

The International Committee of the Red Cross and the Indochina War

From the Japanese defeat to the Geneva Agreements
(1945-1954)

by Florianne Truninger †

Institutions — like individuals — have a memory. They are rooted in it and draw strength from it to weather the vagaries of vogue and sentiment. To a large extent the historical consciousness is the source of the standards set for the present and for the future.

Yet time does take its toll, first dimming the memory of past events, then shrouding them in the mists of oblivion.

Hence the importance of the historian, whose task it is to reconstruct the past, separating extraneous detail from the core so as to reveal the underlying forces that determine the course of history.

*In order to preserve the memory of its past activities, the International Committee of the Red Cross (ICRC) commissioned two talented historians to tell the story. In 1963, the late Pierre Boissier gave us **From Solferino to Tsushima**, the first volume of the history of the ICRC, and in **From Sarajevo to Hiroshima**, published in 1978, André Durand continued the account up to the end of the Second World War.*

Some time ago the ICRC commissioned Florianne Truninger to continue the work of her two predecessors; the third volume of the history of the ICRC will cover the period from the end of the Second World War

to the October crisis of 1956, which was a watershed in the history of the Cold War. She brought to the project her experience and detailed knowledge of the history, principles and policy of the ICRC which she had served for some twenty years, as well as her uncompromising intelligence and incomparable mastery of the French language. Sadly, death interrupted the drafting of the work with which she had so fully identified as to devote her last energies to it.

She had already researched several chapters but was able to give final form only to the one covering the activities of the ICRC during the first Indochina War.

*Owing to the interest of the account and in homage to our colleague whom we have lost too soon, this chapter naturally has its place in the present edition commemorating the 125th anniversary of the **International Review of the Red Cross**.*

François Bugnion

FROM JAPANESE CAPITULATION TO FRENCH DEFEAT

After the fall of France in 1940, Japan occupied Indochina and gradually extended its influence by virtue of political and military agreements concluded with the Vichy Government. It was only at the cost of repeated humiliations which discredited them in the eyes of the Vietnamese that the French clung to a semblance of power in Indochina until 9 March 1945, the date marking Tokyo's ousting of the colonial administration and army. Even as Japan waged a war of conquest in South-East Asia, it was spreading an image of the superiority of the yellow race and the idea of pan-Asianism, thereby arousing nationalist sentiment.

By 1941, Ho Chi Minh was already preparing his return to Vietnam from China after 25 years largely spent studying socialism, and then Communism, in France and in Moscow. He assumed leadership of a resistance movement against the foreign presence, denouncing collusion between Japanese expansionist ambitions and French colonialism. In 1941, he created the Viet Minh (the League for the Independence of Vietnam), structured mainly around the Indochina Communist Party which he had founded in 1930 following the crushing of anti-colonialist uprisings in Vietnam. Unlike other nationalist parties, the Viet Minh not only demanded independence but also wished to transform society and to install a broad-based government. It accordingly set about infiltrating all sectors of national life. The Japanese takeover in March 1945 and the defeat of Japan in August created new possibilities for him, thanks to the ultimate destruction of all French and Japanese authority. On 13 August the Viet Minh ordered a general uprising and effectively gained control of the northern provinces, after forcing Emperor Bao Dai to abdicate and setting up political and military commandos throughout the peninsula. This was done before foreign troops could establish a foothold in Indochina by virtue of the Potsdam Agreements,¹ under which Chinese

¹ The Potsdam Conference brought together in the Berlin suburb from 17 July to 2 August 1945 President Truman — who had just succeeded Roosevelt following his death a few weeks earlier — Stalin and Churchill, who was replaced by Clement Attlee on 26 July when the results of the general elections became known. As the first summit meeting of the leaders of the "Grand Alliance" following Germany's capitulation, the Potsdam Conference had the task of deciding the fate of Germany, Poland and other countries of central and eastern Europe, but it also dealt with further operations in the war against Japan. Nevertheless, the disappearance of the common enemy revealed such antagonism between the British/American statesmen and their Soviet ally that this third summit — after those of Teheran and Yalta — was also the last. In retrospect, the Potsdam Conference may be considered as the starting point of the Cold War.

forces were to disarm Japanese troops to the north and British forces those to the south of the 16th parallel. Ho Chi Minh took advantage of this situation to proclaim the restoration of national independence and the creation of the Democratic Republic of Vietnam (DRV) in Hanoi on 2 September 1945.

But France had entered Indochina as early as 1858. From 1885 on it had dominated the peninsula comprising Vietnam (divided into the two protectorates of Tonkin and Annam), Laos and Cambodia, as well as the colony of Cochinchina, and held considerable economic, financial, cultural and religious sway. France therefore intended to recover sovereignty over this part of its colonial empire as it was doing by force of arms in North Africa and later in Madagascar. In agreement with the British, France set out to reoccupy Cochinchina and dispatched an expeditionary force under General Leclerc to retake control of Saigon, at the same time appointing Admiral d'Argenlieu as High Commissioner of France in the autumn of 1945. France then negotiated with the Chinese their evacuation of Tonkin and their recognition of French sovereignty there.

Willing to grant self-governing status to the new republic, France concluded that it was necessary to reach an *entente* with the Viet Minh who were themselves harbouring misgivings about China's territorial ambitions. On 6 March 1946 a Franco-Vietnamese agreement was signed under which the Republic of Vietnam became a free state within the French Union and the Indochinese Federation, which also included Laos and Cambodia. Vietnam agreed to the return of the French army, which was to take over from Chinese troops and assist in creating and training the Vietnamese army. France undertook to respect the decision of the people, who were to be consulted by referendum concerning the reunification of the three Vietnamese provinces, the Viet Minh's chief demand.

But France was pursuing a dual policy at the time: on the one hand, that of General Leclerc and Jean Sainteny, Commissioner of the French Republic in Tonkin, which led to an agreement with Ho Chi Minh whereby Vietnam was to become a self-governing state within the French Union; on the other, that of Admiral d'Argenlieu, inspired by the French in Cochinchina itself and aimed at restoring French authority by force, partitioning Vietnam in the process.

As negotiations went ahead for the implementation of the agreement, the policy of High Commissioner d'Argenlieu culminated in the proclamation of the autonomous Republic of Cochinchina on 1 June 1946. This

was viewed by Ho Chi Minh's Republic of Vietnam as a violation of the agreement of 6 March 1946.

The Conference of Fontainebleau, which started on 7 July 1946, failed to reconcile the French and Vietnamese views on the status of Vietnam within the French Union. It concluded with the signing on 14 September 1946 of a *modus vivendi* which resolved none of the issues of greatest importance to the Viet Minh: independence, Cochinchina, the army, diplomacy.

Soon after, in autumn, the situation deteriorated. While attacks and acts of intimidation steadily multiplied in Cochinchina, serious disturbances took place in Tonkin. After a clash between French and Vietnamese troops in Haiphong harbour, the French navy bombarded the city on 23 November 1946 killing thousands of civilians.

Peace-seeking endeavours failed: Vietnam wanted independence and France was out to reassert its sovereignty. Agreement could no longer be reached. On 19 December 1946 fighting broke out between the Viet Minh militia and French troops, which attacked the presidential headquarters of the Democratic Republic of Vietnam in Hanoi. The Ho Chi Minh Government left the capital, calling for a general insurrection. The Vietnamese forces withdrew to the Tonkin highlands, taking with them more than 200 French civilians as hostages.

These events marked the start of the First Indochina War which pitted France and the Democratic Republic of Vietnam against each other, while the USSR, the USA and the People's Republic of China, three players with considerable influence over the main protagonists, bided their time behind the scenes.

The USSR's aim was to weaken and drive France out of Indochina: it supported the Democratic Republic of Vietnam out of ideological affinity.

The US position was ambivalent: Roosevelt pursued the strategy of evicting the French from Indochina in favour of China, his ally against Japan. For a time the Americans were favourable to the Viet Minh in the name of anti-colonialism, but later turned away from them on realizing the revolutionary content of Vietnamese resistance. They nevertheless withheld their support from France until 1950. With the emergence of the People's Republic of China and the start of the Korean War, the USA

reviewed its policy. The ideological alignment of the Democratic Republic of Vietnam with North Korea led it to perceive the war in Indochina as one of the fronts on which to stem the advance of Communism, and consequently to support France.

