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## CURRENT PERSPECTIVES

### **The International Committee of the Red Cross celebrates 80 years since its first delegation in Australia**

Christine Winter

College of Humanities, Arts and Social Sciences, Flinders University, Adelaide, Australia

[Christine.Winter@flinders.edu.au](mailto:Christine.Winter@flinders.edu.au)

#### *Abstract*

As the International Committee of the Red Cross (ICRC) celebrates 80 years since its first delegation in Australia, this commentary considers that first Australian ICRC delegation (1941-1947), headed by the Swiss economist Dr Georges Guillaume Morel and his wife Eugenie Ernestine nee Zwerner, as a case study illuminating the importance of personality for a humanitarian mission. Coming through the League of Nations they innovated information flow, and as Russian-Swiss they had insights into the necessity of stateless refugees. Experiences of ICRC delegates, such as the Morels, formed the basis of the post-war 1949 Geneva Conventions. We can thus understand experiences and reports of ICRC delegates, though often not made public, as essential for the development of international law.

#### *Keywords*

International humanitarianism; International Committee of the Red Cross delegation; Geneva conventions; Australia; stateless refugees; diplomacy during war time

## **The International Committee of the Red Cross celebrates 80 years since its first delegation in Australia**

In January 1941 a delegation of the International Committee of the Red Cross (ICRC) began in Australia, headed by the Swiss economist Dr Georges Guillaume Morel and his wife Eugenie Ernestine nee Zwerner. Together they formed the first delegation in Australasia. After Georges' sudden death in October 1945 Eugenie became the first woman to serve as a sole—albeit acting—delegate at an ICRC mission. The delegation in Australia closed its doors in February 1947, but from 1995 the ICRC was again present in Australia. Originally a media liaison service in Sydney, in late 2012, the ICRC upgraded its Australian presence to a Mission, moving from Bondi to Barton, ACT.

This commentary explores the role that personal experience and personality played in enabling the first Australian delegation of the ICRC to effectively promote human rights in response to unprecedented crises during the Second World War. Georges Morel was an unlikely candidate for the role of delegate to the ICRC at a time when it was predominantly medical doctors that were appointed to this position. But Morel's unique background as an economist with experience in the League of Nations and its inter-war diplomacy allowed him to restructure information avenues, cutting out middlemen. His personal experiences as a displaced person forced from the land of his birth, Russia, by the revolution, made him sensitive to the plight of stateless refugees. And his charm and humour opened doors crucial for successful humanitarian intervention.

### **The ICRC: a witness archive**

The ICRC is one of the central institutions in the development of humanitarian international law and practise. The ICRC sums up its role on its web page:

Since its creation in 1863, the ICRC's sole objective has been to ensure protection and assistance for victims of armed conflict and strife. It does so through its direct action around the world, as well as by encouraging the development of international humanitarian law (IHL) and promoting respect for it by governments and all weapon bearers. (International Commission of the Red Cross 2016)

When I visited the ICRC headquarters in Geneva in 2007 for archival research, the entrance hall and wide corridors proudly displayed its role as impartial, independent and neutral facilitator, bringing together nation states in negotiations of international conventions. See-through plexiglass shelves displayed row after row of these conventions, and encouraged visitors to take one of the white printed sheets with a convention's full text. Downstairs in the archives, however, the find book told a slightly different story of planning and chance in the making of the organisation and its purpose.

The main numbers and headings were set shortly after the ICRC's foundation, and are organised according to structure and tasks. Leafing through the find book, I noticed that under

some headings only a few sub-categories followed, while others had expanded into pages and pages of sub-headings and finer graded numbers. Through 150 years of history different demands ensued than what the founding fathers had envisaged. The archival holdings themselves comprise photos; film; official correspondence with sister organisations within the Red Cross and Red Crescent movements, governments, and others; draft conventions; budgets and the like. For me the most melancholic and moving were reports by delegates that remained internal. I am tempted to call them 'lost battles', and they attest to the additional strength of the ICRC, in addition to impartiality and neutrality which arguably facilitates unprecedented access of the ICRC to people in crisis or detention, and that some have criticised as a weakness: public discretion.

