# Missing

The Fate of the Nazi Concentration Camp Archives
June 06, 2015
1 hour, 33 minutes

Speaker: JJ Surbeck

Transcribed by: Rachel E Lieu

Holocaust Living History Workshop
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| Time | Transcription | Slide Transcription |
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| 00:00 | [The Library UC San Diego] | |
| 00:04 | [A Holocaust Living History Workshop Event] | |
| 00:07 | [June 3, 2015 / Geisel Library / Seuss Room] | |
| 00:11 | [Missing: The Fate of the Nazi Concentration Camp Archives with JJ Surbeck] | |
| 00:14 | Susanne Hillman: Good afternoon. I'm pleased to welcome all of you to today's lecture on the fate of the Nazi concentration camp archives. This is the last Holocaust Living History Workshop of the academic year. Uh, thanks to the support of the UCSD [University of California, San Diego] Library and The Jewish Studies Program, as it's now known, no longer the Judaic Studies, and thanks to the support of individual sponsors, we have been able to offer you a full year of, um, interesting programs, which I hope you have enjoyed. Uh, I hope you have enjoyed last month's very successful program with Randall Schoenberg. Right now I've begun to put together a program or a calendar for the coming academic year. And, I will send out the preview around September. So stay tuned as they say on the radio. Now it is my pleasure to introduce today's speaker J.J. Surbeck, who happens to be a compatriot of mine, which is rare. I hardly ever get to introduce another Swiss citizen. Mr. Surbeck has asked me to focus my introduction on his activities related to the Red Cross and I'm happy to oblige. He has also asked me to keep it short. However, this is going to be very difficult because he has done so much. I will do my very best to limit my remarks to a few minutes. | |

01:38 Susanne Hillman: So Mr. Surbeck obtained his degree in law from the Geneva University Law school, which he followed by two years of postgraduate studies at the Graduate Institute of International Studies in Geneva, Switzerland. For several years, he worked with the legal division of the ICRC [International Committee of the Red Cross], which you'll hear a lot about today, the International Committee of the Red Cross. He also worked for the information division of the ICRC and in 1981, he became deputy head of the education division of the ICRC. Between 1984 and 1990, he was one of three permanent representatives of the ICRC in its liaison office to the United Nations in New York City. For several years, Mr. Surbeck also worked for the American Red Cross. In addition to teaching international humanitarian law, he has been an adjunct professor at the University of Arizona law school in Tucson. His work has taken him, taken him all over the world with professional trips to many countries, including - and here, I just picked those that I thought sounded most exciting, but the list is far longer - including Columbia, Ghana, Jordan, Tunisia, and the former Soviet Union. So, please join me in welcoming J.J. Surbeck.

03:03 J.J. Surbeck: Thank you very much, Susanne. Thank you for all your help, and it's been very, very helpful. Uh, I want to thank professor Deborah Hertz here because this is how it all started. I was mentioning to her uh, um, you know we're just having a conversation. I said, but you know I know something about the archives, the concentration camps, and without missing a bit she, beat she, uh, jumped on it and said, well you know maybe you could make a presentation about that. I thought, well that's what I've been doing in the past. So, why not? And um, it's been actually a challenge, because, uh, I had forgotten that there was so much information, and make a presentation 50 minutes - and I have my

The International Committee of the Red Cross (ICRC) and the Nazi concentration camps archives - J.J. Surbeck

timer on - about such a gigantic problem has proven quite challenging. So without further ado, one thing that I want to do is, please do not ask question during the presentation. I really want to go through all my material first. If you have anything, write it down. I will stay as long as necessary afterwards to answer to individual questions. If we don't have time during the public questions, I'd be delighted to talk to everyone if anybody is really interested in asking more questions. But I really have to go through, uh, what I have assigned myself - maybe unrealistically - to do today.

04:18 J.J. Surbeck: So this is what I want to talk to you about today. I'll go over this very quickly because uh, I, I will emphasize each one more specifically, and some are longer than others. Uh, I want to talk, give you, the reason I'm giving you all this information - and I discussed this with Susanne before - is because rather than go jump immediately into the archives, which probably a lot of you are familiar with, and the concentration camps - of course, we, we know a lot about that - I really want to give you the whole picture. I have my, my real job is, uh, to be I'm head of a non-profit organization called T.E.A.M. right now, here in San Diego, which is, which stands for Training and Education about the Middle East. And I give lectures on the Middle East conflict to explain people the real facts, as opposed to what you hear usually in the media. But my experience is that many people have a tendency to really focus on my, what I call, microscopic incidents, and I always tell them please zoom out. Zoom out and get the whole picture. When you have the whole picture by definition your perspective changes, and that's what we need to do here. And that's what I want to give you here is a full picture, so that when, then we can zoom in on some aspects.

The International Committee of the Red Cross (ICRC) and the Nazi concentration camp archives

1. **The ICRC: a brief history**
2. Why multiple symbols?
3. International Humanitarian Law (IHL)
4. Why did the ICRC do so little so late?
5. The concentration camp archives
6. Why the ICRC was selected
7. Who used the archives
8. Opening the archives
9. End of the ICRC’s tutelage
10. How to start a search

05:38 J.J. Surbeck: So let's start with the ICRC [The International Committee of the Red Cross], a very brief history. I don't know how many of you are aware, but the entire Red Cross movement was created by the, it is due to this man, Henry Dunant. He was a Swiss businessman, and he was trying to develop a business in Algeria which, at the time, was a, a French colony. And he wanted to go there, but he had to ask permission from the French authorities. And he went to Paris, and they told him well, that's really the private game, if you want, of the emperor, Emperor Napoleon III at the time. So he said, well where is he? I'd like to talk to him. He said, well he's kind of busy in Italy waging war against the Austrians right now. So, Dunant, being that kind of stubborn Swiss that he was said, no problem. I'll follow a suit. And he ran after Emperor Napoleon III and he did catch up with him, although not in the circumstances that he was thinking, uh, would happen. He stumbled, uh, on a battle which was just finishing, which was one of the bloodiest battles of European history - and God knows it has seen a lot of them - um, in 1859. And that's when they discovered, uh, a number of things to put it mildly.