The People's Republic of China supported the Democratic Republic of Vietnam. The arrival of Chinese Communists at the Vietnamese border consolidated the Franco-American *rapprochement*. The French army thenceforth played the role of defending the free world and South-East Asia against the advance of Communism.

The proposals for a cease-fire and the resumption of negotiations tabled by both sides fell through in 1947 and, as of the autumn, all hope of a peaceful settlement between France and the Democratic Republic of Vietnam was abandoned. The French Government, dominated chiefly by the Popular Republican Movement, decided to seek a solution to the conflict by circumventing Ho Chi Minh. Its objective was to form another Vietnamese state under the aegis of Saigon and completely eliminate the Democratic Republic of Vietnam. It decided to recall the former emperor Bao Dai, who could rally right-wing nationalists around himself to form a counterweight to the revolutionary nationalism of Ho Chi Minh, and to install a regime in Vietnam that would make it possible to safeguard to some extent most of France's positions.

Knowing that he would lose all credibility if he failed to achieve unity and independence, Bao Dai initially allowed a provisional central government to be set up in Saigon in May 1948 with General Xuan at the helm. On 5 June 1948 in Ha Long Bay he countersigned the joint declaration by General Xuan and the High Commissioner, Emile Bollaert, by which France recognized Vietnam's independence, the country then being left free to achieve unity. At the same time, Vietnam joined the French Union as an associated state.

Supported by the USA, Bao Dai promptly launched fresh negotiations with France to achieve real independence. Under such pressure, the French Government made major concessions and an agreement was signed between Bao Dai and President Auriol in Paris on 8 March 1949 whereby France recognized Vietnam's independence and unity, pending consultation of the people. Once the reunification of Cochinchina with Vietnam was approved by vote and Vietnamese

unity restored for the first time in 87 years, Bao Dai solemnly constituted the State of Vietnam in August 1949; France handed over sovereign powers and many services to it on 30 December that same year.

Through 1947 and 1948, the government of the Democratic Republic of Vietnam, still hoping for the resumption of negotiations with either France or Bao Dai with a view to the joint establishment of a national and democratic regime, followed a reserved and cautious approach. While it continued its guerrilla activities it was at the same time conserving its strength. But all hope of compromise was dashed by the proclamation of the State of Vietnam.

As of 1950, Vietnam became a focal point of East/West confrontation. Aided by China, the Democratic Republic of Vietnam, declaring itself to be the sole legitimate Vietnamese state, launched a military offensive in September in the north during which thousands of people were killed or taken prisoner. France and the USA for their part were training and equipping the Franco-Vietnamese army. In Vietnam, as in Korea, it was a matter of containing Chinese expansionism and halting the spread of Communism.

After a series of French victories at the beginning of 1951 that took a heavy toll on the forces of General Giap, head of the Democratic Republic of Vietnam forces, the military advantage shifted gradually as of summer 1951 in favour of the Democratic Republic of Vietnam, which again resorted to guerrilla and harassment tactics.

Heavy losses forced France in 1952 to abandon most of its positions in Tonkin and in the Thai region as guerrilla activity intensified in central and southern Vietnam.

In 1953 Giap's army invaded central and southern Laos and north-eastern Cambodia.

In March 1954, Giap laid siege to Dien Bien Phu, which fell on 7 May; French losses amounted to some 7,000 dead and 11,000 prisoners, while the enemy dead numbered 8,000. The Geneva Conference opened on that same day, attended by France and the three associated states (Vietnam, Laos and Cambodia), as well as its allies the USA, Great Britain, the USSR, the People's Republic of China and the Democratic Republic of Vietnam. So great was the interest of the powers in an expeditious end to the war that a compromise was reached. On behalf of France, Pierre Mendès France signed an agreement on 20 July 1954 providing for a cease-fire and a regrouping of Democratic Republic of Vietnam and

French Union forces on either side of the 17th parallel of latitude; this was to serve as a provisional military demarcation line between the northern zone, under the control of the Democratic Republic of Vietnam, and the southern zone, which was assigned to the State of Vietnam. The two zones were to consult with each other in 1955 with a view to holding elections and setting up a unified government by July 1956.

ICRC ACTIVITIES

ICRC offers of service

Upon arrival in Saigon in 1945 the ICRC delegate Henri Hurlimann placed himself at the disposal of the Anglo-American authorities, who assigned him the task of providing food to Allied prisoners of war held in two Japanese camps in Saigon until their repatriation one month later.² The gradual repatriation of some 65,000 Japanese prisoners of war and civilian internees,³ which took place without ICRC involvement, and the setting up of various support institutions enabled the delegate to devote himself to transmitting family messages and to delivering aid to certain categories of civilians until the closure of the delegation in May 1946.

The conclusion of the Franco-Vietnamese agreement on 6 March 1946 obviated the need for a delegate in Tonkin. The ICRC then decided to reorganize its delegations in South-East Asia by appointing Charles Aeschlimann as delegate based in Singapore, but also covering Hong Kong, Malaysia, Siam and Indochina. The French Government approved his appointment.⁴

Clashes between French forces and troops of the Democratic Republic of Vietnam led to the taking of civilian and military prisoners on both sides. The ICRC immediately offered its services to the French Govern-

² *Report of the ICRC on its activities during the Second World War (September 1, 1939 — June 30, 1947)*, Vol. I, *General Activities*, Geneva, ICRC, 1948, p. 507.

³ Letter of 6.2.46 from the Headquarters of the Supreme Allied Commander, South-East Asia, to H. Hurlimann. ICRC Archives — dossier G.17/69. Letter No. 8 of 18.4.46 from the ICRC to H. Hurlimann. ICRC Archives — dossier G.17/69.

⁴ Letter dated 29.6.46 from the Ministry of Foreign Affairs to the head of the ICRC delegation in France. ICRC Archives — dossier G.17/69 II.

ment, which did not initially deem them necessary, as it did not view these events as representing a state of belligerency in the legal sense of the term. The government argued⁵ that as the Indochinese dispute was an internal matter within the framework of the French Union and the limits of domestic law, it did not consider itself bound by the 1929 Geneva Conventions *vis-à-vis* the Democratic Republic of Vietnam — which it regarded as a band of rebels — the said Conventions being intended to apply to armed conflicts between States. The Democratic Republic of Vietnam furthermore did not enjoy international recognition when the conflict broke out nor was it a party to the 1929 Conventions. This situation considerably limited the ICRC's room for manoeuvre and, since it could not invoke the Conventions as a basis for action, it made use of its right of initiative to offer its services.

The French authorities in Hanoi and Saigon, however, disquieted by the plight of 425 civilians detained by the Viet Minh, announced that they wanted an ICRC delegate to be sent to Indochina. On 13 January 1947, the Commissioner of the French Republic in Tonkin, Jean Sainteny, was informed of the imminent arrival of Charles Aeschlimann.⁶

In the meantime, the ICRC named a Dutch clergyman, Father Willigers, to act on its behalf. He immediately wrote to Ho Chi Minh, President of the Democratic Republic of Vietnam, as follows: “...*I am at your disposal to care for prisoners held in Hanoi and elsewhere by the French army. I stand ready to act as their intermediary, whether for the exchange of correspondence or to furnish them insofar as possible with clothing, medicines or additional food supplies... However, just as I am willing to visit and bring physical and moral solace to Vietnamese held by the French, I would also request of you the facilities necessary to be able to visit and render similar services to prisoners of other nationalities detained by the Vietnamese*”.⁷ A similar initiative was taken *vis-à-vis* the Commander of the French forces with a view to “*establishing contact with*

⁵ Memorandum addressed to Mr. Aeschlimann delivered on 26.1.47 by Mr. Royère, Diplomatic Counsellor to the High Commissioner. ICRC Archives — dossier G.17/69 II. Note No. 5544 of 7.1.47 from the Paris delegation to the ICRC. ICRC Archives - dossier G.17/69 II.

⁶ Telegram No. 9610 of 13.1.47. ICRC Archives — dossier G.17/69 II.