Downstairs underneath its meeting rooms and offices the ICRC houses what historian Tessa Morris Suzuki in conversation with me called a witness archive, that attests to all major and minor wars, atrocities, war crimes and genocides where ICRC delegates were forced to stand by, and report back—often in deep distress—to headquarters. For us historians this is a raw source in international humanitarianism, but this is not to say that these experiences of delegates were in vain and ineffective. After the Second World War, for example, the ICRC called in experiences and accounts from its delegates in order to undertake a major revision of fundamental conventions. These shelves full of ring binders and boxes in one of the archive's rooms are the material out of which the four 1949 conventions grew, that updated the Geneva Conventions of 1929, and also integrated interrupted interwar negotiations on the rights of enemy civilians during war. The ICRC introduces these conventions of 1949 as cornerstones of its mandate and mission:

The work of the ICRC is based on the Geneva conventions of 1949, their Additional Protocols, its Statutes—and those of the International Red Cross and Red Crescent Movements—and the resolutions of the International Conferences of the Red Cross and Red Crescent.  
(International Commission of the Red Cross n.d.).

As we will see, chance and experience play an important role in international humanitarianism and law.

### **The transnational politics of establishing the delegation**

The decision to establish a new ICRC delegation in Australia occurred in a confluence of historic events and conflicting national self-interests. In the middle of the Blitz in 1940, Britain decided to remove its potential 5th column, the sizeable group of several thousand German civilian internees and send them to the dominions. New Zealand declined, but Canada and Australia agreed to take on what the British labelled 'dangerous internees'. By the time the shipload for Australia was put together, most Nazi internees had been shipped to Canada, and the British passenger ship *HMT Dunera* was loaded with only 200 pro-Nazi civilians, some Italian prisoners of war (POWs) and just over 2000 anti-Nazis and Jews. This, however, was not conveyed to Germany, and the Third Reich assumed that dangerous internees meant loyalists. The German consul to Geneva thus approached the ICRC to ask for the establishment of an Australian

delegation to look after the internees transported on *Dunera*. Australia agreed. The establishment of the delegation and the selection of a suitable delegate was an internal Swiss matter, involving the ICRC and Swiss government agencies who undertook to search for a suitable Swiss citizen, preferably a medical doctor, in keeping with perceived humanitarian tasks. The only Swiss doctor in Australia, however, was 80 years of age. Thus, with the advice and assistance of the Swiss consuls in Australia, Hedinger and Pietzcker, a Geneva-trained Swiss economist and Sydney-based businessman was approached: 42 year-old Dr Georges Guillaume Morel.

Australia—a migration country that also became a host-country during World War II for civilians and POWs from British-occupied war zones and pre-war protectorates of the League of Nations under British administration such as Palestine, Iran, and Singapore, as well as the South-West Pacific—had a diverse population behind barbed wire in internment and POW camps. The Swiss consuls therefore especially pointed out the aptitude of the proposed delegate in terms of language skills: Morel spoke French, English, German and Russian and had basic knowledge of Spanish, Portuguese, Italian, Serbian, Polish and Bulgarian. He was formally appointed as ICRC delegate in Australia in late January 1941. Supported first only by his wife, the team soon expanded. A second delegate was appointed to New Zealand in late 1942, and a small number of secretarial staff were hired.

The accident of employing an economist who had previously worked for nearly two decades for the League of Nations and was well versed in political negotiations shifted the emphasis of the work undertaken from a narrowly understood humanitarian care model, as both Australia and Germany had anticipated, to the forging of new practises and responsibilities for the ICRC delegation in Australia.

### **Human rights, and information flow**

It is difficult to comprehend—in an age of digital online communication—how distance and interlocking agencies slowed contact between internees, POWs and their families abroad, often in enemy nations such as Germany and Italy. Because of prior persecution, however, families had been dispersed into exile around the world, so that pre-war agency networks and information pathways were inadequate and tediously slow to make connections possible. The Morels reformed information flow through what they called ‘small improvements’.