06:57 J.J. Surbeck: But here I, I want to impress on you how he must have felt, because - let's imagine, all of us - that we are in, thrown into a situation where there are thousands of casualties around us. There are only three possible options, maybe some others but I think the three main natural human reactions are: one, you run away because you can't deal with it. Two - what a lot of people in emergency situations do - which is they freeze. They don't know what to do. They just stay there. And third, you have always a minority that says, well you know the odds are against me, but I'm going to do something about it. Luckily for us, Dunant was of a third category, and so he tried to do what he could by helping as

The ICRC: a brief history

- Henry Dunant
- Swiss businessman
- Stumbled on the Battle of Solferino - 1859
- Horrified by the carnage he witnessed
- Harnessed local resources to help

many of the casualties that he could, um, and that was a lot of people. At the end of the day, there was something like 40,000 young men, Austrians, Sardinians - because the Kingdom of Sardinia was allied with the French against the Austrians - lying dead or wounded on the battlefield.

08:03 J.J. Surbeck: And he tried to do what he could by taking, having the Italian women from the neighborhood - from the village - to carry as many of the casualties into a church, and basically help them to die in the most in as dignified fashion as possible. Tried also to get also the military's medics, Austrians and French, to help each other out, which at the time was a completely crazy idea. People didn't want to do that. You only help your people, and you let the others die. So uh, he harnessed local resources for help. And there's a famous cry that stems from that episode, which is what the, um, Italian women kept kind of moaning, which was, ma sono pazzi, sono tutti fratelli. They're all brothers. Why have they all been killing each other? They couldn't, you cannot realize, understand it. So anyway, he did what he could. He helped a few. He collected names, and messages. Keep that in mind because here we have the beginning of something that we're going to be talking about.

09:06 J.J. Surbeck: And he went home, but he just did not, you know, write a book, uh, like anybody writes a book today. It, at the time, it was really something exceptional, and uh, if you have the inclination, I would encourage you to read it. You, I just checked on Amazon. It's, you can download it on your Kindle. It's available. It is so vivid. The description of the battle, and what he did there, is so vivid. It's really fascinating to this day. But he didn't just describe his experience. He came up with ideas, and he said, we

The ICRC: a brief history

- “A Memory of Solferino”
- 1. Volunteers in time of peace
- 2. Take care with casualties without discrimination
- 3. International treaty to ensure reciprocity
- Creation of the International Committee of the Red Cross - 1863

have to do something about this. This is crazy. All these armies are killing each other, and then they're letting these young men die with nobody taking care of them. That's obscene, and uh, so he came up with three main ideas. Number one, there should be some kind of volunteers that are trained before there is a war, so they can go on the battlefield when there is a war and retrieve the wounded, uh, take care of the casualties, without discrimination. This was revolutionary. That was not the practice. The practice, up until then, was you finished off the casualties from the enemy. You just let them die or finish them off. You did not rescue them. Um, but then, in order to make sure that the other side would also apply the same rules, you had to have some kind of international treaty, by which the states would pledge to have their soldiers behave the same way. In other words, the concept of reciprocity, um and, that attracted - that book and these ideas - attracted the attention of a few citizens of the rather stayed Geneva society of bourgeoisie. And they said, you know Mr. Dunant, you have something there. Maybe we should develop this, and that led to the creation of the International Committee of the Red Cross, which is a Swiss private organization. Let me clarify this, International Committee of the Red Cross, only the international aspects, it's, its activities. But in term in legal terms, it has the same status as the Geneva Sailing Association, or Bowling Association, what have you. See it's a private Swiss organization.

11:20 J.J. Surbeck: So uh, I can't pass this. It's not really relevant to the topic, but I think it's going to be of interest to a lot of people in this room. And I could go on on that issue alone, but I don't want to spend too much time. But I just want to explain how come we, we have so many symbols around the world today.

The International Committee of the Red Cross (ICRC) and the Nazi concentration camp archives

1. The ICRC: a brief history
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3. International Humanitarian Law (IHL)
4. Why did the ICRC do so little so late?

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11:38 J.J. Surbeck: Well first, when the first Geneva Convention was adopted in 1864 - I'll get back to that in a second - um, there was the question of finding some kind of emblem that would allow the soldiers to recognize the personnel that was going to help, you know, the casualties on both sides. And this, they were scratching their heads and couldn't come up with something, until some genius stood up and said, hey wait a minute. This was invented by a Swiss guy. The Swiss flag is a white cross on a red background. Let's just flip it, and we have the new symbol. And everybody thought, oh that's brilliant. So there we go. We have the red cross, and that's how it was invented, reportedly. I don't know how accurate it is, but it sounds really good. Anyway, it was adopted. It became the universal symbol for help, and uh, just like the Swiss flag, it has no religious meaning. Well, that didn't last very long.

Why multiple symbols?

- First Geneva Convention in 1864
- Universal emblem of the Red Cross adopted in homage to Switzerland
- No religious meaning

12:33 J.J. Surbeck: When the Geneva convention was re-re-drafted in 1906 and revised, the Turks said, uh-uh no can do. We can't use a cross. That is not going to be acceptable to the Turkish soldiers, or the Muslim soldiers, and so forth so, we want the crescent. In 1906 the conference turned them down. The Turks went ahead nevertheless and used the crescent. So much so, that in 1929, after World War I, it was officially accepted as the second, uh, symbol in the Red Cross world. Well, you make an exception for

Why multiple symbols?

At the 1906 revision of the 1864 First Geneva Convention, Turkey demanded to use the Red Crescent instead of the Red Cross, but it was rejected.
In 1929, the Red Crescent is eventually officially recognized and included in the two 1929 Geneva Conventions.

one, what do you think? There is another one, and then another one. But the next one is not the one you think.

