

The Central Tracing Agency of the ICRC

by **Monique Katz**

The Central Tracing Agency is a permanent and integral part of the International Committee of the Red Cross. Yet it retains an autonomous character during conflicts, as laid down in the four Geneva Conventions.

It is the duty of the Central Tracing Agency to carry out the mandate entrusted in time of war to the two central information agencies mentioned in Article 123 of the Third Convention and Article 140 of the Fourth Convention, namely: the central information agency for prisoners of war, and the central information agency for civilian internees and other protected persons. The Geneva Conventions contain about twenty-five articles relating to the role of these agencies, their relations with the Detaining Power, with the "Power of origin", with the captives and with their families.

In practice, the work assigned to the two agencies by the Conventions is performed by the Central Tracing Agency, to which the singular noun "Agency" refers in the rest of this article.

In short, the role laid down by the Conventions for the Agency consists essentially in obtaining, centralizing and transmitting information relating to military or civilian personnel (living or dead) who have fallen into the hands of an enemy.

Obtaining information

According to the First and Second Geneva Conventions, the Agency should be given the following information about the wounded, the sick, the shipwrecked and the dead taken by an enemy Power:

- identity;
- nature of the wound or sickness;
- death;
- burial.

In addition, under the Third and Fourth Conventions, the Agency must obtain the following information about captives (prisoners of war, civilian internees, arrested persons, persons under house arrest):

- identity;
- state of health at time of capture or internment;
- transfers (from one place of detention or internment to another);
- hospitalization;
- escape;
- release;
- repatriation;
- death during captivity (with details concerning burial);
- births.

What are the sources of information for the Central Agency?

First, there is the capture or internment card, (Conv. III, Art. 70, and Conv. IV, Art. 106), which the captive must complete in duplicate as soon as he or she is made prisoner or interned. The card, the dual purpose of which is to inform the Agency and to reassure the person's family, is not an official document.

The *official* notification of capture, internment, transfer, death, etc., must be provided by the Detaining Power as rapidly as possible. Under the provisions of the Geneva Conventions, notification must be double; once for the Central Agency, once to the Protecting Power.

The official information bureau that must be set up by the Detaining Power, in conformity with Art. 122 of the Third Convention and Art. 136 of the Fourth Convention, is responsible for conveying such official notification to the Agency.

To obtain the data to be sent to the Agency, the official information bureau must be able to rely on various State services. For prisoners of war, civilian internees, persons under house arrest, etc., these are:

- the unit that captured them;

- the authorities of the prisoner-of-war camp or the internment camp;
- civilian and military hospitals;
- police authorities;
- law courts;
- municipal authorities;
- the Graves Registration Service (see Conv. III, Art. 120).

For details of the dead and dying of the adverse party, recovered from the combat zone, the official information bureau will refer to:

- the unit that recovered them;
- field hospitals;
- municipal authorities.

There cannot be too much insistence on the duty of the military and civil authorities to provide, with the utmost speed, complete and exact particulars to the official information bureau, so that the bureau may communicate them without delay to the Central Agency.

While strictly observing the reservations set out in Article 17 of the Third Convention, it is important to record accurately the identity of the captive, especially if the person is wounded or sick and incapable of giving appropriate proof of identity.

In recording the enemy dead found in the battle zone, it is extremely important for the obligations under Articles 16 and 17 of Convention I and Articles 19 and 20 of Convention II to be brought to the attention of those in charge at all levels of the military and civil administrations. There must be a kind of news network reaching every man in the army. Everyone must know that no body may be buried without attempts being made to establish the identity of the dead person (if there is no identity disc, the contents of the pockets should be examined) and without noting the place of burial. Too many people are reported missing during wars, when elementary precautions to identify bodies would have made it possible to find out what had happened to them.

The Geneva Conventions include a number of provisions relating to the forwarding of correspondence between captives (military and civilian) and their families; dispatch of relief supplies, both individual and collective, and gifts of money; and the drawing up and forwarding of legal documents (wills, authorizations, powers of attorney, etc.).

