Introduction

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The wisdom of hindsight

Of all forms of wisdom, hindsight is by general consent the least merciful, the most unforgiving. Had the Allies known in 1943 all we know now, they would surely have chosen to bomb Auschwitz-Birkenau and other Nazi extermination camps, even at the cost of heavy casualties among the inmates, rather than allow the industrialised genocide of Jews and other racial minorities to continue. But as we are now all too painfully aware, those in charge of the strategic bombing offensive thought otherwise: better to get the war over as quickly as possible and save the victims of persecution that way. What few people were able to grasp then – and that, if not an excuse, is at least an explanation – is how exclusively the Nazis' attention was focused on their goal of making their conquests *Judenfrei*. No rational person could have been expected to penetrate the minds of those for whom the achievement of what they called 'the Final Solution to the Jewish problem' was of greater importance than winning the war itself. It is in that context that the work done on behalf of the Jews by the Red Cross in general, and its International Committee (the ICRC) in particular, has to be evaluated. This book is an attempt to do that, with fairness, objectivity and as much detachment as the horrific nature of the subject-matter allows.

To adapt the title of the original French edition, did the Red Cross in World War II find itself embroiled in a 'mission impossible'? It was after all a charitable organisation whose historic role and prime concern was the protection of sick and wounded soldiers on the battlefield and of prisoners of war in enemy hands; as such, it had to observe the strictest neutrality. If it was seen to favour one side over another – even if that side now seems clearly to have been the 'right' side – it risked jeopardising its primary function and provoking the aggrieved party into repudiating the famous Conventions which underpinned its legitimacy and, in a situation of total war, at least on the European theatre's western and southern fronts, preserved a minimum of

humanity and a semblance of civilised conduct where military operations were concerned.

The problem that the Conventions had not foreseen and therefore did not cover was deliberate and systematic brutality towards civilians culminating in mass extermination. When first in the 1930s the Third Reich, and then in the 1940s Axis allies like Italy, German satellites like Croatia and defeated countries with puppet regimes like France, began persecuting their Jewish citizens, the ICRC considered that its statutes and the international agreements (the 'Conventions') under which it operated did not allow it to intervene. More than that, as this book makes abundantly clear, it was terrified that any action on behalf of victims of racist legislation would be seriously counter-productive, the worst-case scenario being denial of access to POW camps in German-controlled territory. In other words, fruitless attempts to save the Jews might be punished by the banning of all humanitarian activity however legitimately grounded in Conventions which Germany had signed. The ICRC was acutely conscious of what that would mean: after all, it was powerless to prevent the deaths of the vast numbers of Soviet POWs who died in conditions of scarcely imaginable cruelty, of hunger, cold and disease (where they were not shot out of hand on surrender), simply because the USSR was not a signatory to the Conventions.

The Jews, unfortunately, were not combatants covered by these Conventions, but civilians subject to the laws of their respective countries, so much as the ICRC might deplore the severity (and later on the brutal savagery) of such legislation, it felt it was powerless to act. Perhaps the most chilling document in the entire book is Mgr. Tiso's justification of his country's antisemitic policies (document VII in the Appendix) which flabbergasted even a hardened diplomat like Jean-Etienne Schwarzenberg, the same ICRC official who set out for the umpteenth time the Committee's position on the issue. 'The Jewish problem presents the IRCR with particular difficulties', he wrote with characteristic understatement, and went on to say:

> If the ICRC for its part makes no distinctions where race is concerned, it cannot for all that totally ignore the internal legislation of certain sovereign states which do practise such distinctions. Care must be taken that the ICRC's interventions on behalf of the Jews, although entirely of a humanitarian nature, are not considered – wrongly, of course – as taking up a position vis-à-vis such internal legislation, and thus assuming a political character incompatible with the principle of neutrality which lies at the heart of everything the ICRC does.[1]

That, in a nutshell, is what this book is all about. It is quite true that the ICRC made no distinction between Jews and those whom the Nazis called Aryans. The trouble was, others did. One of the most sinister

aspects of Nazi propaganda was the way it induced people who otherwise were free of all taint of racism to speak in terms of a Jewish 'problem'. Where there is a problem, the evil suggestion followed, there must be a solution. In the late 1930s, for well-meaning men and women of a tolerant outlook and liberal instincts such as those who served on the ICRC or worked for it, often in a voluntary capacity, that solution was to be sought in emigration (Madagascar was even mooted by some authorities as a possible homeland for the European Jews). Few people seem to have seen through the Nazi sleight-of-hand and asked pointedly 'what problem?' Once it was accepted, even tacitly and reluctantly, that the Jews constituted a problem, the first step had been taken on the road that led ultimately to Auschwitz and the other factories of death, all in pursuance of what was referred to in that truly breath-taking German euphemism, '*Endlösung*', 'Final Solution'.