13:15 J.J. Surbeck: The next one is this one. Uh, I always laugh at this one because it's the Iranians. And, of course, being Persians they didn't want to be confused with Arabs, even though they're Muslim. They said, no, no, no. We want our own symbol. And because it was right on the heels of the, uh, Turks having their crescent adopted in 1929, lo and behold the conference in 1929 accepted that one - which I think was really a big mistake - because then, of course, there was no, no stopping. Uh, it did stop, thank God. But I mean waiting in line there was, one my favorite is - I think it was Cameroon - who came up and said, I want the red rhino. I'm not kidding you. There was a red rhinoceros, and they said, this is our symbol, which is understandable, you know culturally. But I always think in practical terms. Look, you're in the, here in the, really you're under fire. You have an emergency situation. Draw me a Red Cross on the sheet. Anybody can do that. Draw a rhino? You're going to have a problem. Or even this, you're going to have a problem. But nevertheless, it was accepted. And so much so that today, if you look at in the actual text of the, this is the additional protocols added to the Geneva Conventions, the three official symbols of the Red Cross world are the crescent, the cross, and the red lion and sun. Now, with thanks to Mr. [Ayatollah Ruhollah] Khomeini - we don't have really much to be thankful as far as he's concerned - um but one thing that he said is, no, no, no, no, we're Muslim first. So, we'll do away with the red lion and sun, and we'll stick to the crescent. So we have, we're back to two. Well, not so fast.

Why multiple symbols?

- Persia (Iran) insists on having its own symbol accepted as well, which it is and included in the two 1929 Geneva Conventions.
- In 1980, Iran rejects this symbol and adopts the Red Crescent instead, leaving the Geneva Conventions with three official symbols, only two of which are now in use: the Red Cross and the Red Crescent

14:57 J.J. Surbeck: 1948, of course, Israel comes along. And uh, one year later, because that's when the Geneva Conventions are re-drafted again, after World War II, uh, they asked for their own symbol. And they have every right to, and you're not going to use the cross, quite obviously. They're not going to use the crescent, quite obviously. So they want the red Magen David Adom - red shield of David - and that was turned down. So they did not get it, and for the next 30-50 years or so, they did not get it. And here, I'm going to explain in a minute why. It was not, as many people have uh done, because of the ICRC. The ICRC was actually in a very, very, uh, uncomfortable place in order to address that problem, and I'll explain that in a second.

Why multiple symbols?

- The Geneva Conventions are updated again and expanded into four texts in 1949.
- The 1-year-old State of Israel asks that its own symbol, the Red Sheild of David (Magen David Adom) be recognized on a par with the other three symbols.
- The request is denied by the Diplomatic Conference.

15:50 J.J. Surbeck: But here is what the solution has been in 2005. In 2005 the International Red Cross finally recognized that there was a problem, and so the Muslim world doesn't want to see the red Magen David Adom, so let's use a new universal symbol, which is the red diamond, or the red crystal - whatever you want to call it. I'm personally not happy with this formula at all. I think it's a bastardized solution. It's sort of, well yeah, we want to recognize Magen David Adom, but we don't really, and so let's have some kind of, you know, it’s like half. It really is a, is unsatisfactory solution, but the big beneficiaries were the Israeli Magen David Adom Society because until then they were kept out of the Red Cross world because they were not using one of the emblems that are in the Geneva Conventions. But now that they accept this one, they're part of family, so to speak. So that's the story for the, uh, for the symbol. I thought I would throw that in because I get a lot of questions.

Why multiple symbols?
In its 2005 Conference, The International Red Cross chooses the new Symbol formula and adopts the Red Diamond (or Red Crystal).

16:53 J.J. Surbeck: Now a very quick review. I'm not going to give you a whole course because, uh, it's too long and too complicated, but I think it's really important - some elements that I'm going to give you now - are, have a direct bearing on what we're talking about on the, on what happened with concentration camps.

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J.J. Surbeck: So the history of humanitarian law is, you know everybody talks about the Geneva Conventions, but very few people know really what they're referring to. It's actually a long history. The Geneva Conventions, like most law, are fairly lively things. They address a problem once it's passed, of course, never ahead of time. And they, uh, adjust as new developments happen in life. That, this is what every, every law is sort of following up a problem that it is addressing. That's what it's for. The same thing happened for humanitarian law. So the very first convention was adopted in 1864, and notice what it says here, wounded and sick military on land. That's it, soldiers, from regular armies, nobody else. We're not talking about civilians. This convention, which was only ten articles, basically said, uh, you're not supposed to finish them off. You're supposed to take care of the casualties and treat them as if they were your own. That worked to a degree in a number of conflicts. So much so, that they decided to expand it,

International Humanitarian Law
1864 1906 1929
I. Wounded and Sick Military on Land
II. Prisoners of War

and in 1906 they did a new version. Again, we're talking about military casualties only. Then what do we have? We have World War I and we have new problems. We have huge amount of casualties, number one military, but we also have huge amount of PoWs [Prisoners of War]. There were no rules or very, very few rules. So after World War I, two new conventions were created, again an, an update of the wounded and sick military on land, and for the first time prisoners of war. Now, look at the date, 1929. This is before World War II. This is the conventions that were applicable during World War II, and I want people to really understand that because do you see the word civilians anywhere in here? No, that was not at all in the, uh in, in their scope.

