

REPORTS AND DOCUMENTS

International Tracing Service: 'Respect for the past, responsibility for the future'

**Speech by Peter Maurer, president of the International
Committee of the Red Cross, at the International
Tracing Service, Bad Arolsen, on 19 November 2012.***

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'I would be grateful if the International Committee of the Red Cross were willing to take over the leadership and management of the International Tracing Service'. This simple request by Konrad Adenauer was the result of five years of discussions between the Allies and the Federal Republic of Germany, the other States concerned, and the International Committee of the Red Cross, or ICRC. The request, in the form of a letter sent to ICRC President Paul Rügger, must be viewed in the context of political developments at the time. For on 5 May 1955, the Federal Republic's status as occupied territory was lifted. This meant the end of the Allies' High Commission for Occupied Germany, which had the task of supervising the work of the Tracing Service. At the same time as the ICRC was asked to step into the breach, the Agreement Constituting an International Commission for the International Tracing Service – one of the very first treaties that the Federal Republic would sign as a sovereign State – entered into force. This Commission, which originally had nine member States, today has 11, and their representatives are sitting in this room as I speak.

Chancellor Adenauer's letter specified that the Tracing Service's activities should be carried out 'in the spirit of the 1949 Geneva Conventions'. In a further exchange, the ICRC undertook to shoulder the leadership position entrusted to it in

* This text is also available at: <http://www.icrc.org/eng/resources/documents/statement/2012/11-29-arolsen-its-maurer.htm>

a manner true to the principles of impartiality and neutrality. This undertaking reflected a major development of international humanitarian law in the form of the 1949 Conventions, which channelled the lessons learned from the Second World War into improving legal protection for the civilian population. As we know, this attempt to protect civilians was to fail all too often in the decades to come. The Tracing Service's pledge of allegiance to the spirit of the Geneva Conventions nevertheless marked a significant step forward in the European political arena and the history of international humanitarian law.

And it is civilians – who in such appalling numbers have borne the brunt of every kind of tribulation – that are the focus of the Tracing Service's work. Millions of documents, gathered over the decades in Bad Arolsen and constituting the core of the Tracing Service's archives, bear witness to oppression and injustice, to the ordeal of prisoners of war, forced labourers, so-called displaced persons, families wrenched apart and childhoods stolen. These documents stand for flesh-and-blood individuals and for their very real families, and for the fate that they have suffered. Here we encounter the 'spirit of the Conventions', which regards people as individuals enjoying individual rights, and not simply as military or political objects and subjects.

Its determination to place human rights and human dignity at the forefront of its endeavour prompted the Tracing Service early on to take steps to shield the victims and survivors from inappropriate and obtrusive curiosity. With time, however, and as views changed, it was realized that giving researchers and other parties access to the archives represented a necessary and justified expansion of the Service's work. Since 2006, therefore, the archives have been open to researchers, and an organization that once confined its efforts to tracing people and giving information to families today also involves itself in historical research and education. The new International Tracing Service (ITS) agreement, which will take effect on 1 January 2013, represents an endorsement of this shift.

Since 1955, the ICRC has seconded a total of seven of its delegates to serve, each in his turn, as ITS director. Their names are Nicolas Burckhardt, Albert de Cocatrix, Philipp Züger, Charles Biedermann, Toni Pfanner, Reto Meister and Jean-Luc Blondel. Between five and six thousand staff – many of whom had themselves suffered the hardships of the war – have served the Tracing Service. On behalf of the ICRC, I would like to thank them for their work, and in many cases for their ongoing commitment in the years to come. In 1955 it was assumed that the Tracing Service's activity would be wound up within five years. Today, however, we see how this organization has had to transform itself to meet the need for research and commemoration. It will be with firm confidence that the ICRC hands over the directorship of the Tracing Service to Dr Rebecca Boehling a few weeks from now. We are delighted that the Tracing Service will be able to draw on Dr Boehling's extensive knowledge as it continues and develops the activities for which it has been renowned for decades now.

Can lessons be drawn from the past 60 years? I see at least three.

First, the founding of the International Tracing Service sent a political signal. Both the Allies and Germany were aware that the end of the war would usher

in a range of social challenges. Finding missing persons – or at least ascertaining what had happened to them – and reuniting families was, and remains, crucial to rebuilding society after such a harrowing event. If this task is neglected, as it has been following a number of more recent conflicts, then something remains missing from the process of social and psychological healing, and this in turn hampers the process of establishing the truth, ensuring justice, and achieving reconciliation. This is the essence of the Tracing Service's purpose, and I am convinced that in this way the ITS has had a real influence in promoting reconciliation within Europe and beyond.

Second, a neutral, impartial and independent humanitarian organization like the ICRC can help ease the political process, which is inevitably burdened at the outset by memories of past hostility and a lack of trust between the parties concerned. This applies equally to situations in today's world that are marked by tensions or open conflict. Though humanitarian activity alone cannot do everything, it can nevertheless serve to bridge the rift by standing up for people in need, and thus help pave the way for dialogue and mutual understanding. The Tracing Service has achieved this by issuing certificates that enable survivors or their next of kin to claim their due or simply to have the fate of a loved one confirmed.