⁷ Letter of 17.1.47 from the provisional ICRC delegate, Father Willigers, to the President of the DRV, Ho Chi Minh. ICRC Archives — dossier G. 17/69 II.

*Vietnamese prisoners held by the French army and providing them with the Red Cross services that are usual in such circumstances”.*⁸

Soon after arriving in Saigon on 23 January and in Hanoi on 29 January, Charles Aeschlimann took up the first contacts with both the French and the Vietnamese authorities and with their Red Cross organization so as to ensure humane treatment of all victims of the conflict regardless of nationality, race or religion.⁹

Initiatives to visit prisoners in Vietnamese detention

Having been put in touch with Hoang Minh Giam, future Minister of Foreign Affairs of the Democratic Republic of Vietnam, and with Dr. Tung of the Vietnamese Red Cross organization, Charles Aeschlimann was told that he could visit all the places he wished to see on Vietnamese-controlled territory.¹⁰ Thus, on 7 February 1947 he visited the Hoa Binh camp containing 171 French prisoners, to whom he brought food and medicines; he observed that the treatment being given to them was in general satisfactory. On the following day he saw 10 people who had been taken prisoner on 22 December 1946.¹¹ In response to his official request for the release of women, children and the elderly, 29 civilians, including 19 French and 10 British were handed over to him on the Hanoi/Hadong highway where a cease-fire had been ordered.¹²

On 25 April, Charles Aeschlimann and his successor, Dr. Descoedres — together with Professor Huard, President of the French Red Cross in

⁸ Letter of 19.1.47 from the provisional delegate, Father Willigers, to the Commander of the French forces in northern Indochina, General Morlière. ICRC Archives — dossier G. 17/69 II.

⁹ Note of 20.1.47 from the head of the Delegations Department, R. Voegeli, to C. Aeschlimann in Saigon. ICRC Archives — dossier G.17/69 II.

At that time the Red Cross of the Democratic Republic of Vietnam (DRV) did not yet fulfil all the conditions for recognition as a full member of the International Red Cross.

¹⁰ Letter dated 8.2.47 from the DRV government's Under-Secretary of State for Internal Affairs, Hoang Huu Nam. ICRC Archives - dossier G.17/69 II.

Note No. 6188 of 17.4.47 from the Paris delegation on the Giam/Aeschlimann meeting of 21.2.47. ICRC Archives — dossier G.17/69 II.

¹¹ Note No. 5837 of 17.2.47 from the Paris delegation. ICRC Archives — dossier G.17/69 II.

¹² Cablegram No. 6267 of 10.3.47 from C. Aeschlimann. ICRC Archives — dossier G.17/69.

Hanoi, and a representative of the Consulate of China — held a meeting with Dr. Tung between the battle lines at the Rapids Bridge near Hanoi to discuss the fate of civilian and military prisoners. They gave him correspondence, aid and medicines intended for internees and for the Vietnamese Red Cross organization.

The meetings continued between the battle lines until July 1947, although they were difficult to organize not only because of the complete destruction of communication facilities but also because they entailed the negotiation of a cease-fire.¹³ Dr. Descoedres wrote of the meeting of 7 May as follows:

“... On the Vietnamese side the cease-fire had been ordered. We immediately replied confirming our agreement and requesting the French military authorities also to institute a cease-fire at the place and time indicated... We had a long discussion of all the issues of interest to the ICRC. Mr Giam stated his readiness to accord all facilities to the ICRC delegate for the accomplishment of his mission which had become extremely difficult, owing to the complete chaos created on Vietnamese territory by military operations: all roads have been either cut by barricades or mined, means of transport are virtually non-existent over considerable distances, very precarious material existence”.¹⁴

On 7 May the two delegates met Dr. Tung and Hoang Minh Giam, by then appointed Minister, whose permission they requested to revisit the camps of French internees. The reply, communicated on 19 May, was negative *“on account of serious material difficulties”*.¹⁵ On 22 June a new appointment was arranged:

“... With the aid of the French military authorities, we took the steps necessary for organizing our journey. On 22 June at 6.30 a.m. we left Hanoi aboard two French naval landing craft and sailed slowly up the Red River against a very strong current as the river was swollen. At 10 a.m. we passed the last French post without incident and arrived at the appointed place at 12.30 p.m. A Vietnamese boat was awaiting us, moored ashore and flying the Vietnamese and Red Cross flags. A Vietnamese military detachment paid us honours (in the presence of French military personnel!) and the British and Indian Consuls and I disembarked. We

¹³ *Revue internationale de la Croix-Rouge (RICR)*, No. 346, October 1947, pp. 813-818.

¹⁴ Letter No. 2 of 9.5.47 from Dr. Descoedres. ICRC Archives — dossier G.17/69 II.

¹⁵ Letter No. 3 of 23.5.47 from Dr. Descoedres. ICRC Archives — dossier G. 17/69 II.

were received at the little school in a neighbouring village by the local dignitaries, by Mr. Hoang Minh Giam, Minister of Foreign Affairs of Vietnam, and Dr. Le Van Hieu, delegate of the Vietnamese Red Cross".¹⁶

Hoang Minh Giam announced that it was still not possible to visit the prisoner camps, whereas the request for the release of women, children, the sick and the elderly might receive some consideration.

On 18 July, Dr. Descoedres again met with Vietnamese Red Cross representatives. He described that meeting as follows:

"... I went to the Rapids Bridge in my jeep flying the Red Cross and American flags (I was in fact accompanied by an American journalist who was hoping to be able to enter Vietnamese territory, which was refused), followed by two lorries transporting all the packages destined for prison camps and French internees. At about 1 kilometre from the last French post, between the lines, is a partly destroyed pagoda where we awaited the Vietnamese representatives. It was a long wait. Shortly after 1 p.m. (the appointment having been set for 10 a.m.) we sighted the Vietnamese party against the horizon walking along the dike, preceded by the Vietnamese and Red Cross flags. We advanced to meet them and returned to the pagoda together... We separated at 3 p.m., whereupon I requested the French authorities to prolong the cease-fire until 6 p.m. to allow the Vietnamese enough time to take all our packages".¹⁷

The delegate delivered a letter addressed to President Ho Chi Minh requesting the release of certain categories of internees. In his reply, delivered by hand on 21 August, Ho Chi Minh assured the delegate that *"we are still prepared to grant your wish as soon as material conditions permit"*.¹⁸

During these meetings, the delegate delivered aid, funds, vaccines and DDT to the Vietnamese representatives and also passed on correspondence from prisoners. He informed them of his visits to Vietnamese prisoners in French hands, though his requests to visit French prisoners received only delaying replies. On 27 July he made a radio appeal to the Vietnamese authorities urging them to grant him a new appointment with a view to *"the release of internees that was promised so long ago"*, which *"will be a token of the goodwill of the Vietnamese Government towards*

¹⁶ Letter No. 8 of 23.6.47 from Dr. Descoedres. ICRC Archives — dossier G.17/69 II.

¹⁷ Letter No. 19 of 19.7.47 from Dr. Descoedres. ICRC Archives — dossier G.17/69 III.

¹⁸ Letter of 29.7.47 from Ho Chi Minh. ICRC Archives — dossier G.17/69 II.

the work of the ICRC". He warned that if refused he would leave Indochina and return to Switzerland, where he would report to the ICRC.¹⁹ He returned to Geneva at the end of August 1947.