The argument in brief

In outline the account given in this book is as follows.

On 20 January 1942 the notorious Wannsee Conference took place. At this meeting in Berlin representatives of all the German ministries and agencies involved in the deportation and extermination of the Jews launched what they termed the 'Final Solution of the Jewish problem' in Europe. We know what was decided at the conference because the minutes taken by Adolf Eichmann, head of the Jewish section in the RSHA, the Reich's Central Security Bureau, were found after the war and produced in evidence at Nuremberg. From the point of view of the present study, two things are of particular importance in this document. Firstly, that even amongst themselves those high-ranking civil servants and officers, almost all members of the Nazi party or the SS, disguised the reality. They did not speak of mass slaughter or of extermination, but only of death by labour and of Jewish resettlement in Eastern Europe. The 'terrible secret' of which Walter Laqueur speaks in his influential book[2] was a well-kept secret even in the higher echelons of the administration in the Third Reich. Secondly, all the plans laid at Wannsee and afterwards required the active participation of thousands of people in the police and the railways in the occupied territories and in the satellites and the countries allied to the Reich. Certainly the policy of the 'Final Solution' was the inevitable outcome of Hitler's rabid antisemitism, but it would never have succeeded to the extent that it did without the ready cooperation of many individuals who were neither German nor Nazis. It is nevertheless the case that for the most part these people saw only one aspect of the operations against the Jews and

were able to claim afterwards that they had been unaware of the full horror of what was going on.

As for the role of the ICRC in all this, it is worth recalling that it was founded in 1863 by five prominent people in Geneva as a non-governmental humanitarian organisation. Despite the adjective 'International' its members have always been Swiss citizens, that is residents of a neutral country. They seek chiefly to maintain and develop the ties between the national Red Cross societies, to act as fair-minded intermediaries between the belligerents in time of war, to care for soldiers wounded in battle or taken prisoner, and to promote the observance and improvement of humanitarian law, of which the best-known elements are the Geneva Conventions of 1864 and 1929 and the Hague Convention of 1907 relating to POWs. At the outbreak of World War II, however, civilians were for the most part not protected by these international accords, since the Tokyo agreement adopted at the 1934 Red Cross conference in Japan[3] had by 1939 not been ratified by national governments. In any case, the Tokyo project concerned only civilian aliens detained by a belligerent at the outbreak of hostilities or held hostage by an enemy army occupying the country of which they were citizens. On behalf of the first category the ICRC obtained in autumn 1939 first from the German authorities and then through reciprocity from the French and British governments the same treatment as that accorded to POWs under the 1929 Geneva Convention, so that during the war the Committee's delegates visited civilian internees in their camps and sent them parcels from their families and relief organisations where such supplies were allowed through the Allied and German blockades.

But besides these prisoners there were other civilian victims of the war, such as the inmates of the concentration camps opened by the Nazis before the war for the incarceration (and so-called re-education) of their political opponents and of people whom they considered socially undesirable like homosexuals or racially tainted like Gypsies and Jews. From December 1941 onwards, too, people suspected or convicted of resistance activity against the Wehrmacht in the occupied territories were deported to concentration camps in the Reich, and by December 1944, despite the very high death-rate from cold, hunger, disease and ill treatment, their numbers had grown to 800,000.

Since international humanitarian law did not protect or provide relief for political prisoners held by their own government, the ICRC could only act on their behalf on its own initiative and with great caution. Thus it was only with the Nazis' full consent that members of the Committee were able to visit German concentration camps in 1935 and 1938.