A fine-tuned machinery of interlocking agencies was responsible for the transmission of names and locations. The Prisoner of War Information Bureau of the Australian Army, based in Melbourne, gave lists of names to both the Swiss Consuls and the ICRC delegate, who sent the information on to the Department for Foreign Affairs in Berne, and to the ICRC in Geneva. From the Swiss Department of Foreign Affairs information went to the German Consul in Berne, and then the Foreign Office in Berlin, while the ICRC’s lists went via the German Consulate in Geneva and the German Department of Foreign Affairs to the German Red Cross. It was a long time until news reached families, and often the private letters the internees were allowed to

send via the same channels overtook official notifications. All of the information flow was slowed down by intermediate authorities.

The Morels set about bypassing some, especially the ICRC headquarters in Geneva, and the London delegation. Morel negotiated that ICRC HQ in Geneva would transmit the names of captured Australians directly to Melbourne, cutting out the London delegation. Morel promised Geneva summary reports for the privilege of direct communication with other delegates around the world. He then arranged to piggy-back on the Swiss consular mail run and negotiated with Australia a pre-censorship deal for this. He got permission from Australia to send two sentence information cables to families directly.

Reports on camp conditions likewise went to Geneva, and then via London simultaneously back to Melbourne and on to Berlin. Morel replaced written draft reports to Australian internment camp commanders with short discussions—miraculously by the time the reports were written there were no criticisms or complaints to record. The camp reports were sent to Geneva and after a short ok cable from Geneva, Morel provided Melbourne with a copy straight away. All in all, Morel estimated that the improvements cut out three months of delays.

### **The problem of statelessness and civilians during wartime**

Unique personal experiences made the new delegate of the ICRC in Australia perceptive to understanding that the plight of internment was entwined with and exacerbated by de-facto statelessness. They sought to practically intervene where international laws and conventions left individuals unprotected, and at times made them vulnerable to harassment and victimisation in internment camps.

Each crisis and its unique problems help to develop better safeguards in law. The problems brought to light by World War I for POWs were addressed in the Geneva convention of 1929 (Geneva Convention relative to the Treatment of Prisoners of War 1929). The plight of civilians during war on enemy territory was set out in the 1934 Tokyo Draft Convention on Civilians. Unable to convince the belligerents to adopt this convention, the ICRC instead negotiated that most nations at war voluntarily applied the Geneva 1929 convention for POWs to civilians. This led to some unforeseen structural difficulties in nations such as Australia: foremost the central role of an internal camp leader that worked to POWs' advantage where it was based on military rank, was subverted by Nazis and Fascists in camps and led to exclusions of dissidents, and internal harassment and blackmail. But more importantly the system of the Geneva convention of 1929 was based on nation states at war and the category enemy alien. What was not envisaged was, as the Jewish internees from the *Dunera* called themselves: His Majesty's most loyal internees. Because the German dictatorship had grafted a new Reich's- citizenship on top of its existing citizenship, most political dissidents and persecuted German Jews nominally still held German passports, though their nation state refused to represent them or honour their citizenship rights. This left individuals de-facto stateless as far as Germany was concerned, and as enemy aliens in the eyes of Australia.

The ICRC's outlook of primarily dealing with effects of war disconnected it from solutions developed by the League of Nations for stateless individuals in the wake of the dissolution of three European empires: the Austro-Hungarian, Ottoman, and Imperial Russia. The so-called Nansen-passports—host nations guaranteeing rights of residency, property, education and more to displaced stateless individuals—addressed the plight of displaced Armenians and exiles from the Russian Revolution, and extended to a multitude of ethnicities in a homogenising nation-state development underwritten by ethnic cleansing for whom neither the birthplace nor the new ethnic nation provided citizenship. The Morels themselves were part of the displaced and exiled: they were members of the long-standing Swiss Russian diasporas of artisans and scholars in Moscow and St Petersburg. Able to inherit Swiss citizenship, Georges and Eugenie and their families and acquaintances relocated in 1919 to Geneva, this unique laboratory of public internationalism and humanitarianism after World War I—a centre abuzz with debates, overlapping, conflicting, clashing ideas and institutions. The fragmentation of the exiles from the Russian revolution into those who could claim a citizenship through their parents and grandparents, and those left without any citizenship prepared the Morels for the unique problems of individuals in Australia during World War II.