19:12 J.J. Surbeck: Uh, another thing that I want to mention regarding this one, in particular, prisoners of war, the second Geneva Convention of 1929. Two countries absolutely refuse to ratify it. Any suggestions? Japan is one, absolutely. Nope, the US [United States] actually was. Yes, I heard it. Soviet Union, exactly. Because, in their view, there was no need for it because their soldiers were under orders to fight to the death. And if they were not dead, well that means they were traitors, or in the Japanese, uh, world view, they were dishonored. So why bother with a convention when they're, they were not going to have any prisoners? The result was they, that the Russians, uh, the - excuse me - the German prisoners in Russian hands were treated like, uh, worse than dogs, and the Germans retaliated. Even though Germany was bound by the convention, which is why the ICRC was allowed to visit the PoW camps all over Germany, the Germans refused to apply the terms of the convention. Which, everything being relative, was fairly comfortable compared to, you know, nothing. So the Russians, uh, so the Soviet, uh, soldiers in

German hands died like flies because they were completely mistreated, and that convention was not applied at all by Germany. Uh, the Americans had the same problem with the Japanese, but they chose to apply the convention despite the fact that the Japanese were not respecting it. That's an, an, uh interesting and different approach.

21:04 J.J. Surbeck: So now we have World War II. After World War II two new phenomenons became quite obvious. First of all again, wounded and sick military on land. Hey, what do you know, military at sea. Everybody had forgotten about these guys, and you had huge battles like Midway in the Pacific, and others, and in the Atlantic. And, uh, the sailors were finished off when their boats sunk, and they were not taken, taken care of as they should have. So there was a need for a new convention to make sure that this would not happen again. That's the Second Convention of 1949. PoW again was updated, actually was updated only for once, and that's in 1949. Because, of course, the Second Convention in 1929 proved how incredibly useful, and important it was. So the, this convention in [19]49 was tremendously expanded. I mean, it's an entire code of its own. If you have time to read it, and you have really nothing better to do, I recommend it. It's like, yeah, about half this book in, in there. And a-ha, the one category that everybody had forgotten, and that was the most mistreated in World War II - the civilians. However, I want to warn you that it's a little bit of a misnomer because everybody assumes a-ha, there's a convention - Geneva convention - to protect the civilians against the effect of hostilities. No, that is not what the Fourth Geneva Convention does.

International Humanitarian Law
1864 1906 1929 1949
I. Wounded and Sick Military on land
II. Military at Sea
III. Prisoners of War
IV. Civilians

22:34 J.J. Surbeck: The Fourth Geneva Convention, look at the dates, the, the war just ended in 1945. They meet in Geneva four years later. Europe is still under this collective trauma. Everybody is still under severe shock. What do they do? They look at what happened during World War II, and they tried to find solutions in the new convention. And one of the problems was the abuses against civilian populations. By whom? By the occupying powers. Occupying powers: Germany, Nazi Germany, and Imperial Japan. Horrendous, horrendous abuses, horrendous abuse. And that's why this convention, somewhat modeled on the PoW one, has a lot of provisions that make it compulsory for an occupying power to respect the civilians. All right, and finally in 1977, which is not that long ago, and actually that's the, the conference that created these additional protocols to the, uh, conventions was the event for which I was hired as a young lawyer out of law school. And uh, I was, you know, extremely naive and quite idealistic like most of us at that age, and, um, I had quite an education in realpolitik, and especially the behavior of many of the diplomats at the conference who were not interested in humanitarian issues. They were only interested in political issues, so, but I'll get back to that in a second.

1864 1906 1929 1949 1977
I. Wounded and Sick Military on land
II. Military at Sea
III. Prisoners of War
IV. Civilians
Add.
Prots.

24:00 J.J. Surbeck: Anyway, instead of replacing the convention, this time, however, they added two instruments so that now what we, uh - what is this? Oh yeah, that's another way to present it. Okay, I'll go through this very quickly. So the First Geneva Convention, wounded and sick, as you can see, has been revised three times. The second one wounded at sea has not been revised, is still standing. The third one on PoWs has been revised once in 1949 and the civilians has not been revised. However, there are international armed conflicts and non-international armed conflicts

International Humanitarian Law

- 1st Geneva Convention: Wounded & Sick on Land (1864, revised in 1906, 1929, and 1949)
- 2nd Geneva Convention: Wounded and Sick at Sea (1949)
- 3rd Geneva Convention: PoWs (1929, revised in 1949)
- 4th Geneva Convention: Civilians (1949)

were added, and in these two there are, there are tremendous provisions protecting civilians from the direct effect of hostilities. For instance, directly attacking or bombing civilians, all of that is now absolutely banned in the protocols. It was not as strong, if at all, in the conventions. I think it's important to understand that, and we have a problem here because, uh - I don't have the time here to go into the, the issues - but both Israel and the US has refused to ratify the additional protocols because there are political issues, and especially the fact that terrorists, basically people who behave like terrorists - like in Afghanistan - are now given PoW status, which is madness. But that's, uh, politics for you. And then the emblem.

- Two Additional Protocols: IAC & NIAC (1977)
- Third Additional Protocol: Emblem (2006)

25:23 J.J. Surbeck: Okay, so this is what we call today international humanitarian law. There you go, Geneva Convention, additional protocols. These two bodies of laws are what we call international humanitarian law. What is international humanitarian law? It is a very, very tiny sliver of the mass of international treaties. Do you have any idea how many treaties govern our lives? International law? Thousands. It's like, something like five to six thousand. Every aspect of our lives that we take for granted, like sending a postcard to Italy, uh, calling Canada, uh, going to Bermuda. All of these, anything that goes over a border means that there is an international aspect, and it is regulated by some convention. We take it for granted. We don't realize it but it wouldn't happen if it wasn't regulated. So this is an extremely narrow band of, uh, international law that applies when, when there is a war when people start killing each other.