Visits to prisoners in French hands

While in Hanoi in February 1947, Charles Aeschlimann, in accordance with the principle of impartial assistance to all victims of war, visited 193 Vietnamese prisoners of war at the Citadel and at the Yersin Hospital, as well as at four centres accommodating some 2,000 women and children.²⁰ This visit, made at the delegate's own initiative, drew protest from the Saigon authorities who had not been consulted and who wished to limit the activities of the ICRC strictly to "*civilians unduly detained by the Viet Minh*".²¹

The Quay d'Orsay, to which the ICRC explained that its activities in Indochina were based on the principle of reciprocity, immediately telegraphed instructions to Saigon that the mission of the ICRC delegate in Indochina was to be carried out in the traditional framework of neutrality and independence, in favour of all civilian and military victims of the conflict regardless of their allegiance, and that the High Commission should accord him all facilities.²²

Thereafter, and with the arrival of Emile Bollaert as the new High Commissioner, the Saigon authorities modified their approach, authorizing the ICRC to visit the two principal camps of Vietnamese prisoners in French hands in Hanoi on 23 April 1947, various camps in the Hanoi region on 11 and 12 June and the prison together with some camps in Haiphong on 27 June. Dr. Descoedres approached the Hanoi and Saigon authorities on several occasions calling for an improvement in the conditions of detention. These initiatives did produce some amelioration in the treatment of prisoners.²³ Following a visit to the central Saigon prison,

¹⁹ Letter No. 21 of 27.7.47 from Dr. Descoedres. ICRC Archives — dossier G.17/69 III.

²⁰ Letter of 26.3.47 from C. Aeschlimann. ICRC Archives — dossier G.17/69 II. Note No. 6188 of 17.4.47. ICRC Archives — dossier G.17/69 II.

²¹ Telegram of 15.3.47 from the High Commissioner in Saigon. ICRC Archives — dossier G.17/69 II.

²² Note No. 6228 of 9.4.47 from W. Michel to the ICRC. ICRC Archives — dossier G.17/69 II.

²³ Letter No. 10 of 28.6.47 from Dr. Descoedres. ICRC Archives — dossier G.17/69 II. Letter No. 14 of 5.7.47 from Dr. Descoedres. ICRC Archives — dossier G.17/69 III.

the delegate visited the Poulo-Condore camp on 10 July at the express request of the Vietnamese representatives. He furthermore obtained lists of Vietnamese prisoners in French captivity in Hanoi and in Saigon, in an endeavour to arm himself with the most cogent arguments for negotiating with the Vietnamese authorities the release of the French civilians in their power.

As the French Government²⁴ held the view that the events in Indochina were confined strictly to the domain of internal public law and that the military operations did not legally constitute a state of belligerency, the ICRC did not report on its visits to either of the parties involved, as it usually did in international armed conflicts. It did however keep both sides informed of the steps it took and dispatched a brief memorandum to Ho Chi Minh on the activities carried out by the delegate to assist Vietnamese nationals detained by the French authorities.²⁵

Action to help other categories of victims

The ICRC delegate was also responsible for enquiring after the fate of Spanish missionaries and Chinese or Indian nationals held by the Vietnamese. In a meeting on 7 May 1947 with Hoang Minh Giam, he learned that the Spanish missionaries were free, that they were pursuing their activities and did not wish to be evacuated to the French zone.²⁶ After talks between British and Chinese consular representatives and the Vietnamese authorities during the Rapids Bridge meetings on 25 April and 7 May 1947, the ICRC was no longer directly responsible for Chinese and Indian nationals affected by the events.

In addition, on two occasions in 1947 the delegate visited the Khan-Hoi camp in Saigon for Japanese prisoners and civilian internees, who were being repatriated.

²⁴Memorandum addressed to Mr. Aeschlimann delivered on 26.1.47 by Mr. Royère, Diplomatic Counsellor to the High Commissioner. ICRC Archives — dossier G.17/69 II. Note No. 5544 of 7.1.47 from the Paris delegation. ICRC Archives — dossier G.17/69 II.

²⁵Letter of 1.9.47 from the ICRC to the President of the DRV. ICRC Archives — dossier G.17/69 III.

²⁶Letter of 22.5.47 to the Legation of Spain in Berne. ICRC Archives — dossier G.17/69 II.

Continuation of the ICRC mission

Dr. Descoedres's departure did not signal the end of the ICRC's mission in Indochina, for Charles Aeschlimann continued to follow the situation closely from the delegation in Singapore.

The High Commissioner, who had at first envisaged dispensing with the ICRC presence in view of the persistent stalemate over the question of French civilians held by the Vietnamese, came out in favour of continuing the ICRC mission so long as it was not a one-way operation and the ICRC could exercise its mandate on Vietnamese-controlled territory.²⁷ He was given every assurance in that regard by the ICRC,²⁸ which also informed him of its simultaneous approach to Ho Chi Minh to obtain permission to visit French internees.²⁹

During a brief trip to Indochina in December 1948, Charles Aeschlimann realized that it was not possible to establish contact with representatives of the Democratic Republic of Vietnam and limited himself to renewing contact with the Red Cross and with the French authorities. In February 1948 he again visited Indochina, where he learned that the French Government no longer recognized the Ho Chi Minh Government and that the High Commissioner was opposed to the renewal of contacts in Indochina with the Democratic Republic of Vietnam as envisaged by the delegate.³⁰ Nevertheless, Emile Bollaert authorized him to hand over to the DRV Red Cross half a consignment of medical and other relief supplies donated by the Indian Red Cross, provided that the remainder went to the French Red Cross for distribution to the Vietnamese population in French-controlled territory. But the Indian Red Cross disapproved of this plan and sent the entire consignment to Bangkok for delivery to the representation of the Democratic Republic of Vietnam.³¹

²⁷ Letter dated 28.8.47 from the High Commissioner to the ICRC. ICRC Archives — dossier G.17/69 III. Note on the activities of the ICRC in Indochina, undated, 4 pages. ICRC Archives — dossier G.17/69 II.

²⁸ Letter dated 3.9.47 from the ICRC to the High Commissioner. ICRC Archives — dossier G.17/69 III.

²⁹ Letter dated 1.9.47 from the ICRC to the President of the DRV. ICRC Archives — dossier G.17/69 III.

³⁰ Letter of 23.2.48 from C. Aeschlimann to the High Commissioner. ICRC Archives — dossier G.17/69 III. Report No. 12 of 2.3.48 by C. Aeschlimann. ICRC Archives — dossier G.17/69 III.

³¹ Record of the meeting of 12.7.48 of the Delegations Commission. ICRC Archives.

In August 1948 the ICRC delegation in Paris again gave the French Government an outline of the institution's view as to the humanitarian tasks to be done in Indochina to help the various categories of victims belonging to all parties involved.³² At the beginning of December and again in March 1949, Charles Aeschlimann was able to discuss with the new High Commissioner, Léon Pignon, who promised him support and facilities.³³

Finally, in March and May 1949, a donation entrusted to the ICRC by Vietnamese in France was indeed partially used to provide assistance in the form of food, clothing and medicines to prisoners in French hands, the rest having been given to the delegation of the Democratic Republic of Vietnam in Bangkok in December 1948.

Moves to resume contact with the Democratic Republic of Vietnam

To resume contact with the Democratic Republic of Vietnam, Charles Aeschlimann turned to the latter's South-East Asia representation in Bangkok. He discussed with them means of passing on to the Vietnamese Red Cross organization the donations entrusted to him and renewed his request for permission to visit the French prisoners. His partners in dialogue, whom he met twice in the autumn of 1948 and to whom he expressed his disappointment at failing to obtain a favourable reply, advised him in December that the French offensive in the north made it impossible to move about in safety.³⁴

Charles Aeschlimann then tried to take up contact with the Nambo health service, comprising supporters of the Democratic Republic of Vietnam fighting in the south. On 21 May 1949 and again on 27 July he launched a radio appeal jointly with the French Red Cross requesting facilities for the exchange of correspondence and of information on

³² Note No. 9229 of 18.8.48 from W. Michel to the ICRC. ICRC Archives — dossier G.17/69 III.

³³ Note No. 9707 of 30.3.49 from the ICRC to its Paris delegation. ICRC Archives — dossier G.17/69 III. Letter 11/49 of 12.4.49 from C. Aeschlimann. ICRC Archives — dossier G.17/69 III.

³⁴ Letter No. 375/2688 of 2.12.48 from C. Aeschlimann. ICRC Archives — dossier G.17/69 III

military and civilian prisoners. The Nambo service replied that such arrangements did not fall within its purview but within that of its government, and that French prisoners in the south of Indochina were being well treated.³⁵

This refusal led the ICRC to approach the President of the Democratic Republic of Vietnam directly. In its letter to Ho Chi Minh, delivered to the representation in Bangkok, it recalled its activities in Indochina, especially those for the benefit of Vietnamese nationals, and requested an audience for its delegate to discuss a relief operation for internees and the civilian population in general, which was hard hit by the conflict. It further indicated its willingness to allow its delegate to stay as long as necessary on the territory of the Democratic Republic of Vietnam.³⁶ This initiative went unanswered.