Furthermore in pursuance of their aim of domination in Europe the Nazis did not wage war only against their neighbours; they wanted to wipe out the Jewish race and to enslave the peoples of Eastern Europe as well. From 1933 to 1940 the Third Reich deprived the German Jews of their nationality, civil rights, freedom of movement, and so on, then step by step tried to expel to other countries the Jews made foreigners in their own state. But the results of this policy were disappointing. The annexation of Austria, Bohemia-Moravia and Poland made the Reich master of more Jews than ever. Moreover emigration from Europe became more difficult. In 1917 the British foreign secretary Arthur Balfour had promised the Zionists a national home in Palestine, but after the peace treaties the British actually restricted entry to the Mandate so as to placate the Arabs and maintain order in the country, and in the 1930s no government was willing to grant entry to Jews from Germany, except those in transit, because of high unemployment caused by the economic crisis.

So in 1940 the Germans began to assemble the Jews in ghettos, first of all in Poland. Then, after the attack against the Soviet Union on 22 June 1941, the SS sent in the *Einsatzgruppen* to carry out mass killings in the rear of the Wehrmacht's advance, and in autumn 1941 specialists in execution by gas, who had murdered between 10,000 and 20,000 mentally ill Germans on secret orders from Hitler since 1939, looked for suitable sites to build extermination camps on Poland's eastern border. In September 1941 the first gas chamber experiments were conducted on invalid Russian troops at Auschwitz which up till then had been a camp for POWs and Polish detainees, and in December of the same year operations began at the Chelmno installations, with the extermination camps of Belzec, Sobibor and Treblinka opening a few months later. The Holocaust, Jewry's greatest tragedy, was well under way.

Thereafter Red Cross delegates were able to visit the POW and civilian internee camps in Germany as they could in Great Britain and the United States, but they were denied access to the concentration camps, let alone the extermination camps (which were not real camps at all but merely the last stop on the line for the deportation trains), with two minor exceptions. In Buchenwald two delegates visited a group of Dutch civilian hostages twice (in 1940 and 1941), and an ICRC delegate and a small Danish Red Cross contingent were allowed a one-day visit to the camp-ghetto at Theresienstadt. Old and well-known Jews were sent to this camp, and the Red Cross visit had been prepared by the SS with flowers, an orchestra, guides and brief informal periods of communication between the visitors and the inmates. But actually

Theresienstadt, in common with similar installations, was a transit camp on the way to Auschwitz.

In autumn 1944 many delegates turned up at the gates of such concentration camps as Buchenwald, Dachau and Mauthausen on the pretext of verifying the arrival of parcels for the foreign detainees which after 1943 the ICRC, other relief organisations and inmates' relatives were allowed to send. The delegates spoke to the camps' SS commandants or to their deputies, but by this time the truth about the camps and the extermination programme was well enough known in the world. From 1940–41 onwards representatives of national Red Cross societies had transmitted to Geneva information both about the detainees' terrible plight and about the expulsions, incarceration and ill treatment of Jews, especially mass executions by SS squads in the East. What seemed at first just rumour was soon corroborated by accurate reports from eyewitnesses about deportations and mass murder. Even this did not amount to confirmation of a meticulously planned total extermination, since that was the most closely guarded secret of the Third Reich, but it was so alarming and so firmly based on the convergence of information from such a wide variety of sources that as early as the end of December 1941 the ICRC sought to respond to the distress calls from and the questions asked by relatives and national Red Cross societies.

The papers in the ICRC archives do not make it possible even today to be certain precisely when the Committee and its leaders realised the truth about the Final Solution. Carl J. Burckhardt, who was vice-president at the time, was apparently told in August 1942 by the Geneva representative of the WJC, Gerhart Riegner, who had been his student in the 1930s, but he also seems to have been tipped off by people in the German Foreign Ministry with whom he had been friends since before the war. What is clear is that in November 1942 Burckhardt confirmed to the American consul in Geneva, Paul C. Squire, that the Nazis had embarked on a programme to exterminate all the Jews in Germany. But the ICRC did not wait for confirmation of the plan to start thinking about its responsibilities and of ways in which it might help the Jews.

It still continued to rely, however, on the national Red Cross societies, even when in August 1941 the DRK (German Red Cross), whose nominal president was the Duke of Saxe-Coburg-Gotha but whose real head was none other than the SS's chief medical officer, Dr Ernst Grawitz, announced that it could no longer provide information about any Jew in the hands of the German police authorities. Further than that the ICRC felt it could not go, since, from the strict point of view of the law of nations, its competence did not extend to the victims of civil wars or political repression such as Jews who had been stripped of their

previous citizenship or had been abandoned by their governments to the tender mercies of the Nazi authorities.

