

## THE REUNITING OF FAMILIES IN EUROPE DURING AND AFTER THE SECOND WORLD WAR

*Part Three*

by H. G. Beckh

*This article by H. G. Beckh is the third<sup>1</sup> in the series entitled "The Reuniting of Families in Europe during and after the Second World War". The author gave it to us, not fully completed, on 23 April 1981; he died a few days later.*

*Mr. Beckh was a delegate of the ICRC for many years. In this capacity, he played an active and important role in the negotiations for reuniting families in Europe over a period of about 30 years. On his role he remained always very discreet. He was none the less the only person who knew some of the facts he reports. This is why the International Review has decided to publish this last article by Mr. Beckh, even though some points may be lacking in precision.*

### POLAND

During "Operation Link", which was actively led by the ICRC as part of the overall family reunification operation, some 47,000 Germans and "ethnic Germans" (Volksdeutsche) were transferred from Poland to the Federal Republic of Germany by the end of 1949.<sup>2</sup> This operation was focused on family separations that were a direct result of the war. ICRC delegate François Ehrenhold was able to handle these cases

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<sup>1</sup> See the first two articles in the *International Review of the Red Cross*, July-August 1979 and May-June 1980.

<sup>2</sup> The parallel operation for transfer from Poland to the German Democratic Republic could only be estimated at between 36,000 and 40,000 persons.

personally until the ICRC delegation in Warsaw was closed in November 1949 in compliance with the wishes of the Polish authorities. The Polish Red Cross declared that it would take over the important task that the ICRC delegation in Poland had been performing.

It should be noted that generally speaking the ICRC maintained only a few permanent delegations in foreign countries after the Second World War; instead it used to send from Geneva temporary missions according to the specific tasks to be performed in the various countries. The ICRC sent delegate Ehrenhold on a new mission to Warsaw in July 1951 to ask the Polish authorities to speed up the process of further reunification, since a too lengthy separation of its members could cause a family's complete disintegration.

A change occurred in the ICRC's participation in the family reunification operation after the closing of its Warsaw delegation. Shortly following the beginning of the major international task of family reunification, the National Red Cross Societies, in conjunction with the other welfare associations, were able to secure the help of governments and to mobilize all humanitarian resources in the receiving countries so that the question arose whether it would be possible for ICRC to reduce its collaboration to the role of an adviser and to handle only cases where the efforts of the National Red Cross Societies had failed.

The ICRC adopted a pragmatic position and decided to continue its practical collaboration towards solving these international humanitarian problems where it appeared possible and useful to do so. Consequently, the nature of its activities in this area varied according to circumstances. It actively supported efforts to adopt resolutions on this question at the International Red Cross Conferences and to apply them, but in many areas it left the practical work to the National Red Cross Societies. This was largely what happened in the reuniting of families from Poland. For this reason direct working relations were established and then intensified in the best Red Cross spirit between the Polish Red Cross and the German Red Cross in Bonn.

Among several questions of principle concerning the intrinsic value and the possibility of carrying out this operation, there was the following: Was it opportune to carry out, on an international level, these family reunifications, at a time the general situation was still tense and when so many urgent tasks provided for by the Geneva Conventions, such as caring for prisoners of war and repatriating them, were still awaiting to be performed? Wasn't it necessary to await a general relaxation of tension and greater humanitarian understanding before this task could be performed? The previously mentioned Hanover Conference

had already provided the foundation for this sort of planning. Looking back at it, we can say that an almost complete reversal of concepts took place at that Conference. It was agreed that rather than the preconditions for family reunification being established by efforts to achieve a peaceful reconciliation between peoples and philosophies, this humanitarian operation, that is this family reunification, would be instrumental in creating new, mutual understanding.

The second phase of the reunion of families coming from Poland, in which took place the transfer of practical work to the Red Cross Societies, was followed by a third phase. The criterion on family reunification was founded on the principle that families of German origin, after the new frontier was fixed, should be able to resettle in the Federal Republic of Germany if they expressed the wish to do so. There was no longer any ICRC collaboration in this third phase. Intergovernmental agreements directed the undertaking during this last period. The German Red Cross in Bonn and the welfare associations concerned were particularly active in the acceptance and integration of these immigrants into the Federal Republic of Germany.