Nevertheless, the ICRC was concerned about the train of events in China and Indochina. The People's Republic of China, proclaimed on 1 October 1949, and then the USSR, recognized the Democratic Republic of Vietnam and the Ho Chi Minh Government in January 1950. In February, the United States and Great Britain recognized the State of Vietnam and the Bao Dai Government to which France had transferred its powers on 30 December 1949, as well as the governments of Laos and of Cambodia. Assured of the support of China which was supplying it with modern weaponry, the Democratic Republic of Vietnam was then in a position to field a well equipped army and to back up its guerrilla tactics with large-scale operations. Disquieted by this situation, the USA increased its supplies of *matériel* to France. On the ground, military engagements increased and the number of prisoners grew on both sides.

It therefore seemed urgent to the ICRC to have a clear idea of its scope of action in Indochina and the Ho Chi Minh Government's views about the Geneva Conventions. It asked Pandit Nehru, a well-known Viet Minh sympathizer, to intercede on its behalf with the authorities of the Democratic Republic of Vietnam.³⁷ Throughout 1950 the ICRC repeatedly attempted to establish contact with the Democratic Republic of Vietnam

³⁵ Minutes of the meeting of 12.10.49 of the Delegations Commission. ICRC Archives. Letter of 16.9.49 from the DRV. ICRC Archives — dossier G.17/69 III.

³⁶ Letter of 25.11.49 from the ICRC Vice-President Mr. Bodmer to Ho Chi Minh. ICRC Archives — dossier G.17/69 III.

³⁷ Letter of 17.4.50 from ICRC President P. Ruegger to J. Nehru and reply of 22.4.50 from J. Nehru to P. Ruegger. ICRC Archives — dossier G.17/69.

and to explain to its representatives in Bangkok, with whom several meetings were held, and to those in Rangoon, the humanitarian aim and the neutral and impartial nature of its activities.³⁸ During missions to Burma by Dr. Marti in July and by Frédéric Siordet in December it renewed its offers of service to engage in such activities in territories under the control of Ho Chi Minh. The replies, which indicated a favourable disposition towards the principles of the Geneva Conventions, nevertheless contained very little by way of tangible results.³⁹ In May 1950, however, the Democratic Republic of Vietnam radio station "*The Voice of Vietnam*" started broadcasting messages from French civilian and military prisoners, as Charles Aeschlimann had repeatedly requested.⁴⁰

Contacts between the French Red Cross and the Vietnamese Red Cross organization

The French Red Cross, well established in Indochina, had been closely monitoring the first contacts between the ICRC and representatives of the Democratic Republic of Vietnam in 1947. Professor Huard, President of the Committee of the French Red Cross in Hanoi, had moreover accompanied the ICRC delegates during talks in April at the Rapids Bridge. After the departure of Dr. Descoedres and thanks to Prof. Huard, who had contacts in the Vietnamese-controlled zone, the French Red Cross was able to meet representatives of the DRV Red Cross on 4 October 1947 and again on 10 January 1949. These meetings led to the exchange of aid and correspondence across the battle lines.

In September 1950, the French Red Cross gave Charles Aeschlimann a list of 52 French civilians detained since December 1946 and whose release had been negotiated directly between the High Commission and

³⁸ *ICRC Report on General Activities (January 1 to December 31, 1950)*, p. 77.

Letter No. 17 of 12.5.50 from R. Gallopin, Executive Director, to C. Aeschlimann. ICRC Archives — dossier G.17/69 III.

Letter No. 37 of 10.8.50 to C. Aeschlimann. ICRC Archives — dossier G.17/69 III.

³⁹ Report of 30.7.50 by R. Marti on his mission to Burma. ICRC Archives — dossier G.17/69 III.

Report of 27.12.50 by F. Siordet and W. Michel on their mission in connection with Indochina. ICRC Archives — dossier G.17/69 III.

⁴⁰ Letter of 24.3.50 from C. Aeschlimann on his mission to Thailand. ICRC Archives — dossier G.17/69 III.

Letter of 20.5.50 from C. Aeschlimann. ICRC Archives — dossier G.17/69 III.

the Ho Chi Minh Government, and also reported to him on the recent exchange of prisoners that had taken place while he was still in Singapore.⁴¹

Then in October, the French Red Cross helped with the evacuation from That Khé of 180 wounded prisoners who had been handed over to it by the DRV Red Cross, using its planes to fly them out. In November it succeeded in obtaining an initial list of prisoners and wounded non-commissioned officers and soldiers who had been freed. It also secured certain facilities for sending prisoners news of their next-of-kin.⁴² The French Red Cross kept up fairly regular contact with the Vietnamese Red Cross organization in 1951 and this led to some exchanges of prisoners and correspondence.

Renewed contact with the Democratic Republic of Vietnam

While approaches to representatives of the Democratic Republic of Vietnam continued, Charles Aeschlimann — appointed ICRC delegate on special assignment as of March 1950 — paid several visits to prison camps controlled by the French authorities and obtained certain improvements in the treatment of inmates. At the request of the High Commissioner, he also visited some 27,000 Chinese nationalist refugees interned by the French authorities.⁴³ Dr. Marti, who took over from him in March 1951, paid a series of visits to military prisoners held by the French in each of the three zones of Vietnam, as well as in Cambodia and Laos.⁴⁴

Yet the resumption of contact with Ho Chi Minh's representatives remained top priority. To that end the ICRC decided to dispatch medical aid for all categories of victims of the fighting on the territory of the Democratic Republic of Vietnam and to notify President Ho Chi Minh accordingly. While returning from a mission to China, ICRC President

⁴¹ Letter of 29.9.50 from the French Red Cross in Indochina. ICRC Archives — dossier G.17/69 III.

Note No. 11963 of 3.10.50 from the head of the ICRC's Paris delegation, W. Michel. ICRC Archives — dossier G.17/69 III.

⁴² *ICRC Report on General Activities (January 1 to December 31, 1950)* p. 78.

Report by Dr. Marti on his mission to Vietnam from 28.3 to 9.6.51, 10 pages. ICRC Archives — dossier 200(69).

⁴³ *Ibid.*, p. 78.

⁴⁴ Report by Dr. Marti on his mission to Vietnam from 28.3 to 9.6.51, 10 pages. ICRC Archives — dossier 200(69).

Paul Ruegger made a stopover in Hanoi to inspect preparations for this relief operation.⁴⁵ He issued an urgent personal appeal to President Ho Chi Minh, asking for arrangements to be made to get the medicines to their destination. This appeal was broadcast several times by radio in March 1951.⁴⁶ Upon arrival on 23 May 1951 as the new head of delegation in Indochina, Paul Kuhne started paving the way for the planned relief operation and once again addressed a message to President Ho Chi Minh on 29 May. On 26 June he learned via the High Commission, which was monitoring all radio messages, that the DRV Red Cross had accepted the offer of medicines. On 27 June he responded by the same channel to President Ho Chi Minh, requesting a meeting with his representatives or those of his Red Cross organization in order to settle with them the arrangements for the relief operation.⁴⁷

After various exchanges of radio messages a meeting was arranged in Hung Hoa to the north-west of Hanoi on 26 July between the representatives of the Red Cross of the Democratic Republic of Vietnam and delegates Paul Kuhne and Alain Daulte, who arrived aboard French naval vessels that had been disarmed and fitted out with red crosses. The area designated for the meeting had also been declared neutral by the military authorities on both sides. The discussions were concerned with ways of carrying out the relief operation, as well as the activities of the ICRC in Indochina in general.⁴⁸ Although their brief was limited strictly to relief issues, the Vietnamese emissaries took note of the ICRC's requests on other matters. Paul Kuhne stressed how anomalous and inconvenient it was for the ICRC to have a delegation on the territory of only one of the parties to the conflict, explaining how much the ICRC would value the Democratic Republic of Vietnam's approval for a delegation or at least its consent to carry out temporary missions on its territory. He underscored the need for continuous co-operation with the DRV Red Cross in such spheres as exchanges of lists of prisoners, enquiries concerning missing

⁴⁵ During this mission, P. Ruegger met Chou En Lai to discuss, *inter alia*, the issue of Indochina, though the minutes of this meeting are not on record in the ICRC Archives. ICRC Archives — dossier 251 PR(34).

