996 the ICRC attempted to exorcise the demons of its past by opening its archives to the general public.

Naturally, it was consideration of the ICRC's handling of the Holocaust that lay at the forefront of the first general history of the organisation to be written from the newly opened archives. This was Caroline Moorehead's, *Dunant's Dream: War Switzerland and the History of the Red Cross* (1998). As an overview of the ICRC's entire history the book was a valuable introduction to the subject, albeit one with a confusing and inconsistent method of referencing. In addition to its format *Dunant's Dream* was, in the words of its author, 'not an institutional history of the Red Cross', but rather 'a book about the people'¹⁸ of the ICRC. The same can be said of Angela Bennett's *The Geneva Convention: The Hidden Origins of the Red Cross* (2006) which

¹⁶ The OSS was America's wartime intelligence agency and forerunner of the CIA.

¹⁷ See ch.3, p.224

¹⁸ Moorehead, *Dunant's Dream*, introduction, p.xxii.

recounted the quirky personal history of the ICRC's founders, Henry Dunant and Gustave Moynier, within the context of the Committee's early years.

Although invaluable for providing much needed colour and richness to the otherwise dry lexicon of credible ICRC history, the scope of Bennett and Moorehead's offerings meant that they only scratched the surface on details of the Committee's politics, organisation and means of operation. This was particularly true in regards to one of the most important areas of the ICRC's operational and diplomatic history: its work on behalf of POWs.

Although Favez briefly addressed this issue, his focus on the welfare of civilian victims of war meant that the topic of ICRC negotiations with belligerents over POW welfare was far from comprehensively covered. The best analysis of this issue, in terms of the history of the ICRC and the British government with which it dealt so closely in this matter, has been presented within the context of a more generalised history of the POW experience. Charles Rollings' *Prisoner of War: Voices from Behind the Wire in the Second World War* (2008), S.P. MacKenzie's *Colditz Myth* (2004), Vasilis Vourkoutiotis' *Prisoners of War and the German High Command* (2003), Jean Beaumont's article 'Protecting Prisoners of War: 1939-1945' (1996), Adrian Gilbert's *POW: Allied Prisoners in Europe: 1939-1945* (2006), Arie J. Kochavi's *Confronting Captivity: Britain and the United States and their POWs in Nazi Germany* (2005) and John Nichol and Tony Rennell's *The Last Escape* (2003) have all contributed to our understanding of the ICRC's crucial work on behalf of POWs in the Second World War.

However, of these seven books only the ones by Kochavi and Nichol and Rennell have provided detailed insight into the tension that existed between the ICRC and the Allied governments on issues pertaining to POW welfare.

Furthermore, in both cases the authors have drawn the lion's share of their information on this topic from David Rolf's chapter, 'Blind Bureaucracy: The British Government and POWs in German Captivity, 1939-1945', which appeared in Bob Moore and Kent Fedorowich's *Prisoners of War and their Captors in World War II* (1996). Therefore, despite the evident volume of work produced on the POW experience, a comprehensive history of the ICRC's work on behalf of POWs in the Second World War is still to be written.

In terms of the ICRC's political and legal history, the Committee has continued the trend set in the post-war years of publishing from within its own ranks. ICRC members Yves Sandoz and François Bugnion are two of the more noteworthy contributors to the ICRC's web-based content on this topic. They have also written several clarifying articles on the ICRC's political status and mandate for the Committee's own journal the *International Review of the Red Cross*. Invaluable though these contributions have been, their provenance renders them questionable in terms of objective analysis.