International Humanitarian Law

- The Geneva Conventions of August 12, 1949
- Protocols Additional to the Geneva Conventions of 12 August 1949

26:27 J.J. Surbeck: All right, very quickly. Where am I here? Here um, okay um, International Red Cross. I think it's important to

International Red Cross Components

- International Committee of the Red Cross

understand the structure when we talk about International Red Cross. There's actually several components, not just the ICRC, or - many people in this country I keep finding - they have, don't even realize that there is an International Red Cross. All they know is the American Red Cross. And, and you can understand that if you haven't been exposed to anything else, you, you know, you assume that that's all there is. Well then, no, there's a lot more. Excuse me. First, you have the ICRC here. Then, interestingly enough, over the years it became quite obvious that the ICRC was, you know, had a niche with war situations. But what about disasters? And God knows there are many situations where help is needed when it's not necessary a uh, a war - lots of natural disasters. So, over the years pretty much every country in the world has its own now National Red Cross or Red Crescent Society. American Red Cross is one of the biggest in the world, quite obviously, but it is only one of, I don't know 150 or 170. I, I don't know the exact number.

27:41 J.J. Surbeck: Uh, then what you have here is all these guys are federated into the federation here, also based in Geneva like the ICRC. And the federation coordinates international relief, or big relief operations when the ICRC can't do it alone, which happens occasionally. And then here, here are the troublemakers, all the countries that are bound by the Geneva Conventions - which is pretty much everybody in the world. It's one of the highest ratio of ratification in international law. The Geneva Conventions are ratified by everybody, um, but when they come, and uh, into the picture, they usually have political uh, uh ideas. And they, many times, one of the biggest challenges that the ICRC all through his history has dealt with, is the politicization of humanitarian issues, or the confiscation, or attempt to manipulate humanitarian rules for

- National Red Cross' Red Crescent Society
- International Conference of the Red Cross
- Federation of the Cross' Crescent Societies
- States Bound by the Geneva Conventions & Add. Protocols

political benefit. I'm not saying they all do that, but you know, that's the nature of the beast. So all these actors, all these - I was almost going to say these clowns - to a degree, but anyway, they meet every four years in the International Conference of the Red Cross. And that's the conference that, uh, chose finally to adopt the diamond, to solve the issue of the Magen David Adom, of the red shield of David of Israel.

29:04 J.J. Surbeck: However, even at this late stage, it was a close call because, guess what, the entire body of Muslim countries was still opposed to it. And the most fanatical of them all, in this case, was Pakistan. For God knows what reason, they were very, very hostile, and tried to sabotage that agreement until the last minute. Um, quick quiz, how many countries are there in the world? 198. How many members of the UN [United Nations]? 193, close. Now uh, out of those, how many are Muslim countries? They're all gathered in the International Organization of Islamic Conference, I forgot the exact name. 57. 57 out of 193. You do the math. That's a blocking, not a majority. But all they need to do is gather a few more countries around them and they have a majority. This is what has been happening at the UN and this is what almost happened at the - actually did happen for a number of years - until finally there was a majority to overrule them and get on with this uh, um, emblem issue. Okay, let's move on.

30:32 J.J. Surbeck: Big question, why did the ICRC do so little so late when it comes to the Holocaust? I could spend two hours on that alone and I won't because that's not the object, but uh, I think it's a very fair question, and God knows the ICRC got a lot of criticism uh, after World War II in particular. And so, in [19]89, in [19]85 I think, it decided to try to come clean and it opens the dark

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3. International Humanitarian Law (IHL)
4. **Why did the ICRC do so little so late?**

archives. You know, they're almost as secret as the Vatican's. Nobody can see them. They decide to open them with no restrictions to a well-known and highly respected Swiss historian by the name of Jean-Claude, Jean-Claude Favez and he came up with this book. So the title in French is interesting because in [19]89 it was published and it's *Une mission impossible?* which means - you can figure it out - a mission, an impossible mission, with a question mark. Not a statement, a question mark. And it took 10 years for the English version to come and so, this is the book and, if you're interested in that issue, I highly recommend this book. It's available on Amazon. You can get it. I don't, don't forget the price. But anyway, it's really, really good. I, I just reread it in preparation for this lecture and I was enthralled. It's really quite fascinating.

5. The concentration camp archives
6. Why the ICRC was selected
7. Who used the archives
8. Opening the archives
9. End of the ICRC's tutelage
10. How to start a search

32:01 J.J. Surbeck: So what does it say? It doesn't excuse anything but it explains some issues. First of all, as I tried to explain before, there was no legal basis and the Nazis were all too happy to remind that to the ICRC. Stop bugging us about these civilian internees. We know what we're doing. We have the authority. We're a sovereign country. You, Red Cross, have no right to bug us about it. And so, the ICRC was stuck. They had no legal basis on which to push for that on, on that issue. Now here's another question. I almost put a question mark here because it has been a hotly debated issue - when again, zooming out, trying to put yourself in context at the time - how many people really knew the extent of the abomination? How many people could even imagine that out of Germany, one of the most civilized countries in the world at the time, would come something so barbaric? It's like ISIS [Islamic State of Iraq and Syria] today. It's where these demons come from. They were vomited by hell and, and took over. Uh, how is that possible? At

Why did the ICRC do so little so late?

1. Lack of legal basis to rescue national civilian internees.
2. Did not know the extent of the extermination program
3. ICRC was helping 7 million PoWs
4. Delivered to PoWs 90 million RC Packages (10pds each)
5. Was badly understaffed
6. Pro-Nazi sympathies...or too subservient to the Swiss government?
7. Managed to save a few thousand in the waning months of war.

the time it was a secret program very, very few people know, knew about it. And it's only towards the end of 1942 that information started seeping through all the way to the top of the ICRC leadership. And there, there are questions. Why did they keep quiet? Well, one answer, it's their standard answer - I think it has some value, validity - by the end of the war, the ICRC was visiting on a regular basis seven million Allied PoWs in German hands or Italian hands, what have you. They delivered 90 million Red Cross packages. Now these Red Cross packages, many of them, about a little bit over a 100,000 were also smuggled into concentration camps. There were a few. Uh, half of them disappeared and never reached, but you got one of those, 10 pounds packed, and there, it was so filled with goodies. You have a lot of testimonies today of PoWs who will tell us, to this day, that had it not been for the Red Cross packages, they would have died.