⁴⁶ Letter of 13.5.51 from Dr. Marti to the DRV Government, 2 annexes concerning the two appeals of 22-23-26.3.1951 and 1-2.4.1951. ICRC Archives — dossier 200(69). *RICR*, No. 388, April 1951, pp. 257-259.

⁴⁷ Note No. 12 of 28.6.51 from P. Kuhne, with 2 annexes concerning the message from the DRV Red Cross (26.6.51) and the message from P. Kuhne to Ho Chi Minh (27.6.51). ICRC Archives — dossier 200(69).

⁴⁸ Note No. 30 of 27.7.51 from P. Kuhne, 17 pages. ICRC Archives — dossier 200(69).

persons, and the transmission of messages between prisoners and their families. In this connection he gave his hosts messages destined for French detainees and entrusted to him by the French Red Cross. The consignment of medicines that he had brought with him was received with deep satisfaction, but the principle of delegates taking part in the distribution of relief supplies was rejected. The meeting ended with the promise of another meeting in the near future.

That meeting took place on 15 October 1951 at Hung Hoa, but with different representatives who brought no answers from their authorities to the questions put by the ICRC in July.⁴⁹ The requests for enquiries, for regular exchanges of information on detainees or missing persons and of correspondence between prisoners and their families, and for the *de facto* application of the Geneva Conventions of 1949 were under consideration by the competent authorities. The Vietnamese representatives also failed to bring lists of prisoners of war and internees held by the Democratic Republic of Vietnam which the ICRC had requested in exchange for a second consignment of medicines. The meeting nevertheless provided an opportunity to pass on letters addressed to French prisoners; it also enabled the ICRC to offer its services for the exchange of sick or wounded prisoners and to raise the question of its representation again with the authorities and the Red Cross of the Democratic Republic of Vietnam.

The meeting was in fact the last between the Red Cross of the Democratic Republic of Vietnam and the ICRC. ICRC appeals broadcast on 23 November 1951, 21 June and 2 September 1952 in an attempt to resume direct contact, as well as its requests for enquiries regarding missing French troops addressed by radio to the authorities of the Democratic Republic of Vietnam, fell on deaf ears.⁵⁰

Reorientation of ICRC activities

The ICRC believed that since the arrival of General Lattre de Tassigny in January 1951, the High Command had been placing less confidence than it would have hoped in its activities to help prisoners, the wounded and the sick in the hands of the Democratic Republic of Vietnam. Also

⁴⁹ Account by P. Kuhne of his mission to Indochina, 5 pages, minutes of 24.10.51 of a meeting of the External Activities Commission. ICRC Archives.

⁵⁰ *Report on the work of the ICRC (January 1 to December 31, 1952)*, pp. 50-51.

the High Command was itself launching initiatives that could cause confusion as to the ICRC's independence and neutrality, such as the solemn appeal on behalf of prisoners it made to its adversary on 28 July 1951 without informing the ICRC.⁵¹ The attitude of the High Commissioner, whose control over the various players in Indochina and the entire communications network was preventing the delegation from working normally, drew protest from the ICRC:

"...After two initial contacts across lines with technical co-operation of military authorities, ICRC now doubts ability to continue these attempts from French-controlled territory in absence of necessary independence stop. Must therefore consider seeking other channels for its humanitarian work on DRV-controlled territory, especially to help prisoners of war held by DRV stop. At all events, ICRC should be given assurance that:

"first, full confidence is placed in it concerning necessary impartiality and its primordial duty to help victims of conflict on both sides of front. To that end, it should be clearly understood that its delegation must be able to take up all contacts necessary to its work;

"secondly, communication between ICRC Geneva and this delegation will not be hindered in any way which could cast doubt on the latter's independence;

"thirdly, while maintaining fraternal contacts with French Red Cross in Indochina, ICRC must remain independent of the latter, as respective duties of both institutions are different stop.

"ICRC hopes that pursuant to spirit of four 1949 Geneva Conventions signed and ratified by France, High Commission will be good enough to give it such assurances stop. ICRC requests same in keeping with its principles and practice and deems them necessary to continue its activities in Indochina via channels used hitherto stop. Highest consideration. Ruegger President".⁵²

The firmness of this statement, contrasting as it did with the previous attitude of an ICRC that lacked a firm treaty basis for its action, was not unrelated to the entry into force of the Geneva Conventions of 1949 and their ratification by France, effective as of December 1951. Thereafter,

⁵¹ Note No. 31 of 30.7.51 from P. Kuhne. ICRC Archives — dossier 200(69).

⁵² Telegram No. 9952 of 28.12.51 from P. Ruegger to the High Commissioner of the French Republic to Saigon. ICRC Archives — dossier 200(69).

the French authorities, while continuing to affirm that the conflict was not international in character, expressed their intention "to respect the spirit and, insofar as the specific conditions of the struggle in Indochina permitted, the letter of the provisions of the Geneva Conventions of 12 August 1949".⁵³

The replacement of General de Lattre de Tassigny (dead in January 1952) by General Salan, as Commander-in-Chief and Jean Letourneau as High Commissioner in early 1952 signalled a softening of the line maintained in respect of the Democratic Republic of Vietnam and of the ICRC delegation.

Indeed, the military authorities no longer opposed the delivery of medicines to the enemy, even in the absence of supervision of or guarantees as to their distribution; they even dropped medical supplies by parachute intended for French prisoner camps.⁵⁴ The ICRC for its part received the assurance that it would be accorded every facility and full freedom of action to pursue its activities in accordance with its customary procedures.⁵⁵

Assigned to Saigon as of February 1952, André Durand cultivated good relations with the authorities, who placed all necessary means at his disposal for him to accomplish his task. He did likewise with the French Red Cross which, after his radio appeals of 15 February and 22 March 1952, managed to arrange a meeting on 15 May 1952 with the Red Cross of the Democratic Republic of Vietnam at Hung Hoa during which correspondence and medicines were handed over, though without reciprocation of any kind.⁵⁶ Good cooperation was also established between the ICRC's Central Prisoners of War Agency and the Prisoner Affairs Office, which was set up in January 1952 and run by the French army and the Red Cross and which centralized all aspects of tracing and enquiries concerning missing persons, as well as the handling of correspondence addressed to prisoners.

⁵³ Note No. 11 of 26.2.52 from A. Durand. ICRC Archives — dossier 202(69). Notes of 17.2.53 and of 27.10.53 from J. de Preux. ICRC Archives — dossier 202(69). Note of 11.1.54 from J.P. Maunoir. ICRC Archives — dossier 202(69).

⁵⁴ Report No. 2 of 3.3.52 from A. Durand. ICRC Archives — dossier 200(69). Internal Note of 6.6.52 from J.P. Maunoir, pp. 3-4. ICRC Archives — dossier 200(69).

⁵⁵ Note No. 22 of 1.2.52 from J. de Reynier. ICRC Archives — dossier 200(69). Report No. 3 of 17.3.52 from A. Durand. ICRC Archives — dossier 200(69).

⁵⁶ French Red Cross minutes of the meeting on 15.5.52. ICRC Archives — dossier 200(69). The ICRC did not attend this meeting.