Co-operation with the Red Cross Societies and governments involved yielded precise information that the ICRC's humanitarian activities during the first phase of the reunification (Operation Link) enabled 47,000 people from Poland to be reunited with their families. We can only estimate what the number was for the second phase. The ICRC was given only partial information, and it was necessary to complete the figures from Red Cross documents and reliable press releases. The results including Operation Link indicate that 387,000 Germans and "ethnic Germans" from Poland had been reunited with their families by 1967. The number of people reunited during the third phase can only be estimated. It is reckoned that they probably numbered between 80,000 and 100,000.<sup>1</sup>

## YUGOSLAVIA

Family reunification was different in Yugoslavia. The ICRC not only laid the foundations for the operation and emphasized its urgency but was also instrumental in carrying it out.

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<sup>1</sup> The estimated number of family reunifications that took place between Poland and the German Democratic Republic, mentioned on page 71, is not included.

## **Unaccompanied children of German ethnicity**

These were children of German minorities who had been separated from their families by the war and its aftermath. Many children had lost all ties with their families, and the very young were often unable to give clear information about their parents or relatives. Many had even forgotten their names.

Much of the work of searching for children, parents and other relatives was done by the Tracing Service of the German Red Cross in Bonn in co-operation with the Yugoslav Red Cross. Hundreds of bills concerning the children were posted in public. Within a few years, many cases had been sufficiently clarified to enable reunification to be planned and executed. By the time of the 1951 Refugee Conference in Hanover, negotiations were opened with Yugoslav government authorities concerning some seven partial operations of feasible reunification. A turning-point came later when the Yugoslav Red Cross declared its competence in the matter and, on the strength of its experience in humanitarian work, took over a greater number of cases.

What then occurred was in the best spirit of the Red Cross and set a precedent for the future. The two ICRC delegates referred to earlier received all possible support from this National Red Cross Society.<sup>1</sup>

The organization of the search for ethnic German children and their subsequent transport to Germany and Austria was remarkable in the kindness with which the children of former enemies were treated. The first children were transported in November and December 1950, with 87 going to Austria and 67 to Germany. The transfer formalities were carefully completed by representatives of both the Austrian Red Cross and the German Red Cross in Bonn and in the presence of the head of the ICRC delegation in Vienna, G. Joubert. This procedure included a medical examination. All records were signed by the ICRC delegate.

With the support of the respective Tracing Services, the ICRC delegates were also instrumental in providing information and handling the various child cases in Yugoslavia. This made it possible for further transportation to take place. By 31 May 1955, 1,541 children had been reunited with their parents or closest relatives in the Federal Republic of Germany, 647 in Austria, 29 in the German Democratic Republic,

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<sup>1</sup> Their numerous missions to Belgrade were supported especially by Dr. Milosevic, Prof. J. Patrnogic and other colleagues of the General Secretariat.

11 in France, 8 in Great Britain, 6 in Canada, 2 in Belgium, 1 in Argentina, 1 in Venezuela, 1 in Australia and 12 in the United States of America.

By the time the operation in aid of unaccompanied children was virtually completed, it had had the greatest numerical success of all operations, i.e. 98% of the known cases involving children had been solved.

### **Adults and adults accompanied by their children**

The successful children's operation made it easier for the two ICRC delegates responsible for the extension of family reunification programmes to negotiate on the subject in Belgrade.