These provisions ought likewise to be well known at all levels of the military and civil administrations of the parties to the conflict.

Centralizing of information

The Agency must bring together all the information it receives, which means that it must record and catalogue all the documents received and enter the data into individual index cards. The index cards are then filed in the Agency's archives, where they are matched with the cards recording inquiries received by the Agency.

This bringing together of all the information received, on the one hand, and all the inquiries made, on the other, makes of the Agency a truly operational clearing-house.

Transmitting information

For prisoners of war, the Central Agency acts as an intermediary between parties to conflict. It sends official notification from the detaining Power to the Power whose nationals have been captured.

For civilians (covered by the Fourth Convention), information has to be sent to the countries whose nationals they are or in whose territory they have set up residence, except in cases where sending such information might harm them or their families (see Art. 140, Conv. IV). The official information bureau, on the other hand, is not allowed to refuse to supply any information of this kind to the Central Agency (Art. 137/IV), which will itself observe the necessary precautions.

Although the Central Agency acts in an official capacity in sending to one party the information received from the opposing party, it cannot limit its role to that of simple intermediary. Whenever fighting breaks out, the Central Agency receives a flood of inquiries about the fate of missing persons, both military and civilian, about the health of captives who have stopped sending news, and so on. The inquiries come from families, from the National Red Cross and Red Crescent Societies and from authorities in the persons' own countries. Precisely because of the humanitarian character of its work, the Agency should not wait beyond a reasonable period for information nor limit itself to sending incomplete or out-of-date information to the inquirers. For this reason, the Agency initiates inquiries of its own with the parties to the conflict, to try to obtain any information lacking. Consequently, all levels of the military and

civil administrations should be aware of the need to co-operate effectively with the Central Agency on these matters.

It should be pointed out at this juncture that the obligation to do everything possible to try to find out the fate of persons reported missing is strengthened by the provisions of Articles 32, 33 and 34 of Protocol I.

Moreover, according to Article 25 of the Fourth Convention, the Central Agency must try to re-establish contact between persons residing in the territory of a party to the conflict or in occupied territory and members of families from whom they are separated. Any news between them is usually exchanged on family message forms.

In addition, bearing in mind the recommendations contained in Article 26 of the Fourth Convention and the three resolutions adopted by the 18th, 19th and 20th International Conferences of the Red Cross, the Central Agency co-operates in reuniting separated families. The provisions relating to this activity are reinforced by Article 74 of Protocol I.

Having examined the specific role assigned to the two Central Information Agencies under the Geneva Conventions, a role performed by the ICRC Central Tracing Agency in time of war, it should be added that long after the end of each conflict the ICRC Central Tracing Agency, custodian of all the documentation it has assembled, continues to give help to former captives and their families. In fact, thanks to its huge collection of index cards (more than 50 million cards), the Agency is able to provide certificates attesting to capture, sickness, wounds or death. Such certificates enable those concerned to claim war pensions, compensation, increased old-age pensions, etc.

Although it might appear paradoxical, the Central Tracing Agency has for some years been decentralizing some of its activities. For example, it often finds it necessary to set up advance posts in the field, to permit closer contact with the detaining authorities, thereby enabling the Agency to speed up the gathering of information on captives and the dead; to be immediately available to worried families; and to arrange for the transmission of family messages.

Since the operation of such field bureaux imposes on the Central Tracing Agency a heavy burden which it cannot support indefinitely, their temporary establishment has two objectives: one which is short term, namely to provide the Agency in Geneva as quickly as possible with the information it must have to carry out its obligations; and the other, inter-

mediate or long term, to train local personnel, particularly members of the National Red Cross and Red Crescent Societies, to take over the work.

The field bureaux of the Agency must be able to count on the co-operation of the military and civil administrations and upon that of the National Societies. Such co-operation will be all the more effective if the role of the Agency under the terms of the Conventions, and the humanitarian requirements involved, have been made widely known during peacetime.

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