To avoid any appearance of subordination to the French authorities and to the French Red Cross, the ICRC decided to separate very clearly the delegation's protection and assistance activities in the zone controlled by the forces of the French Union in Indochina from its attempts to establish contact with the Democratic Republic of Vietnam with a view to setting up a relief operation.⁵⁷ The ICRC thereafter ceased making radio appeals to the Democratic Republic of Vietnam from the State of Vietnam, preferring instead direct approaches to Indochinese representatives outside Indochina. Instructions were accordingly issued to André Durand stating that "*experience would seem to indicate that in the event of conflict or disturbances within a country, the ICRC can hardly act effectively vis-à-vis both sides through a single delegate. In addition to material problems preventing the delegate from maintaining contacts with the party in whose territory he does not reside, there is the risk of being judged — erroneously of course — as being too closely linked to the other side, whereas the independence and impartiality of the ICRC must not be placed in doubt*".⁵⁸ At the same time, the ICRC informed Jean Letourneau that it deemed it preferable for its delegate in Indochina to refrain from personally seeking contact with the Democratic Republic of Vietnam and that it had decided to concentrate its activities on visits to military prisoners and internees (MPIs)⁵⁹ held by French Union forces. It wished therefore that visits to prisons and camps be continued according to the same procedures as hitherto.⁶⁰

Indeed, in addition to the thirty or so visits to MPI camps conducted in 1952 by the ICRC delegate, about thirty others took place in 1953 on Vietnamese, Laotian and Cambodian territory. These visits were generally fairly official in that the delegate was provided with escorts and means of transport by the authorities and was almost constantly accompanied by a French officer. Relations with the camp authorities were on the whole good: all facilities were accorded for visits to all premises and to consult camp records. Interviews without witnesses were freely allowed, though

⁵⁷ Record of the work session of 5.3.53. ICRC Archives.

⁵⁸ Note of 26.3.53 from J. Chenevière, ICRC Vice-President. ICRC Archives — dossier 200(69).

⁵⁹ The French authorities drew a distinction between prisoners who were regular Viet Minh troops and military internees, comprising civilians who had taken up arms, organized or participated in attacks or transmitted messages or intelligence. Note No. 11 dated 26.2.52 from A Durand. ICRC Archives — dossier 210(69).

⁶⁰ Letter of 2.4.53 from R. Gallopin, Executive Director, to J. Letourneau, minister responsible for relations with associated States. ICRC Archives — dossier 200(69).

there was distrust and reticence on the part of prisoner representatives — the *cai* — *vis-à-vis* the delegate, whom they equated with a Frenchman. It took repeated visits to win the confidence of the *cai*, to grow better acquainted with them and to get them to speak freely.⁶¹ Each of these visits, often followed by a distribution of relief supplies, afforded André Durand an opportunity to indicate orally to the detaining authorities the improvements that were desirable, and these were generally made.⁶² Nevertheless, no official intervention took place before Dien Bien Phu in an attempt to avoid jeopardizing French authorization of ICRC access to camps.

At the ICRC's request, a delegate, Dr. Aguet, visited Chinese troops interned in Indochina in April 1953 before some 30,000 of them departed for Formosa.⁶³

Approaches to the Democratic Republic of Vietnam from Geneva

ICRC attempts to deal with the Democratic Republic of Vietnam through the intermediary of India proved fruitless. A mission by ICRC President Paul Ruegger to Moscow in November 1950 was no more successful. Attempts to resume relations with the Democratic Republic of Vietnam on the Asian continent were doomed to failure.⁶⁴ Hence, after the reorientation of the activities of the delegation in Indochina, all attempts to communicate with the authorities of the Democratic Republic of Vietnam were made from Geneva, via the embassy of the Democratic Republic of Vietnam in Peking. The ICRC therefore contacted that embassy for the

⁶¹ Notes No. 11 of 26.2.52 and 229 of 24.8.53 from A. Durand. ICRC Archives — dossier 210(69).

⁶² It should be recalled that, in the absence of reciprocity, the ICRC did not transmit official reports to the French Government, instead it submitted a list of the issues raised to enable it to monitor the follow-up given during subsequent visits.

⁶³ Minutes of the ICRC plenary meeting of 16.4.53. ICRC Archives.
Minutes of the plenary meeting of 25.6.53. ICRC Archives.

⁶⁴ Mission to Moscow from 8-20 November 1950 during which P. Ruegger had talks with A. Gromyko, Deputy Minister of Foreign Affairs. The meeting had no precise agenda, but a review of the ICRC's current activities had been envisaged. Although the Indochina question was included, no minutes of the meeting either with the Alliance of Red Cross and Red Crescent Societies of the USSR or with government authorities have been found on file. ICRC Archives — dossier G.3/PRA.

forwarding of mail addressed to French prisoners and letters from Vietnamese prisoners to their families in the Democratic Republic of Vietnam.⁶⁵ This means of transmission via Peking worked successfully until the signing of the peace accords. All messages addressed by the ICRC to the authorities of the Democratic Republic of Vietnam to apprise them of its activities which it had already been carrying out for two years to assist Vietnamese prisoners in French detention,⁶⁶ to offer them supplies of medicines or to enquire about possible needs on the part of the Vietnamese health services were also entrusted to this embassy.⁶⁷ These approaches, however, remained without avail. The ICRC failed to persuade the Democratic Republic of Vietnam to change its stance on access to its territory for ICRC delegates.

From Dien Bien Phu to the Peace Accords

The attack on the fortified garrison at Dien Bien Phu by General Giap's troops, shelling by Vietnamese artillery and bombardment by French aircraft made it more difficult each day to protect the wounded of both armies in the conflict.

After accusations that the French forces had been napalm bombing medical units and evacuation convoys to the rear of Democratic Republic of Vietnam troops and transporting munitions in medical aircraft marked with the red cross emblem, several of their aircraft bearing the emblem came under enemy fire while evacuating the wounded.⁶⁸

⁶⁵ Letter of 21.7.53 from L. Boissier to Ho Chi Minh. ICRC Archives — dossier 272(69).

Letter of 14.8.53 from the Embassy of the DRV in Peking to L. Boissier. ICRC Archives — dossier 272(69). Letter of 11.9.53 from L. Boissier to the Embassy of the DRV in Peking. ICRC Archives — dossier 272(69). Letter of 4.12.53 from L. Boissier to the Embassy of the DRV in Peking. ICRC Archives — dossier 272(69).

⁶⁶ Letter of 24.12.53 from L. Boissier to Hoang Minh Giam. ICRC Archives — dossier 200(69).

⁶⁷ Letter of 19.9.53 from L. Boissier to Ho Chi Minh. ICRC Archives — dossier 280(69).

Letter of 17.2.54 from ICRC Vice-President F. Siordet to Ho Chi Minh. ICRC Archives — dossier 280(69).

⁶⁸ It should be noted that, whereas the State of Vietnam acceded to the Geneva Conventions of 1949 on 14 November 1953, no declaration with regard to application of the four Conventions was made by the authorities of the DRV.

On 25 March 1954 the French Government protested to the ICRC over this violation of the laws of war. In its reply of 27 March 1954, the ICRC drew attention to the terms of Article 36 of the First Geneva Convention of 1949, under which the protection of medical aircraft is subject to agreement between the belligerents on the schedules, altitudes and itineraries used. In addition, the ICRC declared its readiness to convey to the enemy any truce proposals to facilitate the coordinated evacuation of the wounded from the fortified garrison.⁶⁹ On that same day and after consultation with the ICRC delegate, General Navarre appealed to General Giap to allow the wounded to be airlifted from the garrison, but without success. On 28 April 1954, the ICRC in Geneva renewed the appeal that had been addressed to the two belligerents on 9 April “*so that those persons legitimately placed under the red cross sign may be protected*” and “*so that all measures can be taken on both sides to allow for the evacuation of the wounded from the front and to guarantee full respect for medical establishments and means of transport bearing the Red Cross emblem...*”⁷⁰ This appeal furthermore suggested the creation of medical zones for the hospitalization of the wounded and the sick under the terms of the Geneva Conventions. It remained a dead letter and no practical action was possible in the field. On three occasions André Durand requested permission to visit Dien Bien Phu, but was refused access “*for reasons of security.*”⁷¹

After the fall of Dien Bien Phu on 7 May 1954, direct talks on the evacuation of the wounded were started between the parties early that same month at the Geneva Conference. The seriously injured were exchanged without any intermediary, though André Durand was able to be present in Laos when 850 wounded were repatriated from Dien Bien Phu in June. On 16 and 17 June 1954 he was also authorized to accompany a convoy carrying wounded Democratic Republic of Vietnam troops released by the French as far as the hand-over point outside Hanoi. That was the first unofficial meeting since October 1951 between an ICRC delegate and representatives of the Democratic Republic of Vietnam High Command and this paved the way for further contacts during subsequent

⁶⁹ Document D. 346 of 4.5.54. Situation of the wounded in the Vietnam conflict, 5 pages.