Finally, the International Tracing Service illustrates how useful it is to be able to document historical events and how helpful it is to be able to base one's work on a sturdy set of archives, including when that work involves financial compensation and reparation. The same goes for research and education, which constitute in their way a continuation of humanitarian work by other means. Archives are not dusty rows of stacked paper that you can relegate to a back room somewhere. They are voices to be listened to by historians, teachers, journalists, political leaders, and by our collective consciousness. Conserving archives, protecting them and making them available to the public is part of our duty of memory, as it is of our endeavour to optimize education and to uphold people's rights.

While the ICRC will soon be giving up its directorship of the Tracing Service, it will not be losing the Service from view since it will remain as an observer in the International Commission for the ITS. From its headquarters in Geneva, and in particular through its Central Tracing Agency and its protection activities, the ICRC is anxious to remain in regular touch with the ITS and anxious that it be a key part of the worldwide humanitarian tracing network consisting of the ICRC itself and the National Red Cross and Red Crescent Societies. Much of what the ITS has learned over the decades will serve to make future ICRC operations more effective. We do not have to look far to see examples of that potential. When you see the glistening eyes of a mother and her daughter from Mopti, in northern Mali, reunited thanks to sound tracing work (after months of separation and uncertainty), you might almost be looking at photographs from postwar Germany.

After so many years of working together there will inevitably be a sense of nostalgia and even sadness as we part, but this is tempered by mutual gratitude and respect. The ICRC looks with pride and satisfaction on its work with the Federal

Republic of Germany and the Allied countries. The ITS is today a well-known and well-regarded organization. The International Commission plays its supervisory role with the greatest of confidence. And with the transfer of management responsibility, and thus the Interior Ministry's support for the ITS, to the federal government commissioner for culture and the media, the German government has shown that it regards the ITS – as it does the ITS's future partner, the German federal archives – as a driving force for culture and communication. I would like to ask Director-General Berggreen-Merkel, who is here with us today, to convey to the German government my thanks for its unstinting support for the ICRC over these many years.

The ITS strives to be of service to people. Yes, it possesses archives, but those archives reflect human beings and the unthinkable suffering of so many millions during the Second World War and beyond. With us today is Professor Thomas Buergenthal, whose own name is to be found in those archives. Professor Buergenthal, you have described yourself – not without a degree of irony – as a 'lucky child'. I look forward to hearing you talk to us about that luck.

It is perhaps by sheer luck that I meet you here today, in any case a significant event for me. For your personal history intersects world history, and your memories will enable us all to experience in a tolerable manner what was utterly intolerable in reality. As a historian I admire your trenchant analysis of the Nazi dictatorship; as a diplomat I greatly value your commitment to international law; and for me as ICRC president here today, you serve as a living memorial to the 'cognitive catastrophe' and the terrifying consequences of that catastrophe in the lives of so many people. That catastrophe was a signal historical juncture, one at which my own organization, the ICRC, failed. It failed because it lost its normative compass; it failed because it looked on helplessly, but also silently; and it failed because it drew inexcusably false conclusions from perfectly valid observations.

Today we know that expiating one's guilt by paying sums of money is a difficult matter in economic and legal terms – and that from a moral standpoint it simply does not work. Rhetorical flourishes may bring temporary relief, but that relief does not endure. Remaining silent may allow pressure to build up that will later burst forth in unforeseeably destructive ways. And talking is all too often an exercise in empty words. Still today we often struggle with how we should deal with guilt. The best we can do is perhaps to get the simplest part right, that is, to maintain our dogged determination to do better next time. Today we cannot afford to waver in that determination. I thank you, Professor Buergenthal, for the honour you do the ICRC and the ITS by being here with us today, prepared to speak to us of your own experiences.

The ICRC is relinquishing the helm of the International Tracing Service, but we are confident that the humanitarian principles that we have learned to value together will continue to inspire its work. Neutrality, impartiality, independence and a balanced view are required, not to be interpreted as passivity or the dispassion of people peering at events from an ivory tower. Rather, these principles should be understood in the sense of availability and helpfulness. Conducting oneself in a neutral manner means being at the service of men and women in need, listening to

them and supporting them, without making any judgements. Being impartial forces one to take a balanced view. And independence is something any humanitarian organization needs in order to carry out those many, often extremely uncomfortable tasks demanded by its calling. The International Commission for the ITS has confirmed its independence by giving it a new legal status to take effect concurrent with the ICRC's departure.

Today we stand at the threshold of past and future. Who has described this better than Dietrich Bonhoeffer when he wrote that 'respect for the past and responsibility for the future is the right attitude to have in life'? That seems to me a good leitmotiv for the International Tracing Service, which we trust will continue to flourish with full confidence and in that very spirit.