The negotiations with the Yugoslav Secretary of State for Foreign Affairs and the diplomatic mission of the Federal Republic of Germany in Belgrade were decisive. The Yugoslav Government agreed to the principle of family reunification but emphasized the importance of laying down conditions for its actual application. It accorded a special status to persons classified as « ethnic Germans » despite their Yugoslav nationality, but since according to the Yugoslav Nationality Act, Yugoslavs leaving the country with the express intention of never returning lose their citizenship, the Yugoslav Government considered it important to avoid contributing to an increase in the number of stateless persons. It was thus felt that ethnic Germans who left Yugoslavia during the operation should receive immediate citizenship in the country of arrival, which was most often Germany. This was the condition imposed by the Yugoslav Government for its agreement to an extension of the family reunification operation. An agreement was drafted to this effect that had also to be signed by the representative of the German diplomatic mission. It stated that departing ethnic Germans had to take with them a certificate from the German consulate in Yugoslavia guaranteeing that they were recognized as being of German origin and would be given German citizenship immediately upon their arrival in the Federal Republic of Germany.

Once they had obtained this certificate of German Assimilation, they had to apply for release from their Yugoslav nationality. When this had been granted — and there were very few exceptions — they received the necessary travel documents for their departure.

This procedure proved so practical that it was used either directly or indirectly for departures to other countries. It was also helpful that

under the circumstances the people concerned were considered as Germans and could apply for admission into other countries as such.

The initial statistics on this operation, which is now virtually completed and was usually carried out on the basis of individual departures, were recorded by State offices. More recent estimates indicate that the number of departures linked for the most part to family reunification to be between 80,000 and 90,000.

## CZECHOSLOVAKIA

As in the case of Poland, the family reunification procedure for Czechoslovakia can be divided into three phases. During the first phase, the ICRC participated both on a theoretical level by arguing in favour of family reunification and on a practical level by attending the negotiations for the issuing of exit visas and by helping to organise transport.

During the second phase, the ICRC continued to be active on a practical level, although to a lesser degree; in the third phase this work was largely taken over by the two National Red Cross Societies, although the ICRC did continue to collaborate during the 1960s by helping to clarify individual cases and by sending missions to Prague.

The ICRC's practical co-operation was particularly important during the first phase since its delegate, G. Dunand, cared for civilians of German origin <sup>1</sup> held in detention camps, in addition to his activities in aid of prisoners of war. He made 333 visits to camps from 1945 to 1949. In addition to his efforts to improve camp conditions, he was active in reuniting families that had been separated as a result of the war and its aftermath.

Owing to the expulsions that took place following the Potsdam Agreements, most family reunions after that were possible only if the members remaining in Czechoslovakia were also granted permission to leave the country. ICRC delegates Meyer-Moro and Reichard later dealt with all the details of this problem. They also managed to organize and accompany the first actual family reunification transport operation approved by Czechoslovak authorities, which proceeded to Bavaria via the camp at Furth im Wald.

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<sup>1</sup> After the outbreak of the war in 1939, which made it impossible to present the 1934 Tokyo draft for revising the Geneva Convention of 1929 to a diplomatic conference, the ICRC endeavoured to improve the status of civilians in times of war by extending the provisions of the Convention of 1929 on the treatment of prisoners of war to civilian internees.

The ICRC delegates secured in advance from the competent German and American officials the necessary agreement for the acceptance of these Germans in the American-occupied zone. The Bavarian Red Cross co-operated extensively in these negotiations.

Further transport operations followed, reuniting 16,740 Germans from Czechoslovakia with their families during the period from March 1950 to December 1951.

The ICRC delegation in Prague was then closed, which reduced the active participation of the ICRC and led to extensive co-operation between the German Red Cross in Bonn and the Czechoslovak Red Cross. The ICRC did, however, continue to provide theoretical support and to solve numerous individual cases through ICRC delegate H. G. Beckh, who went on missions to Czechoslovakia until August 1969.

One unusual reunification was the return of 365 nuns of the Holy Cross to their convent in Ingenbohl (Switzerland). Thanks to extensive negotiations between the ICRC and the Czechoslovak Red Cross and support from the latter, these nuns returned to Switzerland on several well-organized flights arranged by the Swiss Red Cross.

Further transport operations for family reunification took place to the Federal Republic of Germany and Austria until 1967. From that time on, the author has had to rely mainly on the estimates that by the beginning of the 1970s some 30,000 to 40,000 more people had been able to leave Czechoslovakia to be reunited with their families through both reunification operations and individual departures.