Although a part-time consultant to the ICRC, David P. Forsythe is a more reliable source for commentary on the Committee's political and legal history, to which he has contributed significantly since the late 1970s.¹⁹ Like Moorehead, however, Forsythe's scope is very wide and focuses primarily on the ICRC's post-war development, particularly in regards to IHL and the Committee's current role in civil wars. As such, with the exception of an occasional discussion on Favez's work on the Holocaust or the ICRC's ties to

¹⁹ In addition to writing extensively on human rights and the history of the United Nations, Forsythe has also published three books on the ICRC: *Humanitarian Politics: The International Committee of the Red Cross* (Baltimore, 1977), *The Humanitarians* (Cambridge, 2005) and, with Rieffer-Flanagan, *The International Committee of the Red Cross: A Neutral Humanitarian Actor* (London, 2007).

the Swiss Federal Council, little in-depth attention has been paid by the author to the Committee's Second World War history.²⁰

Conversely, Rainer Baudendistel's *Between Bombs and Good Intentions: The Red Cross and the Italo-Ethiopian War, 1935-1936* (2006) offers a highly detailed analysis of the ICRC's diplomatic relations with belligerent governments, albeit within the closed context of the titular conflict.

In addition to specific Red Cross histories Neville Wylie's *Britain, Switzerland and the Second World War* (2003) contains invaluable information on the ICRC's relationship with the Swiss government.²¹ Yehuda Bauer's, *Jews for Sale?: Nazi-Jewish Negotiations 1933-45* (1984) and Ronald W. Zweig's article 'Feeding the Camps: Allied Blockade Policy and the Relief of Concentration Camps in Germany, 1944-1945' (1998) have also provided a wider understanding of the ICRC's actions, or lack thereof, on behalf of the Jews, complementing Favez's more detailed work on the subject.²² Even so, the role of the ICRC in the two aforementioned works is little more than that of a controversial walk-on extra in the drama of the Second World War. Once again, focused analysis on the ICRC's relations with belligerents beyond the context of the Holocaust is lacking.

In considering the aforementioned works the reader will realise that the diplomatic history of the ICRC in the Second World War – the linchpin of our understanding of the Committee's work on behalf of not only concentration camp inmates but POWs and civilian populations – is patchy, un-focused and

²⁰ Forsythe and Rieffer-Flanagan, *Humanitarian Actor*, pp.15-17.

²¹ See Wylie, *Britain and Switzerland*, pp.321-329.

²² Yehuda Bauer, *Jews For Sale? Nazi-Jewish Negotiations, 1933-45* (New Haven, 1994), ch.12; Zweig, Ronald W., 'Feeding the Camps: Allied Blockade Policy and the Relief of Concentration Camps in Germany, 1944-1945', *The Historical Journal*, 41, no.3 (1998) 825-851, *Jstor*, <http://links.jstor.org> (accessed 6 August 2007).

in need of a more acute analysis, which this thesis seeks to provide. By examining this missing history of the ICRC this thesis will not only enhance our understanding of humanitarian diplomacy in the Second World War, but it will also contribute greatly to the burgeoning field of research into the evolution of IHL over the course of the 20th century.

Since its inception in 1863 the ICRC's development has been inseparable from that of IHL. It was the Committee's Genevan founders, Henry Dunant and Gustave Moynier, who in 1864 codified customary laws of war into the First Geneva Convention for the Amelioration of the Condition of the Wounded in Armies in the Field, the cornerstone of modern IHL.²³ The ICRC has, since the signing of that First Geneva Convention and with the agreement of the signatories, acted as the custodian and primary developer of IHL.²⁴ In this capacity the ICRC has, despite its status 'as a private association formed under the Swiss Civil Code', dealt with the highest levels of government and, more recently, has been granted observer status at the United Nations.²⁵ This privilege, bestowed upon an organisation that today comprises twelve thousand staff in eighty different countries,²⁶ is a testament to how far the concept of bringing impartial relief to wounded soldiers on the battlefields of Europe – the original plan of Dunant and Moynier's five man 'committee' – has come.

²³ For the history of Dunant and Moynier's efforts to draft the First Geneva Convention see Angela Bennett, *The Geneva Convention: The Hidden Origins of the Red Cross* (Stroud, 2005).

²⁴ François Bugnion, 'The International Committee of the Red Cross and the Development of International Humanitarian Law', *Chicago Journal of International Law*, 5, no.1 (2004) pp. 191-215, *Proquest*, <http://www.proquest.com> (accessed 11 October 2007).

