

# M I S C E L L A N E O U S

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## POSTAL RELATIONS TO BE MAINTAINED IN THE EVENT OF DISPUTE, CONFLICT OR WAR

*At its Seventeenth Congress in Lausanne from 22 May to 5 July 1974, the Universal Postal Union resumed its consideration of a problem to which it had already devoted attention at a previous meeting, namely postal communications in time of dispute, conflict or war. It passed, on that subject, a resolution which we quote below, together with extracts from a memorandum from the reporting country, because of its direct interest to the International Committee of the Red Cross.*

### **I. Introduction**

1. By resolution C 5, the Tokyo Congress instructed the Executive Council to study legal and technical means of enabling postal relations—especially the exchange of letters and postcards—to be widely maintained even in the event of dispute, conflict or war, and if appropriate to draw up adequate recommendations.

2. The Executive Council decided to begin the study assigned to it by compiling documentation on past measures taken in the postal and other fields to maintain international relations in the event of war, conflict or dispute ; the study in question was entrusted to Austria (CE 1970-Doc. 8).

3. To enable Congress to obtain a clear all-round picture of the problem concerned, the Executive Council asked Austria to prepare for submission to Congress a report containing, in the form of extracts, a comprehensive survey of the abundant documentation collected by the reporting country (CE 1974-Doc. 8).

## II. Available documentation

4. The Austrian administration began by approaching the International Committee of the Red Cross and a number of postal administrations. It subsequently submitted to the Executive Council a compendium of the information obtained.<sup>1</sup>

5. Reference should also be made to resolution 9 of the Diplomatic Conference (Geneva, 1949) asking the International Committee of the Red Cross to work out a system for the grouping of messages or of series of short messages aimed at informing prisoners or their families about each other's state of health and about schooling and financial matters, at the same time endeavouring to secure a reduction in the cost of telegraphic transmission of messages sent or received by prisoners of war.

At the 21st International Conference of the Red Cross (Istanbul, September 1969), the ICRC submitted a "draft system of standard telegraphic messages for the correspondence of prisoners of war" which also contained a proposal for a code to be used for the transmission of messages of this kind. On that occasion a nearly unanimous desire was expressed to see this system extended to civilians as well as prisoners of war. (A final decision has not yet been taken on the draft system in question.)

## III. Importance of maintaining postal relations

6. The available documentation shows clearly that it is precisely in the event of war, conflict or dispute that the need to maintain postal relations to the greatest possible extent is most urgently felt. Account has to be taken not only of the doubtless well-founded interests of the belligerent powers, but also of those—often no less important—of the neutral countries. In its report, the Swiss administration notes that during the Second World War the suspension of postal relations and the delays caused to

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<sup>1</sup> Report by the International Committee of the Red Cross; Report by Portugal; Report by Great Britain;

extracts from documentation made available by Switzerland and covering the period August 1939 — November 1945;

extracts from reports concerning the exchange of correspondence in areas affected in recent years by wars or crises.

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postal communications by the sometimes arbitrary measures taken by the belligerent countries did great damage to the Swiss economy and to that of other countries which remained outside the conflict.

7. The prime objective, however, is to safeguard the interests of :

- a) prisoners of war ;
- b) civilian internees ;
- c) civilians separated from their families by hostilities.

Exchanges of messages between the above-mentioned groups, and hence between the territories of the belligerents, must be ensured through intermediary services (provided either by a neutral country or by an international organization). In recent times, transmission of messages during armed conflicts has been carried out both by the postal services and by agencies set up by the International Committee of the Red Cross or by other humanitarian organizations, the leading role being played in some cases by the Post and in others by the Red Cross.

### IV. International Agreements

8. With a view to guaranteeing the exchange of correspondence between the above-mentioned groups, a number of International Agreements contain, *inter alia*, the following provisions :

- a) *Correspondence of prisoners of war:*

Geneva Convention relative to the Treatment of Prisoners of War, 12 August 1949 :

Section V "Relations of prisoners of war with the exterior", articles 69-77 ;

Annex IV B "Capture card" (postcard to be sent to the Central Prisoners of War Agency ; size : 10.5×15 cm) ;

Annex IV C "Correspondence card and letter"—Correspondence of prisoners of war (size of card : 10×15 cm ; size of folded letter : 15×29 cm ; the reverse side is for prisoners to write their message on and may contain about 250 words).

Universal Postal Convention (Tokyo 1969), articles 14 and 50 ;  
Postal Parcels Agreement (Tokyo 1969), articles 17 and 56.

*b) Correspondence of civilian internees:*

Geneva Convention relative to the Protection of Civilian  
Persons in Time of War, 12 August 1949 :

Chapter VIII "Relations with the exterior", articles 105  
to 116 ;

Annex III "Internment card" (postcard to be sent to the  
Central Information Agency for Protected Persons ; size :  
10 × 15 cm) ;

"Civilian internee letter" (size of folded letter :  
10 × 15 cm) ;

"Civilian internee correspondence card" (size :  
10 × 15 cm).