## ROMANIA

In Romania too the immediate and longer-term consequences of the Second World War caused numerous family reunification problems which the ICRC undertook to solve in close collaboration with the Red Cross Societies concerned.

The hostilities had caused many members of the German-speaking minority to leave the country, although no expulsions took place here as they had after the Potsdam Agreements. Their return to Romania was made difficult and they had also been able to build themselves something of a new life outside Romania, so their close relatives wanted to join them. In addition, the competent authorities in the USSR repatriated the German and Austrian prisoners of war to their former homelands, which their families had left. The opposite occurred as well. Families were also separated when ethnic Germans left Romania

to work in the Soviet Union and were later sent to Germany or Austria while their families remained in Romania. The ICRC's efforts to solve this problem, including direct appeals to the Romanian Ministry of Foreign Affairs, were unsuccessful until 1948.

However, after ICRC delegate Meyer-Moro's first mission to Bucharest in May 1948, the Romanian Red Cross agreed to deal with individual cases referred to it by the ICRC. The negotiations then intensified and by the end of 1949, 100 to 200 cases had been solved by the issue of entrance permits into Germany and the payment (partly in foreign currency) of travel expenses.

The efforts for further operations were pursued and continued to be actively supported by the German Red Cross in Bonn and its Tracing Service in Hamburg. The diplomatic mission of the German Democratic Republic also worked towards reuniting families and enjoyed partial success. Some of these reunifications took place in the German Democratic Republic; other people were sent on to the Federal Republic of Germany.

Efforts were also made to bring about reunification of families divided between Romania and Austria, in particular by the Austrian Red Cross and its Tracing Service.

During the International Red Cross Conference in Oslo in 1954, delegate François Ehrenhold established direct contact with the Romanian Red Cross and emphasized the importance of increasing family reunification. Subsequently, representatives of the Romanian Red Cross visited the ICRC many times, and by 1956 these contacts had developed into regular missions by H. G. Beckh to Bucharest. One of these missions coincided with a visit to Bucharest by the president of the German Red Cross in Bonn, Dr. Weitz, and accompanied by the director of the German Red Cross Tracing Service, Dr. Wagner, who was particularly instrumental in achieving family reunification. This led to some co-ordination between the theoretical and practical work of the two Red Cross organizations, the ICRC and the German Red Cross. On a theoretical level, the ICRC and the German Red Cross representatives both pleaded in favour of family reunification and of its essential value. On a practical level, the Romanian Red Cross received its first extensive lists from the German Red Cross, while the ICRC delegate mostly presented cases that had been referred to him in Geneva. During his subsequent missions he brought along other individual cases — up to one thousand — and discussed them together with the expert of the Romanian Red Cross in charge of repatriation. This Society then chose the most urgent amongst them and usually referred them to the militia



immediately. This method proved increasingly successful and usually the cases were solved during the delegate's stay.

From 1955 to 1967, 15,271 people were recorded entering the Federal Republic of Germany from Romania. To this figure must be added the arrivals in the German Democratic Republic.<sup>1</sup>

Although the competence of the ICRC in the matter of family reunification for Romanian nationals of ethnic German origin was recognized by the Romanian authorities, difficulties arose concerning family reunifications for people of pure Romanian origin. This was explained to the ICRC delegate in the presence of the Secretary General of the Romanian Red Cross, who was then successful in supporting the ICRC's request to handle the applicants that had found their way to Geneva. Through this additional activity the ICRC succeeded in reuniting many Romanian families.

At the beginning of the 1970s, in close collaboration with the German Red Cross in Bonn, the ICRC helped bring about the conclusion of many agreements at government level concerning the departure of ethnic German families from Romania, as was already the case for other countries. These agreements were increasingly concerned with more than just family reunification and were intended for families of German origin who had expressed on their own initiative a desire to live in the Federal Republic of Germany.