²⁵ This status was granted on 16 October 1990 – Rona, Gabor, 'The ICRC's Status: In a Class of its Own', 17 February 2004, *ICRC Website*, <http://www.icrc.org/Web/Eng/siteeng0.nsf/html/5W9FJY> (accessed 11 October 2007).

²⁶ Information from ICRC website, www.icrc.org (accessed 9 March 2009).

THE BRITISH AND THE ICRC BEFORE 1939

To believe that the ICRC's achievements to date have been made through adherence to the principle of non-political involvement as prescribed in the Committee's statutes is to look naively upon an organisation that, in the Second World War, played a complex political game with the British government. This game led certain ICRC delegates – in particular the Committee's Vice-president Carl J. Burckhardt – to both breach ICRC neutrality and, against British wishes, greatly expand its operations and capabilities. Both of these consequences, as this thesis will demonstrate, had a significant impact on the ICRC's future development. It is important to note that the disagreement between Whitehall and Geneva which contributed to these post-war changes was not instigated by the ICRC. Rather it was the fault of a British government which displayed 'confusion, ignorance and fundamental difference of opinion'²⁷ in its attitude towards the Committee throughout the war.

This attitude was not surprising. The British government had long misunderstood, or preferred to ignore, one of the fundamental principles of the ICRC – to assist all belligerents impartially. At the signing of the First Geneva Convention in 1864, for example, the British delegate rejected the idea of neutral voluntary Red Cross societies on the grounds that the British army already had adequate medical staff. When it came time to sign the Convention the delegate further evaded the issue by declaring he could not sign without a royal seal. This prevarication was countered by a quick-thinking Red Cross member who produced his penknife, cut a button from the Briton's tunic and declared 'there, your Excellency, you have the arms of Her Majesty'.

²⁸ The British delegate still refused and as such Britain did not sign and ratify

²⁷ Moorehead, *Dunant's Dream*, p.390.

²⁸ Bennett, *Geneva Convention*, pp.67-68.

the First Geneva Convention until 1865. It was with reluctance and farce therefore, that Britain was dragged into relations with the ICRC.

In the years that followed the British continued to show reluctance towards the ICRC's plans to improve upon the landmark treaty. In 1874 the British government rejected a proposal by Henry Dunant to convene a second conference in Paris specifically for the purposes of discussing the treatment of prisoners of war – a crucial omission from the First Geneva Convention that was not addressed until 1929.²⁹ When further revisions were proposed in 1898 for regulating maritime warfare Britain, in marked contrast to the other nations of Europe, again showed little enthusiasm.³⁰

British weariness of the ICRC's proposals continued into the twentieth century. In the Boer War of 1899-1902 Whitehall sought to block the Committee's attempts to have the Orange Free State ratify the Geneva Convention. Once this obstruction proved unsuccessful the British refused the ICRC's proposal that a British, Boer and Portuguese representative form an agency to help the ICRC manage the affairs of all victims of the conflict.³¹ A similar line was taken by the British to ICRC proposals in the First World War that a conference be called to discuss the problem of POW welfare and repatriation. As had been the case in 1874, the British were satisfied with their handling of the issue and as such saw no reason to discuss POW matters

²⁹ At the instigation of Tsar Alexander II a conference to discuss POW welfare took place in Brussels in 1874. The resulting 'Brussels Code' was never signed and ratified and as such was only accepted in principle as a code of conduct for dealing with capture enemy soldiers – Geoffrey Best, *Humanity in Warfare: The Modern History of the International Law of Armed Conflicts* (London, 1980), pp.156-57.

³⁰ Pierre Bossier, *History of the International Committee of the Red Cross: From Solferino to Tsushima* (Geneva, 1963), p.366.