Universal Postal Convention (Tokyo 1969), articles 14 and 50 ;  
Postal Parcels Agreement (Tokyo 1969), articles 17 and 56.

*c) Family messages*

Geneva Convention relative to the Protection of Civilian  
Persons in Time of War, 12 August 1949 :

Article 25.

This article reads as follows :

"All persons in the territory of a party to the conflict, or in a  
territory occupied by it, shall be enabled to give news of a strictly  
personal nature to members of their families, wherever they may  
be, and to receive news from them. This correspondence shall be  
forwarded speedily and without undue delay.

"If, as a result of circumstances, it becomes difficult or impossible  
to exchange family correspondence by the ordinary post, the parties  
to the conflict concerned shall apply to a neutral intermediary,  
such as the Central Agency provided for in article 140, and shall  
decide in consultation with it how to ensure the fulfilment of their  
obligations under the best possible conditions, in particular with  
the cooperation of the national Red Cross (Red Crescent, Red Lion  
and Sun) Societies.

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“If the Parties to the conflict deem it necessary to restrict family correspondence, such restrictions shall be confined to the compulsory use of standard forms containing 25 freely chosen words, and to the limitation of the number of these forms despatched to one each month.”

As the model of the above-mentioned form (“form 61”) does not appear in the Geneva Conventions, it is reproduced in annex 2 to this document. For the historical background to the family message (“civilian message”), see annex 1, chapter I, B.

### **V. Cooperation between postal administrations, the Red Cross and other humanitarian organizations**

9. The exchange of correspondence of prisoners of war and civilian internees thus comes primarily within the scope of postal administrations, without forgetting the important and effective role played by the Red Cross agencies. (Report of the ICRC on its activities during the Second World War, volume II, page 63: “By the end of 1946, the Agency had thus received and forwarded nearly 20 million letters and cards. This figure, which in itself represents quite a considerable volume, was only a small proportion of the total mail handled for prisoners of war and civilian internees.”)

10. One noteworthy idea advocated in the documentation compiled by the Swiss postal administration is that of using the services of prisoners of war who previously worked as postal employees to sort POW correspondence in the country where they are being held.

11. Article 25 of the Geneva Convention relative to the Protection of Civilian Persons in Time of War provides primarily for the exchange of family messages through normal postal channels. In addition, however, the Convention aims at guaranteeing this exchange of family messages even where circumstances are such as to make the use of postal channels difficult and even impossible, without however preventing postal administrations from playing a substantial role in such exchanges, despite those circumstances.

As will be seen from the report contained in annex 2, the exchange of family messages is most frequently ensured through the cooperation of the services and agencies of the Red Cross (Red Crescent, Red Lion and Sun, etc.) on the one hand and the postal services on the other, the latter undertaking where necessary to accept form 61 at post office counters, to accept family messages, to ensure their transmission to and from the ICRC delegations and to forward them to their destination.

## VI. Conclusions

12. In view of the capital importance of postal relations in the event of war, conflict or dispute, every effort should be made to maintain these relations to the greatest possible extent. The suspension of postal relations, far from affecting only the population of the countries concerned, also has repercussions on countries which are not parties to the conflict. The maintenance of postal relations to the greatest possible extent is thus a major concern of the Universal Postal Union.

13. The Executive Council has therefore prepared a draft resolution for Congress aimed at giving the Director-General of the International Bureau special powers to enable him to use his authority, prestige and influence to maintain postal relations in the event of dispute, conflict or war.

### Resolution No. 0011

#### **Legal and technical possibilities of maintaining postal relations in cases of disputes, conflict or war**

Congress,

*Considering* the peaceful and humanitarian role played by the Universal Postal Union in helping to bring peoples and individuals together,

*Convinced* of the need to maintain postal exchanges, as far as possible, with or between regions afflicted by disputes, disturbances, conflicts or wars,

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*In view of* the initiatives taken and the experience of certain Governments or humanitarian organizations in this field,

*Appeals* urgently to the Governments of member countries, as far as possible and unless the United Nations General Assembly or Security Council has decided otherwise (in accordance with article 41 of the United Nations Charter), not to interrupt or hinder postal traffic—especially the exchange of correspondence containing messages of a personal nature in the event of dispute, conflict or war, the efforts made in this direction being applicable even to the countries directly concerned, and

*Authorizes* the Director-General of the International Bureau of the UPU:

1. to take what initiatives he considers advisable to facilitate, while respecting national sovereignties, the maintenance or re-establishment of postal exchanges with or between the parties to a dispute, conflict or war;
  2. to offer his "good offices" to find a solution to postal problems which may arise in the event of a dispute, conflict or war.
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