## USSR

The successful negotiations that led to the inclusion of this vast country in family reunification after the Second World War were brought about almost exclusively through the relations maintained by the German Red Cross in Bonn and its Tracing Service with the Alliance of Red Cross and Red Crescent Societies of the USSR.

The separation of families between Germany and the Soviet Union were mostly caused by the demarcation line agreed upon in November 1939 by the two powers occupying Poland. According to the relevant documents<sup>2</sup>, more than 138,000 members of the East German minority were moved to the West. Subsequent requests of these people for family reunification were supported by resolutions adopted at International Red Cross Conferences.<sup>3</sup>

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<sup>1</sup> Large numbers of people emigrated from Romania to Austria and other countries, but the author does not have exact figures.

<sup>2</sup> E. M. Kulischer, *The Displacement of Population in Europe*, Montreal, 1943.

<sup>3</sup> Toronto, 1952; New Delhi, 1957; Vienna, 1965.

The German Red Cross in Bonn reported that the competent authorities usually had an open, understanding attitude towards applicants. This enabled 25,865 Germans to leave the Soviet Union for the Federal Republic of Germany between 1955 and 1967.

Subsequent arrivals of Germans from the USSR in the Federal Republic of Germany took place mostly through the so-called late immigration operation ("Spätaussiedler").

## GREEK CHILDREN

The separation of Greek families at the end of the Second World War was a consequence of the events in northern Epirus. Towards the termination of military operations there, thousands of children whose families lived in Greece were taken to neighbouring States and eastern countries.

On 27 November 1948, the General Assembly of the United Nations adopted a resolution with a view to facilitate the return of these children to their parents in Greece or to their closest relatives when the parents were no longer living. All members of the United Nations were requested to provide their aid, and the Secretary General of the United Nations was given the authority to request the ICRC and the League of Red Cross Societies to handle the practical aspects of this problem in conjunction with the local Red Cross Societies.

In addition to its other work, the Central Tracing Agency of the ICRC had before anything else to compile 5 lists of a total of 11,940 registered Greek children and then to divide them into partial sublists and files country by country. They were made available to the delegates of the ICRC, the League and the co-operating mission of the Swedish Red Cross in Yugoslavia.

The following figures were obtained by means of this registration and subsequent investigation carried out by delegates of the League and ICRC in Bulgaria, Yugoslavia, with the Greek Red Cross and with the competent authorities in the children's places of residence in Czechoslovakia, Romania or Poland: 13,500 children had been transported through Yugoslavia and 3,500 had gone to Czechoslovakia, 3,050 to Hungary, 6,400 to Romania and 500 to Poland.

Following requests by parents and relatives 214 Greek children were brought home in 1951 and 152 in 1952. The second group was identified by the mission of the Swedish Red Cross in Belgrade. The children were returned to their families in the presence of the delegates of the League and the ICRC.

The extent to which political difficulties could impede or even prevent such humanitarian operations became apparent later on. The matter dragged on. With the passage of time, the children became adults imbued with the mentality of the environment in which they had grown up. The resulting tensions caused the Greek Red Cross practically to cease its collaboration and transmit the reunification of the by then grown-up children with their families to State authorities. This demonstrated that family reunification cannot tolerate delays: either the parents had died or the alienation gap between the generations could no longer be bridged.

Before the League and the ICRC could terminate this operation, which no longer seemed feasible, ICRC delegate H. G. Beck appealed to the Greek Minister of Social Affairs to facilitate the formalities of return upon agreement by the few surviving relatives.

Later on, provisions were set down in their final form at State level. They required that application be made by family members in Greece before family reunification could be carried out.

When the Office of the UN High Commissioner for Refugees received requests from people wishing to return to their home, it replied that their return was not impossible but that it must take place according to the conditions set down by the competent authorities.

The Red Cross in this activity met only limited success.

## BERLIN

In August 1961, political tensions caused thousands of families to be separated in Berlin within a short period of time. Appeals for help were addressed to the ICRC from all sides in the hope that its humanitarian action could restore the unity of these families.