³¹ Moorehead, *Dunant's Dream*, pp.139-140.

with other belligerents, particularly if such negotiations were to be conducted 'through the medium of the representations of a neutral weak state'.³²

A policy had been set and was in place in Whitehall at the start of the Second World War: The British government would look after its own interests, whilst rejecting the efforts of an organisation they regarded as meddling and inadequate.

Were these perceptions justified? The results of the ICRC's efforts in the seventy-six years before the outbreak of the Second World War were, admittedly, mixed. Much work had been put into the codification of the laws of war; forty eight treaties and their amendments had been drafted and signed by 1939.³³ The ICRC's ability to implement those laws, however, was still highly questionable.

In the First World War the Committee's delegates gained access to POW camps, organised postal services for the prisoners and re-united families torn apart by the conflict, services which won the ICRC the Nobel Peace Prize in 1917. Yet, despite these achievements even André Durand, delegate turned historian, had to concede that 'breaches of the Conventions, or even the elementary rules of humanity, were numerous and specific'.³⁴

The ICRC was similarly powerless in 1935-36 to stop Mussolini's armies from breaching the laws of war during the Italian invasion of Ethiopia. In this instance not only were civilians and Red Cross installations bombed by the

³² National Archives of the United Kingdom, Kew, London, hereafter TNA:PRO, FO 383/473 – Prisoner of War Department (PWD) to British Red Cross (BRC), 13 April 1918; FO Minute, 18 April 1918; Bossier, *Solferino to Tsushima*, p.89.

³³ International Humanitarian Law – Treaties and Documents, *ICRC Website*, <http://www.icrc.org/ihl.nsf/INTRO?OpenView> (accessed 9 March 2009).

³⁴ Durand, *Sarajevo to Hiroshima*, pp.48-49.

Italian air force, but the Gas Protocol of 1925, prohibiting the use of chemical warfare, was breached by Italy's use of mustard gas on Ethiopian troops. At best the ICRC's subsequent remonstrations with Mussolini served to show how ineffectual the Committee was at challenging totalitarian regimes. At worst it demonstrated how the Euro-centric, right-wing background of many of the ICRC's members led the Committee to turn a blind eye to Italian atrocities whilst accepting Rome's justification of retaliation for Ethiopian barbarity.³⁵

In terms of its peacetime development, the Committee's sham inspections of German concentration camps in 1935 resulted in yet another failure. Many of the camp detainees at Esterwegen and Dachau were either restricted from speaking to the ICRC's inspector, Carl Burckhardt, or showed signs of intimidation when interviewed. The *SS-Gruppenführer* Reinhard Heydrich's interpretation of Burckhardt's reports also showed the ease with which governments could sidestep any course of action taken by the ICRC. Burckhardt's recommendation that the brutal commandant of Esterwegen, Hans Loritz, be removed from his post was agreed to by the Germans. He was re-assigned to Dachau which, under his supervision, became the model concentration camp of the Third Reich.³⁶

Durand's references to these episodes in the ICRC's history highlight problems with the Committee which, at that time, understandably shaped the British view of the ICRC's competence. For all its drafting of laws and declarations of humanity the ICRC had no power to enforce these boundaries on the conduct of war. If, as I argue, this opinion was held by the British government then it

³⁵ Rainer Baudendistel, *Between Bombs and Good Intentions: The Red Cross and the Italo-Ethiopian War, 1935-1936* (New York, 2006), pp.304-308. For discussion on the significance of Swiss-Germans and conservatives in the ICRC leadership see Moorehead, *Dunant's Dream*, p.303, 388; Forsythe and Rieffer-Flanagan, *Neutral Humanitarian Actor*, p.16, 27.

³⁶ Durand, *Sarajevo to Hiroshima*, pp.285-87; Eugen Kogon, *The Theory and Practice of Hell: The German Concentration Camps and the System Behind Them* (New York, 1973), p.34.

was clearly correct in its evaluation. Ironically, however, Whitehall struggled throughout the war to accept the next logical step: if it was not the duty of the ICRC to enforce the Convention then it was the responsibility of its signatories – including the British themselves.