34:30 J.J. Surbeck: So it did a lot of good. But the question was where, well are we going to push all the way and call the Germans' bluff by demanding publicly that they let the ICRC in the extermination camps, and have the Nazis say, okay we're closing everything. You're out of Germany. You can't visit the PoWs anymore. You can't deliver anything anymore. That was the blackmail they were facing and, you know, I, I wouldn't have wanted to be in their shoes at that time, very difficult choice to make. So that's one, uh, reason. It was also badly understaffed. I think people don't really realize, uh, you know, the communications that we have today were not at all what was available at the time, and it was slow-go. You had to cover all of Europe and there were only a handful, a few hundred, ICRC delegates covering the whole thing. So they were not equipped, even though several attempted to confront um, concentration camp commanders, to try to force their way into the

camps and - except for, I think, two exceptions - it never worked. They were, they were rejected.

35:41 J.J. Surbeck: So another uh, um, argument that has been mentioned is, well weren't there some pro-Nazi sympathies here at the top of the ICRC, especially uh, the Vice President Karl Burckhardt, who has, uh, German speaking, had a lot of friends in Germany. Um, Switzerland did a lot of business with Germany all through the war. So what was going on here? What, did he want not to put all that at risk? And this is another very interesting issue. You know, ICRC - we're independent, we're, uh, neutral - blah, blah. Yes, but during the war, the Swiss government was keeping a close eye on what the ICRC was doing because they were terrified that the Germans would go through Switzerland. Switzerland was the last, you know, one of the few last countries not occupied and they were very much afraid that the Germans would move in. So they didn't want to provoke. That's another reason. And it's only at the end of the war, literally during the last few months of the war, that the number of initiatives - uh, some of them not approved by Geneva - allowed some ICRC delegates to save a few thousand, uh, delegate, I mean uh, inmates from the concentration camp. So it's not black and white. I mean this is really an extremely fuzzy situation with terrible choices, uh, facing the people who were in, in, in these situations.

37:13 J.J. Surbeck: So now, finally, we're getting there. Okay, um, concentration camp archives, what are they? This is probably a phenomenon unique in history. Nobody knows any, uh, occupying or force like the Germans who kept such records of everything. They were crazy. They would mention everything, uh, from the identity, the time they were - of the inmates - the time they were

The International Committee of the Red Cross (ICRC) and the Nazi concentration camp archives

1. The ICRC: a brief history
2. Why multiple symbols?
3. International Humanitarian Law (IHL)
4. Why did the ICRC do so little so late?

arrested, their condition of health, including the size of the lice they had in their hair, and - pretty gross - uh, and the day they were executed and killed. Very, very detailed. Obsessive. So what do you do with them, these mountain of archives? Well, towards the end of the war, the Allies decided - very early on - to put them all together and bring them to a place called Bad Arolsen.

5. **The concentration camp archives**
6. Why the ICRC was selected
7. Who used the archives
8. Opening the archives
9. End of the ICRC's tutelage
10. How to start a search

38:12 J.J. Surbeck: Bad doesn't mean bad; it means bath. So don't get confused, there are a lot of towns in Germany that start with Bad- something. It means the bath of whatever. So they chose that place because it was geographically uh, close to all four um, areas occupied by the Allies. An interesting footnote here, [Heinrich] Himmler had given the order to destroy all these archives, and some did. There are some camps uh, that there is nothing left at all - no traces. And some others, they were kept totally intact because the commanders either refused to enforce the order, or just ran away, or didn't have time. But as a result, that's why we have these mountains of archives still with us. So this is where Bad Arolsen is located. Here you have Frankfurt, and here you have uh, what is it Dortmund, Dusseldorf. So it gives you an idea. And the reason that spot was chosen was because of this. These are the four areas occupied, occupy, the four occupation zones. And as you can see, it's somewhere in here. So it was close to all four areas. Although I don't believe they got much from the Soviets. The Soviets sat on their archives until the, the fall of the Berlin Wall and the fall of communism.

The Concentration camps Archives

1. Germans were obsessed with recording
    a. Arrests
    b. Transportation/health conditions
    c. Executions
2. Collected by the Allies as recovered and centralized in Bad Arolsen
3. Not all of them (many were destroyed)

39:34 J.J. Surbeck: So what are they? Something like 50 million, million pages of documents. You put them together and you have 16 miles of documents. That's mind-boggling. You have to, to go and see it to really understand the, the magnitude of, the enormity of it

The Bad Arolsen Archives

1. 50 million pages of documents
2. 26km (16 miles) when put together

all. Um, they're filed in thousands of cabinets and boxes in six different buildings, which used to be barracks for the Nazis during the war. And they're records of 17.5 million people. Now, this figure is interesting because that's the one you find on the International Tracing Service website, the organization that is in Bad Arolsen, I'll mention it again, was named International Tracing Service. So, the ITS is the, the, the place where all these archives, that's located. On their website they say, 7, 17.5 million people. Some other books mentioned 14 million, some say 13 million. I think one thing, and I'll mention that again, that we need to keep in mind is that archives keep arriving, to this day. People keep finding caches in, you know, in attics, and people died. They had been sitting on their archives, with their archives, forever. All of a sudden, the the the, uh, people don't know what to do the, the heirs don't know what to do with these archives. They send them to Arolsen, and that's how they build their collection. It, it grows constantly. Uh, so who were these people? Well, you had the Jews, of course - first and foremost - but also the gypsies. Let's not forget that. The homosexuals, I mean, they were just eliminated. Mental patients, handicapped, anybody who was out of quote, the Aryan norm, was eliminated. Political prisoners. Political prisoners were actually the first to to be eliminated, uh, when Hitler took power in [19]33. They were the first to be, to fill the concentration camps.