The ICRC immediately approached the competent authorities and Red Cross Societies in contact with them to try and set up such an operation. The ICRC proposal called for permission to have one of its delegates go and evaluate the needs of these families first-hand and participate in the attempts to draft humanitarian solutions.

Since the German Democratic Republic maintained that these problems had to be solved at State level exclusively, the ICRC had to give up its project to send an official mission and entrust its delegate with an unofficial and almost private mission in Berlin, which was carried out for several years beginning in 1961.

This enabled the delegate<sup>1</sup>, supported by Geneva ICRC headquarters, to engage in informal conversations that, depending on the circumstances, had the effect of unofficial, humanitarian mediation and showed that the mere presence of an ICRC representative in an area of political tensions could promote humanitarian solutions.

Although one side continued to claim officially that it had exclusive competence in this matter, it also recognized the neutral position of the ICRC and its right to humanitarian initiative.

This attitude was also expressed by the head of State of the German Democratic Republic, Walter Ulbricht, on the occasion of a visit to him by the president of the ICRC, Leopold Boissier, in March 1963. There were no objections to the presence of the ICRC delegate as long as the sovereignty of the State was respected and no official steps undertaken.

It was nevertheless possible for the Geneva delegate to make a substantial contribution towards easing tension in numerous unofficial discussions. Encouragement to drop political considerations as much as possible from attempts at finding humanitarian solutions in deference to the great human suffering endured by the separated families paved the way to further progress at State level.

The author was informed when discussions on frontier passes finally took place in Schöneberg between a representative from the German Democratic Republic and one from the West Berlin Senate, and he was able to express an advisory opinion on important points of the agreement.

The author was also immediately informed when difficulties arose in renewing the frontier agreement. The German Democratic Republic would only recognize the clause excluding political considerations for a specific period of time, and this almost caused the other side to refuse to extend the agreement. The ICRC delegate once again made a decisive contribution in overcoming the new obstacles to a humanitarian solution, this time in the form of an official step that was accepted by the negotiating party concerned.

The visits by West Berliners to their relatives in other parts of Greater Berlin that were made possible by the frontier pass agreement not only brought happiness to these families but also reduced tensions and promoted peace. This caused the Vatican to follow the operation. When further complications arose, Pope Paul VI called the delegate to a private audience in May 1964 in order to learn the details and then intervene in favour of the unquestionable value of family unity.

Further negotiations at State level led to the opening of an emergency frontier pass office for urgent family problems. This office was to

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<sup>1</sup> The author of this article (Editor).

achieve a quick processing of requests not only for routine, general visits but also for emergency visits based on urgent humanitarian grounds.

From that time on, the work of the ICRC in favour of Berlin family visits went beyond the unofficial activities of its delegate and included the official steps taken by the Geneva ICRC headquarters with the negotiators, some of these steps being channelled through the negotiators' permanent missions to the international organizations in Geneva.

The high-level correspondence in which the ICRC engaged as part of these activities included an official letter to the President of the Council of State of the German Democratic Republic on 11 January 1967 requesting that the frontier pass agreement of October 1966 be extended and expanded. In that letter, Mr. Pictet, then Director General of the ICRC, explained the organization's position as follows:

"The International Committee of the Red Cross is not competent to judge the possibilities for reconciling the points of view of the parties since these considerations are largely political in nature, but it continues to be competent as regards the tragic humanitarian effects that result from a lack of understanding. (...) It is the task of the Red Cross to intervene on behalf of the innocent victims of conflicts for which they can in no way be held responsible."

The West German negotiators communicated their position concerning the issuing of frontier passes for visiting relatives at the end of December 1963 as follows:

"With this exemplary initiative, the International Committee of the Red Cross has once again shown itself worthy of its great tradition, as in numerous other cases concerning family reunification and family visits for the people of Berlin."

Later on during this period, negotiations took place both in Geneva and Berlin between the ICRC and representatives of the Federal Republic of Germany and the German Democratic Republic in which the ICRC officially applied pressure in favour of the Berlin family visits. It continued to do so until comprehensive State regulations had been approved for humanitarian problems as well.