Distrust of the ICRC's competence to enforce the Convention and Whitehall's reluctance to allow anyone other than itself to look after British interests were not the only facets behind the troubled wartime relations between the British government and the ICRC. Many officials at the Foreign Office placed value judgements on the ICRC as a whole based on their pre-war relations with Carl Burckhardt.

Burckhardt, 'a rather dapper, smart, fresh-coloured Swiss aristocrat', initially joined the ICRC in the 1920s as a POW camp inspector in Turkey.³⁷ Aggrieved by the violence and deprivation there, he returned to the academic life shortly thereafter, becoming professor of history at the University of Zurich in 1926. It was indicative both of Burckhardt's desire to be at the centre of important events and cure the ills of a Europe beset by 'vulgarity and cruelty',³⁸ that he once again joined the ICRC in 1933 – the year of the Nazi *Machtergreifung*. Owing to the Committee's aforementioned failure in confronting Mussolini and Hitler, however, Burckhardt left the ICRC in 1936 and sought a more political means to preserve the peace in Europe. Accordingly, he volunteered for the post of League of Nations High Commissioner to Danzig and, with the help of his old friend, the State Secretary of the *Auswärtiges Amt*, Baron Ernst von Weizsäcker, he took up the position in January 1937.³⁹

³⁷ Harold Nicholson, *Diaries and Letters: 1930-1964*, 3 vols., ed. by Nigel Nicholson (London, 1968), vol.2, 3 October 1939, p.39; Durand, *Sarajevo to Hiroshima*, pp.224.

³⁸ Moorehead, *Dunant's Dream*, citing Burckhardt letter from 1927, p.303.

³⁹ Ernst von Weizsäcker, *Memoirs of Ernst von Weizsäcker*, trans. John Andrews (Chicago, 1951), pp.146-47.

By virtue of his role in Danzig Burckhardt became involved in peace negotiations that required close contact with high-ranking Nazis. These included Hitler himself, whom Burckhardt met on two separate occasions in 1937 and, on the eve of war, in August 1939. After war broke out certain Foreign Office officials who worked with Burckhardt in Danzig, namely Sir George Warner and William Strang, remembered the High Commissioner's personal contacts with both Nazi leaders and the increasingly unpopular pro-peace Britons R.A. "Rab" Butler and Lord Halifax, whom Burckhardt had acted as peace emissary for in May 1939. This added yet more distrust to Whitehall's already disparaging view of the ICRC, particularly after the establishment of Churchill's "never surrender" policy in 1940.⁴⁰

Burckhardt was not the only problematical member of the ICRC. Both Max Huber, the Committee's president, and Lucie Odier, the head of the ICRC's Relief Section, were humanitarian idealists who were often out of touch on the political and military realities of the conflict.⁴¹ Jacques Chenevière, the head of the Committee's Central Agency for Prisoners of War, was cantankerous and stubborn and Rudolphe Haccius, head of the ICRC's London delegation, was regarded by his British hosts as not 'a very live wire'. As has been noted by Caroline Moorehead, in addition to the sometimes difficult personalities of individual ICRC members, the organisation as a whole was highly Euro-

⁴⁰ For Burckhardt's relations with the Germans in Danzig see generally Herbert S. Levine, 'The Mediator: Carl J. Burckhardt's Efforts to Avert a Second World War', *The Journal of Modern History*, 45, no.3 (1973) 439-455, *Jstor*, <http://links.jstor.org> (accessed 16 March 2007). For discussion on Burckhardt's continuance of these relations during the war and peace talks with Halifax and Butler see James Crossland, 'A Man of Peaceable Intent: Burckhardt, the British and Red Cross Neutrality during the Second World War', forthcoming, *Historical Research*, vol.84.