3. Filed in thousands of cabinets and boxes in 6 buildings
4. Records of 17.5 million people (Jews, Gypsies, homosexuals, mental patients, handicapped, political prisoners, and other “undesirables”)

41:32 J.J. Surbeck: And this is what it looks like. I mean this is only one, you know, a couple of pictures. But look at this. It's just mind-boggling. This has all been digitized since then, but the originals are still there in Arolsen. You can go and visit. They had several thousand people visiting last year, uh, but then compare that to Yad Vashem and these and, they're kind of envious. Yad Vashem

has like, had like 900,000. Uh, it's much better known, um, but Arolsen, you can see the originals. Look at this, um, I don't know if you can read this. It says Totenbuch, book of death, Mauthausen. All the listing, so everything is there.

42:12 J.J. Surbeck: So what are they? Well, you can call the Bad Arolsen archives, the ITS, as a living memorial to the 12 years of madness and hell during which Hitler and the Nazis ruled Germany and then Europe. Twelve years, can you imagine? It includes everything, scraps of papers. At one point, at the end of the war, the Germans were still obsessed with taking notes, but they were running out of papers. They took boxes of cigarettes and started writing their archives and names on the back of these boxes. And that's all in the, in the archives, in Arolsen. So, they have everything, transport lists, registration book, labor documents, medical record - everything - Gestapo records, birth certificates, death certificates, you name it. It's huge. They still receive, as I said, about 12,000 inquiries per month. Can you imagine? From all over the world, people are still trying to find some of their relatives or their true identity. That was true in particular for children, and mention, I'll mention that again. And they reunited an average of 50 families per year. To this day, it's amazing. If you go on the ITS website, which if you're interested in that I would encourage you to do. It's, ITS-Arolsen.org. You will see a lot of stories which are heart-wrenching. People who lived not far from each other had completely lost sight of each other after, in, in the, in the madness of - especially after the war, when you had 40 million refugees streaming all over the place, trying to either run away or go back home. They lost a lot of, parents lost their children, a lot of children lost their parents, a lot of relatives lost their family members. And

The Bad Arolsen Archives

1. Living memorial to the 12 years of hell during which the Nazis ruled Germany and Europe (1933-1945)
2. Includes scraps of paper, transport lists, registration books, labor documents, medical records, death registers, concentration camp registers, lists of forced laborers, Gestapo secret police records, birth certificates, etc.
3. Still receives 12,000 inquires per month and reunites an average of 50 families every year.
4. New documents added every day as people keep uncovering lost or hidden caches forgotten over the years.

they still find them today. It is quite, quite touching um, and as I said, there are new documents added every day.

44:19 J.J. Surbeck: So, who was in charge of, uh, these archives? Well, it started first with the Supreme Headquartered Allied command. This was the, basically the military. They were still waging a war. They had not defeated Germany yet in [19]44. So they took control of that uh, um, place and that's where they started ferrying all the archives. As they, you know, advanced - the lines advances, liberated the camps, anytime they found some archives, boom, bring them to Arolsen, and they started piling them up over there. Then a UN organization, UNRRA - not to be confused with today's UNRWA [United Nations Relief and Works Agency] which is U - N - W, no R - W - A, which is the Palestinian relief agency - has nothing to do with that, that was created actually later. This was for the European theater, and they took over, and they started doing a lot of tracing because people were coming to them and saying, I've lost so and so. I don't know, I don't even know who I am, um, because a lot of children, as I said, were put in, in, in families, uh, and they didn't know their real identities. And so UNRRA started putting all these requests and send them to Arolsen and they were in charge. Then they were replaced by the International Refugee Organization for a few years.

The Bad Arolsen Archives:
Six different leadership

SHAEF - Supreme Headquarters Allied Expeditionary Forces (1944-1945)

UNRRA - United Nations Relief and Rehabilitation Administration (1945-1947)

IRO - International Refugee Organization (1947-1951)

45:37 J.J. Surbeck: Then, um, for a short time the HICOG which was the Allied High Commission for Refugee, for Germany, which was also the organization that was going to bring Germany back from an occupied country - which it was until then - to a sovereign nation. Um, so they were in charge of that. And finally, in 1955 there was a big conference, um, and a new committee, made of 11 countries, created and they decided, uh, they drafted an agreement called

The Bad Arolsen Archives:
Six different leadership
HICOG - Allied High Commission for Germany (1951-1955)

ICRC - International Committee of the Red Cross (1955-2012)

| | | |
|---|---|---|
| | the Bonn Agreement. Bonn was, by then, the capital of western Germany, which gave responsibility to the ICRC. As to why I'll get back to that in a minute. And finally, in 2012 - which is something that I had not known until recently - the ICRC, uh, left the place and gave the uh, ITS back to the German government, and now it is part of the Bundesarchiv, the German Federal Archives, which has something like eight facilities all over Germany. | Das Bundesarchiv German Federal Archives (2012) |
| 46:45 | J.J. Surbeck: So, why was the ICRC selected as the uh - if you look again at the time - that was the longest period of all the organizations in charge, from [19]55 to 2012. That's a long time, almost 50 years. Uh, for a couple of reasons. First of all, the Allies did not trust Germany. Germany was, they needed to be denazified. They did not trust that the German authorities were denazified enough to handle these archives in the most responsible and neutral way. So, they wanted to have someone in charge, and who better than the ICRC, the neutral organization - with maybe not as much a reputation for neutrality, as a tremendous, tremendous experience in tracing - which they had been doing since the very first Geneva Convention in 1864. Uh or, you know, for helping millions and millions of PoWs to be identified, traced, uh, and exchanged messages with their families. This is what the tracing agency of the ICRC has been doing to this day, still does. Not only PoWs today, but of all, pretty much anybody who is looking for someone across battle lines, whenever there is a war. So um, by the end of 2012, the ICRC decided to cancel, to, to drop it basically, and I'll tell you why also in a second if you can stand this suspense. | The International Tracing Service (ITS)<br>1. The Allies did not trust Germany to be able to guarantee handling of the archives in a neutral and objective fashion.<br>2. The ICRC was and still is the agency with the oldest and most extensive experience in tracing activities given its role with PoWs.<br>3. By the end of 2012, the ICRC ceded its position as supervisor of the ITS to the German Federation Archives. |
| 48:15 | J.J. Surbeck: Uh, in 1955 these 11 states, well I already mentioned the Bonn agreement, but what I want to mention here is very | The International Tracing Service (ITS) |