During his mission to Berlin, the ICRC delegate also had contact with the Tracing Services of the German Red Cross in both parts of the city and worked together with local authorities for family reunification in Berlin. He was later supported by a colleague from the Central Tracing Agency in Geneva.

The ICRC Berlin activities in collaboration with the competent National Red Cross Societies are an example of how humanitarian activities may be hindered by political considerations. However, the

position adopted by the ICRC in dealing with the humanitarian problems of Berlin is also an example of the contribution it is able to make in such situations in spite of these limitations. Its good offices can be useful, as was the case in Berlin. When it is possible for a delegate to be present as an independent, humanitarian observer, he may, according to circumstances, be able to act as an apolitical, humanitarian adviser or even as a knowledgeable mediator.

## CONCLUSIONS

The operations of family reunification in Europe after the Second World War just described affect the humanitarian problems of the present in many ways.

It is not by chance that the unquestionable value of family unity and its restoration at times became the central issue of the negotiations held by the International Institute of Humanitarian Law in San Remo. It is also no accident that representatives of the Red Cross were invited to participate, since they were best able to speak about their experiences in the mostly successful family reunification operations in Europe. This institute was responsible for the initiative to strengthen the provisions of the Fourth Red Cross Convention of 1949 concerned with family reunification. This initiative was unanimously approved by the Diplomatic Conference of 1974-1977 on the Reaffirmation and Development of Humanitarian Law Applicable in Armed Conflicts, in Article 74 of Additional Protocol I. This institute also compiled rules for family reunification and published them in the May-June 1980 issue of *International Review*.

The Office of the UN High Commissioner for Refugees played an important role in these theoretical discussions. This office and the offices which were its predecessors adopted a positive attitude towards the problem of family reunification from the start. Today its programme provides active and effective co-operation to solve the problems resulting from the appalling increase in the number of refugees in the world. This is particularly important since the somehow unsuccessful Diplomatic Conference on Territorial Asylum, in January 1977, achieved broad agreement on only two points: the basic principle of the non-return by force of refugees to their country of origin and the importance of family reunification.

The basic legal provisions guiding the post-war operations in Europe have since undergone some changes.

The Universal Declaration of Human Rights of 10 December 1948 establishes the basic principle that everybody has the right to leave and return to any country and freely to determine their place of residence within the country. This provision was included in Article 12 of the International Covenant on Civil and Political Rights of 1966, which emphasizes that the free choice of domicile concerns the country in which the person is legally residing. The tendencies of States to put pressure on population groups to migrate within the country or to leave the country led to the adoption of Article 17 of the Additional Protocol II of June 1977. Until then, the general ban on State-ordered resettling such as took place in Europe following the Potsdam Agreements of 1945 had not been recognized as a norm.

The apparent contradiction of a situation where States must grant an exit permit for the purpose of family reunification without such permits acquiring the characteristics of expulsion underlines how important it is for purely humanitarian considerations to dictate action taken in this area.

The experiences acquired during the European post-war operations are still meaningful today. It was mainly people from the Red Cross movement who — in addition to organizing and providing legal backing for it — laid the moral foundations for implementing this humanitarian action.

Essentially all the leaders of the Red Cross Societies concerned acted in this way. Particular mention should be made of the Presidents of the German Red Cross in Bonn and the tireless efforts made by their Deputy Secretary General, Dr. K. Wagner. They were an example of the extent to which direct contact amongst the Red Cross Societies can lead the governments of the respective countries to provide support for this apolitical humanitarian action.

The position of the ICRC is perhaps best expressed in a statement by its President, Leopold Boissier. After the death of one of the two delegates who had been instrumental in the successful reunification of 100,000 people, he delegated responsibility to the surviving colleague to pursue the operation, with the words:

“If all the efforts made so far had been successful in reuniting only one child with its parents, they should be pursued without change as long as there is hope that a similar result may be possible in the future.”

**H. G. Beckh**

*former ICRC delegate  
for Europe*

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