⁷⁰ Appeal to the belligerents in Indochina. Press release No. 508 of 28.4.54. ICRC Archives — dossier 200(69). *RICR*, No. 425, May 1954, p. 337.

⁷¹ Report by A. Durand on the situation in Indochina (1953-1955) submitted at the plenary meeting of 3.3.55, 16 pages. ICRC Archives — dossier 200(69).

exchanges.⁷² Concerned about the plight of the prisoners taken at Dien Bien Phu — some 10,000 — and wishing to communicate to the families the names of the troops captured, the ICRC approached the delegation of the Democratic Republic of Vietnam at the Geneva Conference.⁷³ In a letter to Pham Van Dong, Minister of Foreign Affairs, the ICRC offered its services to pass on lists of names of all prisoners, send food parcels to the prisoners held on both sides and transport pharmaceutical relief supplies for troops and civilians affected by the fighting.⁷⁴

The ceasefire agreement was reached on 20 July 1954. It provided for the release of prisoners within 30 days. With repatriation being supervised by an International Commission comprising representatives of Canada, Poland and of India — which chaired the group — the ICRC, which had not been given lists of prisoners, did not take part in the operation. From then on it could concentrate on the problem of the refugees resulting from the agreement of 20 July 1954.

Activities for refugees

Far from terminating ICRC activity in Indochina, the peace accords presented the institution with new tasks, leading it to increase its representation in the two Vietnamese zones by stationing Jacques de Reynier as delegate to the north of the 17th parallel, while André Durand, who continued his work in the southern zone and in Laos and Cambodia, was backed up by a new delegate, Nicolas Burckhardt, as of September 1954.

As the Geneva agreements gave the inhabitants of Vietnam the freedom to choose the zone in which they wished to live, some 800,000 persons flocked to the Tonkin assembly point for evacuation to the south, while there was virtually no movement from south to north. The massive exodus posed major problems for the government and for the Red Cross

⁷² *Ibid.*

RICR, No. 427, July 1954, p. 530.

Report on operations to evacuate the wounded from the ranks of the French expeditionary force at Dien Bien Phu released by the High Command of the Vietnamese People's Army between 13 and 26 May 1954. ICRC Archives — dossier 210(69) Note No. 352 of 29.6.54 from A. Durand. ICRC Archives — dossier 210(69).

⁷³ Minutes of the meeting of 12.5.54 between ICRC representatives and the DRV delegation to the Geneva Conference. ICRC Archives — dossier 200(69).

⁷⁴ Letter of 3.6.54 from P. Ruegger to Pham Van Dong. ICRC Archives — dossier 200(69).

of the State of Vietnam which, after consulting André Durand, requested the ICRC and the League of Red Cross Societies for help in organizing relief. A first appeal was promptly launched by the ICRC on 27 August 1954, followed by that of the League on 31 August. Both messages called on the generosity of National Societies and met with a favourable response. Co-operation was also forthcoming from other aid organizations such as the United States Foreign Operations Agency, which had been active in the country for some time, the International Relief Committee and UNICEF.⁷⁵

The ICRC and the League agreed that in the southern zone the League's delegate, Dr. Thurler, would be responsible for receiving and co-ordinating relief supplies provided by National Societies and distributed by the Red Cross of the Republic of Vietnam,⁷⁶ founded in 1951, while ICRC delegates were entrusted with the distribution of supplies from the various aid organizations. The ICRC representatives also visited refugees in camps and in dispensaries where the said Red Cross was caring for them.⁷⁷ Jean de Preux, who succeeded André Durand in May 1955, worked in coordination with the authorities, charitable organizations and UNICEF to assist refugees from the south and centre of the country; he continued to supervise the use of emergency supplies sent from the USA and stored in Saigon on behalf of refugee women and children.⁷⁸

Activities for civilians

In the northern zone, which was more severely affected by the fighting, the ICRC offered its assistance to the government of the Democratic Republic of Vietnam with a view to setting up a programme of medical aid for civilians hard hit by the events. A delegate, Dr. Aguet, was dispatched to make an on-the-spot assessment of the situation. But the authorities announced that they would request medical assistance once they needed it.⁷⁹ The Red Cross organization of the Democratic Republic

⁷⁵ Report by A. Durand on the situation in Indochina (1953-1955) submitted to the plenary meeting of 3.3.55, 16 pages. ICRC Archives — dossier 200(69).

Report of Activities 1954, pp. 39-41.

RICR, No. 429, September 1954, p 703.

⁷⁶ At the time this Society, like the DRV Red Cross in the north, did not fulfil all conditions for recognition as a full member of the International Red Cross.

⁷⁷ *RICR*, No. 431, November 1954, p. 877. *ICRC Annual Report for 1954*, pp. 39-41.

⁷⁸ *ICRC Annual Report 1955*, pp. 18-20.

⁷⁹ Note No. 16 of 25.8.54 from J.P. Maunoir. ICRC Archives — dossier 200(69).

of Vietnam did in fact agree to take delivery of an ICRC donation of a tonne of medicines from Jacques Reynier in May 1955. The negotiations continued throughout the year, first with Jacques de Reynier, then with André Durand who took over from him in July, for the delivery to the Red Cross Society of relief supplies entrusted to the ICRC. By the end of 1956 when the ICRC's mission in the Democratic Republic of Vietnam ended, over eight tonnes of medical supplies had been delivered to the DRV Red Cross during the preceding two years.

Conclusion

From the start of the conflict the ICRC tried by every possible means to take up contact either with the Red Cross or with the Democratic Republic of Vietnam authorities. Of its many initiatives spanning more than seven years, the ICRC recalls such concrete achievements as the visit to a camp for French civilians, some of whom were freed in 1947, the exchange of correspondence between the fronts, the delivery of food and medicines, the broadcasting of family messages and, as of August 1953, the sending of mail to French prisoners via the embassy of the Democratic Republic of Vietnam in Peking.

But the ICRC did not obtain access to camps for prisoners held by the Vietnamese, nor was it allowed to monitor the distribution of aid which it handed over to the Red Cross of the Democratic Republic of Vietnam.

The fact that the ICRC was perceived as a western player too close to the French authorities, unable to maintain sufficient detachment from them and highly dependent upon them in logistical terms, was not unrelated to this failure. Its credibility as a neutral and independent intermediary was thereby seriously undermined. Despite numerous attempts to contact representatives of the Democratic Republic of Vietnam, it sometimes displayed restraint for fear of offending the French authorities. Parallel initiatives by those authorities and by the French Red Cross, which maintained direct contacts with the Democratic Republic of Vietnam, were not without implications for the way the latter perceived the role and activities of the ICRC. In addition, the Cold War context which pitted the Communist bloc against the free world and the ramifications of the Korean War, in which the ICRC was accused of serving western interests, also had their repercussions.

On balance, the ICRC's humanitarian action was less limited on the French side. Indeed, by establishing a delegation in Saigon accredited to

the French authorities, the ICRC from the very beginning signalled its will not to restrict its intervention merely to visiting hostages taken by the Viet Minh forces as the said authorities were demanding. Despite certain difficulties that resulted mainly from the lack of reciprocity on the part of the Democratic Republic of Vietnam, it gradually extended its sphere of activity to the protection of Vietnamese prisoners in French captivity and, as of 1952, contributed significantly to improving their conditions of detention.

It is no less true, however, that being represented *vis-à-vis* only one belligerent considerably impeded the ICRC's activities in aid of all victims of the conflict. Yet ICRC action cannot be truly effective unless it is carried out on both sides simultaneously and in full independence.

The history of the ICRC in the Vietnam War or Second Indochina War, which was similar to the First Indochina War in ideological, political and military terms, was also to be the story of its endeavours at the diplomatic level to promote implementation of the Geneva Conventions, to carry out its activities throughout the territories of the parties in conflict and to do so on behalf of all victims. Though present and active in Saigon, the ICRC was not to be authorized to set up a representation in Hanoi.