In Australia during the war the Morels were stunned to see German pocket money, and Red Cross parcels arrive with the conditions attached that they be given to Aryan internees only. The pocket money was a direct gift from the Reich, and nothing could be done. Complaining to the Geneva HQ about the parcels, however, they were told that donors were entitled to specify recipients, and that the Brazil Red Cross was not giving to Jews. Despite strong representations to the ICRC in Geneva by the Morels, it was a battle lost.

The Morels quickly stepped in for those abandoned by Germany. The Australian government initially was perplexed. Here were people with German passports that should be dealt with by the Protecting Power. They should be content in camps with fellow Germans. It took a riot in family camp Tatura 3 to close the gates between the sub-camps of German-Germans and Jewish Germans. It took the Morels months and months to argue that here were people with no diplomatic representation. Australia continued to assert that the representation of Germans was the protecting power's task. In the end Morel invoked a special clause of the 1929 Geneva convention, namely a right of access for the ICRC delegate to all camps. He collected the needs of individuals and connected them with other agencies such as the Australia Red Cross, or Jewish aid organisations, to assist.

The increased authority and scope for which Morel and the ICRC argued in 1943 in regard to unrepresented civilians, whose citizenship was no longer recognised by their nation of origin, were incorporated into the new *Convention (IV) relating to the Protection of Civilian Persons in Time of War* (Convention (IV) relating to the Protection of Civilian Persons in Time of War 1949). The ICRC was enabled to represent individuals who had no connection to a nation state. This gave the ICRC, for the most part, equal status to the protecting power. The 1949 convention therefore expanded the scope and powers of the ICRC as a substitute for a neutral nation that acted as a protecting power for a belligerent country.

## **The first Australian delegation's success**

What was the secret of the success of the first Australian delegation of the ICRC? As far as the President of the Australian Prisoners of War Relatives Association was concerned, it was personality. In October 1945 he wrote in his heartfelt condolences to the President of the ICRC in Geneva:

Dr Morel was a charming friend, and a wise counsellor. He never spared himself in carrying out his heavy and constant duties. His humour and good fellowship helped him solve many a problem nicely that a lesser man would never have solved. (German Consul, Geneva to ICRC, 19 October 1940, ICRC, G17/21, BG 017 09-02: ICRC archives) (Winter 2013)

According to Georges Morel, when inducting his new colleague Leon Bossard in New Zealand in 1942, it was all down to the ICRC's ethics of impartiality and neutrality:

The ICRC covers all nationalities whether German, Italian, Japanese or otherwise and has no concern at all in regard to their allegiance or religion. (Georges Morel to Bossard, 12 October 1942, ICRC G17/21, BG 017 09-05: ICRC archives) (Winter 2013)

In light of the unique insights into the needs of stateless people in a system that had difficulty accommodating them, it can be argued that the Morels' approach was shaped by upheaval and displacement they themselves experienced. By accident of history a comparable fate had created a sympathetic outlook for implementing new procedures, finding new agencies, and information pathways. The unique situation of the first delegation of the ICRC in Australia is a reminder that humanitarian action has to adjust to new situations in creative ways, and that an empathetic analysis is an important building block in the genesis of human rights.

## **ORCID**

<https://orcid.org/0000-0001-7917-7615>

## **Note on contributor**

Associate Professor Christine Winter is Matthew Flinders Fellow in History at Flinders University in South Australia. Her work connects the Pacific with Australia and German speaking Europe. She has published widely on humanitarianism and internment of civilians, Christian missions and the legacies of colonialism, National Socialism and race-science, and the impact of World War I and World War II on the Pacific.



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