

dividual documents in fact were often lost during the war or destroyed in bombardments. Furthermore, in many countries, the official archives relative to former prisoners of war of the first war were also destroyed.

Therefore, in certain cases, the Central Agency remains for ex-servicemen, the only possibility of substantiating their statements and also of improving their material situation to some extent in their old age.

THE NEW AFRICAN STATES AND THE GENEVA CONVENTIONS

Since the Geneva Conventions were signed on August 12, 1949, the International Committee of the Red Cross has endeavoured to make these texts universal since they constitute the basis of humanitarian law. Recently, it has put the emphasis on their dissemination in Africa because, in the critical phase which this continent is going through, it seems particularly desirable that all African states feel themselves bound by these treaties.

However, a problem arises when the country concerned has previously been under Colonial administration : Is the State which has recently acceded to independence bound by the international acts of the Power which was previously exercising sovereignty over its territory ?

Certain treaties of a political nature, such as alliances, obviously lose their validity in the newly independent State, but other conventions of public or general interest can remain valid. In the ICRC's view, this is the case with the Geneva Conventions to which the governments have acceded in the interest of all people placed under their sovereignty. If these people accede to independence, they will be at a disadvantage if the Geneva Conventions are no longer applicable to them. The latter must therefore retain their validity.

Participation of newly independent States in the Geneva Conventions can therefore be admitted as implied by virtue of the signature of the former Colonial Power. It is considered advisable, however, that they officially confirm their participation in the Conventions by notifying the administering State, that is to say the Federal Council at Berne. This is a question neither of accession nor of ratification, but of confirmation of participation or of declaration of continuity.

There has been some uncertainty as to how this notification could best be made, but the formula has now been agreed upon. Thus, the President of Togo, Mr. Sylvanus Olympio, in his letter of January 6, 1962, to the Federal Council, declared: "The four Geneva Conventions of August 12, 1949, for the protection of the victims of war are applicable in law to the territory of the Republic of Togo by virtue of their ratification by France on June 28, 1951. The Government of the Togolese Republic wishes however to confirm by the present communication its participation in these four Conventions".

Besides Togo, the following States have explicitly confirmed their participation in the Conventions: Congo (Leopoldville), the Ivory Coast, Dahomey, Upper Volta and Nigeria.

In addition, the following nine African States (in chronological order) have acceded to the Conventions or have ratified them: Union of South Africa (1952), Egypt (1952), Liberia (1954), Libya (1956), Morocco (1956), Tunisia (1957), Sudan (1957), Ghana (1958), the Provisional Government for the Algerian Republic (1960). This last accession, however, has aroused misgivings on the part of certain States.

There are, therefore, at the moment 15 African States which explicitly recognise their participation in the Conventions. It is hoped that this figure will increase shortly and that all the peoples of Africa, without exception, will be able to benefit from these fundamental humanitarian treaties.