From December 1941 to the spring of 1942, in response to calls for help from France, the ICRC and its delegation in Berlin tried unsuccessfully to get permission to send parcels to the camp at Compiègne near Paris, which from the end of March 1941 onwards served as the departure point for trains going to Auschwitz. The DRK, the army and the German Foreign Ministry all turned a deaf ear even when the ICRC knew the name and address of the deportee. On 7 December 1941 the OKW issued the notorious order *NN*, *Nacht und Nebel* ('Night and Fog', later used as a title by Alain Resnais for his landmark documentary on the Nazi concentration camp system *Nuit et brouillard*) that authorised the deportation of French civilians accused of resistance activities to Mauthausen, perhaps the harshest camp of all. In summer 1942 some ICRC members thought that they could intervene on behalf of such deportees under the terms of the Tokyo project and accordingly on 24 September 1942 their chief delegate in Berlin, Roland Marti, delivered a verbal note to the German Foreign Ministry requesting the right for these detainees to receive visits from the Red Cross and letters and parcels from their relatives, but this plea too fell on deaf ears.

By the end of 1942, therefore, the ICRC had to admit that prudent, discreet démarches of this sort had got it nowhere. Up until then the organisation had seldom issued public calls; it did however have recourse to such means to denounce, for example, the use of gas in World War I (February 1918) or bombing raids on civilian targets (Whitsun 1940). Nevertheless, in midsummer 1942 it did prepare such a scheme that while not mentioning the Jews explicitly appealed against the worsening of conditions for civilians caught up in the war. A majority of the ICRC's twenty-three members voted in favour of such a public call but remained divided over the form it should take. The Swiss authorities became alarmed; when the Wehrmacht was sweeping all before it was not the moment, they felt, to antagonise the Nazi regime and put Switzerland's neutrality at risk. So the warning from Berne on the one hand, and the fear on the other that arising out of the Dieppe Raid 'handcuffs crisis'[4] the Reich would repudiate the Geneva Conventions, led the ICRC to give up the idea of a public call. Worse, German violations of the Conventions were allowed to pass without protest, as for example when the Wehrmacht separated French Jewish POWs from their fellow countrymen and sent them to military hospitals on the Eastern Front, or when Polish POWs were forced to work in German munitions factories.

Since the rescue of the Jews seemed impossible, the ICRC decided at the turn of 1942–43 to act on two fronts: sending relief supplies to the

deportees (the Concentration Camp Parcels Scheme) and appealing directly to governments in the Reich's allies and satellites. Valuable as the parcels were, they could only be sent to detainees whose name and camp address were known to the sender, thereby of course excluding people sent to extermination camps, the very existence of which was a Nazi secret. Of the Axis allies and satellites, only Bulgaria resisted German pressure to adopt antisemitic measures, and with the exception of Hungary the ICRC's delegates were free to act on behalf of the Jews only when the Germans were in full retreat, that is from autumn 1944 onwards. By then, tragically, nearly all the Jews from these countries had been killed.

The Nazis refused to the very last to let the ICRC into the concentration camps, even after agreement had been reached – very belatedly, on 1 February 1945 – between de Gaulle's provisional French government, the Belgians and the Dutch on the one hand and the Reich on the other for the application on a basis of reciprocity of the Tokyo project to civilian detainees, especially the very large number of French people stranded in Germany. By this time indeed there was widespread anxiety that in a bloody *Götterdämmerung* the retreating Nazis would blow up the camps and slaughter all the inmates, so secret high-level contacts took place between the ICRC and the SS to forestall such an apocalypse. Hans Bon, the delegate in northern Italy, got in touch with SS General Karl Wolff, who was negotiating with the Allied powers over his own surrender, to have the deportations suspended, and on 12 March 1945 in a summit encounter near Feldkirch on the Swiss-Austrian border Burckhardt met Ernst Kaltenbrunner, the personal representative of Heinrich Himmler, who was desperately trying to save his own skin. The two negotiators agreed that the ICRC should take under its wing all concentration camp internees, including such Jews as had survived, but except at Mauthausen and Theresienstadt local camp commandants refused to cooperate with the Red Cross. Allied military commanders for their part accorded a higher priority to liberating and repatriating their own POWs than to rescuing civilian internees other than those who were very ill. In the end the remnants of the KZ archipelago collapsed in disorder, with ICRC delegates often arriving too late and with too few resources to be of much use, but at least the whole ghastly tragedy was over.