⁴¹ See ch.2, p.108-09.

centric, conservative and impatient in regards to British regulations that governed humanitarian action.⁴²

The tenuous relationship between the ICRC and the British Red Cross Society (BRC), a separate Red Cross entity that was part of the League of Red Cross Societies,⁴³ was another problem. Formed in 1919 by the head of the American Red Cross, Harry Davison, the League originally comprised the National Red Cross Societies of Britain, the United State, France, Italy and Japan and had been a rival of the ICRC throughout the late 1920s and early 1930s.⁴⁴ Although this rivalry had subsided by the start of the Second World War, there was still enough resentment on both sides for relations between the BRC and the ICRC to be difficult. As the Second World War began therefore, the ICRC had few friends in Britain.

THESIS STRUCTURE

Chapter I of this thesis will examine the influence a poor BRC-ICRC relationship together with Whitehall's view of Burckhardt and Britain's misunderstanding of the ICRC's principles and duties had on the problem of adequately supplying British and French POWS in 1940. The chapter will conclude with a comparison between these early problems in British-ICRC relations and the relative cooperation that developed between the two sides in the wake of the unsuccessful British campaign in Greece and Crete in 1941.

Chapter II will assess British-ICRC relations in the context of a key component of the aftermath of the Greece and Crete campaigns: the British blockade of Greece. This analysis will demonstrate how, despite moderate improvements

⁴² Moorehead, *Dunant's Dream*, pp.389-90. For British views of Haccius see ch.1, p.80

⁴³ Known today as the International Federation of the Red Cross and Red Crescent Societies.

⁴⁴ For discussion on the ICRC's early relations with the League see Hutchinson, *Champions of Charity*, ch.7.

in British-ICRC relations in early 1941, Whitehall conspired with the Swedish government and the Swedish Red Cross to undermine ICRC authority in Greece and Crete. The purpose of the British scheme will be explained by showing how Carl Burckhardt's plans for increased ICRC autonomy and an expansion in its relief capabilities threatened the British government's maintenance of a stringent blockade.

The purpose of *Chapter III* will be to assess how Burckhardt's plans for the expansion of the ICRC's traditional activities were linked to his desire to lift the Committee's reputation as a diplomatic entity and, in the process, to improve relations with the British government. To this end, this chapter will provide a new dimension to our understanding of one of the key events in POW history in the Second World War: the Shackling Crisis. It will also assess the ICRC's involvement – or lack thereof – in Polish and German calls for an investigation into the discovery of a mass grave of murdered Polish POWs in the Katyn Forest in 1943. In looking at these two controversial events of the Second World War, this thesis will argue that the ICRC became a more diplomatically and politically-minded entity in the war's middle years. The effect this change had on British-ICRC relations will be addressed by looking at Whitehall and the OSS' investigations into ICRC delegates stationed in North Africa and the Far East in 1942-43.

Chapter IV will conclude this thesis by assessing the two elements of the ICRC's wartime development – pragmatic and political – within the context of the Allied invasion of Europe. In doing so it will argue that despite British reluctance to cooperate with the ICRC during the invasion, the latter was able – owing in no small part to its better relations with Germany – to achieve great success during the breakdown of the Third Reich. The importance of this achievement in terms of the ICRC's post-war development will be discussed

by looking briefly at the relief efforts in Europe during the first months of peace. This examination will conclude that, despite its wartime achievements, vast expansion and desire to act as the coordinating relief body in Europe, the ICRC was rejected by the British and the Americans in favour of the un-tested United National Relief and Rehabilitation Association (UNRRA). The extent to which this decision was coloured by British-ICRC wartime relations and early Cold War politics will also be assessed.

In conclusion, this thesis will argue that, despite its disparaging view of the ICRC, its unwillingness to co-operate with ICRC initiatives and its suspicion of some of the ICRC members, the British government also *contributed* greatly to both the ICRC's wartime record and its post-war development, albeit at the expense of British-ICRC relations. To explain how this paradox came about, it is important to clarify how, and by what means, British-ICRC relations in the Second World War were established. As was so often the case, it was the ICRC – enthusiastic, determined, yet wearisome – who first extended the hand of co-operation. Few in Whitehall, however, were willing to shake it.