The response of the ICRC

In a letter to the author of 19 March 1988 Cornelio Sommaruga responded on behalf of the ICRC to Professor Favez's findings; at the

latter's request the Committee's comments were published in full on pages 376–9 of the original edition and are summarised below.[5]

After conveying to the author the Committee's congratulations and thanks for his painstaking and detailed examination of the ICRC's archives to which he had been granted unrestricted access, for his objective analysis of the relevant papers, and for his skilful synthesis of the material provided in a scholarly work of reference, M. Sommaruga confirmed that the ICRC's desire for light to be shed on a particularly painful chapter in the history of Europe and of the ICRC itself had been satisfied, particularly with regard to the question of how much the ICRC knew of the 'Final Solution' and what it tried and was able to do on behalf of victims of Nazi persecution. The ICRC did, however, have some reservations: too much stress had been placed, it felt, on work done at headquarters in Geneva to the detriment of the activities of delegates on the ground, and it would have preferred a more balanced approach in this respect; likewise, not enough allowance had been made for the fact that the ICRC had many other tasks to perform, particularly with regard to POWs and civilian internees, and could not simply put all its efforts into helping victims of racially motivated persecution. The ICRC was not satisfied either that Professor Favez's account had established with sufficient rigour what precisely it knew about the 'Final Solution' or what, when it did know, it had tried doing about it. Moreover, although this would have involved considerably more research in the archives than Professor Favez was able to undertake, the ICRC would have preferred him to proceed systematically through the files to see how reports, eyewitness accounts and other information reached the Committee, and in particular it would have liked him to indicate the dates when documents actually arrived in Geneva as well as the dates when they were dispatched, since there was often a timelag, due to the conditions of war, between the sending of information and the decisions taken at headquarters in response to it. The ICRC deeply regretted the complete absence in its archives of documents and eyewitness accounts of the informal contacts between its leaders (especially Max Huber and Carl Burckhardt) and the information they exchanged verbally, but thought that more weight could have been given to oral evidence on the subject from surviving members of the wartime organisation.

While M. Sommaruga conceded that Professor Favez's book showed that the ICRC was slow to realise the totally exceptional nature of what was going on in the camps in Eastern Europe and to undertake a re-examination of its priorities in consequence, he doubted whether, in the face of the greatest disaster in human history and civilisation's most egregious failure, a public appeal, such as the one envisaged in October

1942 and discussed at length in this book, would have done much good. On the contrary it might well have made matters worse, given the Nazis' determination to deal with what they called the 'Jewish problem', and jeopardised the ICRC's work on behalf of POWs. Only discreet actions (on behalf particularly of civilian aliens – Jewish as well as non-Jewish – in German hands) met with some success, albeit out of all proportion to the effort required and the sheer scale of the Nazi extermination programme. With the benefit of hindsight, however, the ICRC ought perhaps to have pressed the Allies and the neutral countries to accord a higher priority to saving the Jews and tried harder to persuade the less enthusiastic Axis partners and satellites to suspend or at least delay the deportations. Where Germany itself and occupied Poland were concerned, however, the ICRC was still of the opinion that the situation of the Jews was utterly hopeless, and although this emerged from Professor Favez's account it was not stressed sufficiently. Likewise, adequate prominence had not been given to the ICRC's efforts in 1939 and 1940 to secure provisional adoption of the Tokyo project concerning civilian aliens in enemy hands; had this been achieved in time the ICRC would have possessed the legal authority, which in the event it cruelly lacked, to intervene on behalf of Jews holding other than German passports.

The present edition

In editing this book, which in the original runs to over 400 closely printed pages, we have with the author's agreement made a number of changes. Nothing of substance has been omitted, although some sections have been reordered and several documents (especially internal ICRC memoranda) have been summarised rather than translated in full; where this has been done page references to the texts in the French edition are indicated in a note. On the other hand, greater prominence has been given to a number of important Nazi documents (which in the first edition are given in French in the main text) by having them translated directly from the original German and placed in an appendix. The French version makes extensive use of boxes set apart from the text and of digressions placed between chapters; in some cases the author asked us to delete these, but in other cases the information they contain has been incorporated in the main text or included in a note. Finally, the author has deleted chapters 1 to 3 inclusive of the original and has provided us with an abridged version instead; this has been translated and forms our chapter 1.