interesting is the countries that were part of this. They were actually eight, to begin with, and several others, uh, joined later, uh, Belgium, France, West Germany, Greece, Israel, Italy, Luxembourg, Netherlands, Poland, United Kingdom, and the US Except for the US and the United Kingdoms, pretty much all these countries were very adversely affected by Nazi Germany. So you understand why they had a stake in the running of these archives. So that's why, from 1955 to 2012, the director has always been an ICRC man - a Swiss representative from the ICRC - a so-called Swiss delegate. The rest of the staff, since the beginning - at the end of the war to this day - is entirely German, with lots of people from different countries, because they speak like 35 different languages, and they need to, to cover all the archives. All paid for, to the - from the beginning to today - by the German government. The Germans have been covering all the, uh, cost of about 300 people on staff. It hasn't changed. I mean there've been ups and down, but that's basically, it's a big operation, uh you know, when you have so many million archives.

1. In 1955, eleven states adopted the Bonn Agreement which put the ICRC in charge of the Archives, renamed ITS. The were: Belgium, Greece, Israel, Italy, Luxembourg, Netherlands, Poland, United Kingdom, United States.
2. The ITS director from then on until 2012 has always been a Swiss ICRC representative, even though all costs were and are still paid for by the German government.

49:39 J.J. Surbeck: Okay, so who used the archives? That is really the most interesting question. Oh, I gotta hurry here. Um, are you okay? We have to vacate the place? We're okay, okay. So first and foremost actually, I should have put first, uh, the survivors, the survivors who made it through the camps, labor camps, uh, imprisoned, whatever and uh needed some kind of proof - a document - attesting to the fact that they had gone through this hell, because there were monetary consequences, administrative consequences - especially a lot of them from Poland - so that they could be granted, you know, either a reparation funds or a retirement pay for um, because of their unique experience. But

Who were (and still are) the people who asked for help from the Archives?

1. Relatives of people who disappeared in the maelstrom of WWII
2. Parents of children who disappeared or were kidnapped by the Nazis
3. Children taken from their parents and given for adoption
4. Survivors entitled to German compensation funds and retirement pay

also, there were lots of people, to this day, what you have is relatives of people who disappeared and just don't know.

50:40 J.J. Surbeck: I should have mentioned in the beginning actually that, um, the reason the tracing agency started almost immediately with the ICRC's history is because everybody focuses on the physical pain, the wounds, the killing, and so forth, but there's the other half of the pain, which is not knowing what happened to your loved ones. You don't know if they're alive or dead. You can't close. You can't, you can't have closure, and that is vital. It's all over the world. It's a universal human value. You want to know what has happened to your relative, and that's why it's so important to reconnect them as soon as possible. PoWs it's easy because it's in the books, and to the extent that we're dealing with belligerents that respect the third Geneva Convention, no problem. Um, when it comes to civilians, as was the case here, it's a very difficult, the different issues, and especially with the Nazis. There are lots of people who were, as you know, a huge amount of Jews exterminated by the um, what're they called, in, in Ukraine - Einsatzgruppen. Thank you very much, exactly which were just you know killing them as they went, no traces. I mean, nobody knows and so a lot of, there are big gaps. But nevertheless, a lot of people who suspect that they had someone in one of the camps can turn to the ITS, and sometimes, not always but sometimes, you have incredible stories.

52:14 J.J. Surbeck: They reconnect people who thought were disappeared, lots of children. The Nazis had an Aryanization program, so they would kidnap children who looked Aryan, who met their criteria, and the parents never saw their kids again. The agency, the ITS, has been able to trace and find a number of

them. Um, children on the other side of the fence, children who were taken when they were too small so they don't remember. I was reading a story of one, one little boy - all he remembers was, you know, a blonde figure that was his mother. And they found her, and when they met, he couldn't reconcile the image he had in his mind and this woman who had aged prematurely, as you can understand. So there's a lot of psychological damage that needs, that needed to be, to be addressed with all these children.

53:16 J.J. Surbeck: All right, what kind of documents can be found in the archives? Well, I've already gone over this, so I'll go very quickly. Documents on incarceration, concentration camp, ghetto, prison, forced labor camp, registration cards, documents, forced labor, blah, blah. Okay. I'm repeating myself here. General historical document and inventory for the children. Yeah, all right now, big question. The archives were not accessible to anybody who wanted to go and check them out. Not, not allowed. Why?

What kind of documents can be found in the archives?

1. Documents on incarceration in concentration camps, ghettos, prisons, and forced labor camps
2. Registration cards of Displaced Persons
3. Documents on forced labor
4. Documents on DP Camps and emigration
5. General historical documents and inventory from the children's tracing branch

53:46 J.J. Surbeck: Well first of all the German government, post-war German government absolutely was adamant that these remain, needed to be, to remain confidential. Uh, their argument was that the privacy of the victims could be threatened. Which is valid to a certain degree. I can go with that. You have to wonder, however, if they didn't want too much of that information to go public because a lot of it was pretty, simply ugly, not that it didn't anyway. But as more victims passed away over the years more and more voices demanded that the archives be made public, or at least give easier access to. And it's only in 2006, which is not long ago, that the US pressured the German government to yield and re-review the

Opening up the Archives

1. Since its creation, the ITS archives have remained inaccessible to the public because the post-war German government argued that the privacy of the victims could be threatened.
2. As more victims passed away over the years, however, more and more voices demanded that the archives be made public to give easier access.

agreement so that they could open the archives at least to historical researchers. So now they're open. You still have to submit an application, but at least if you're doing a project on anything, you can go there and they will let you do research. Interestingly enough, the entire archives have now been digitized and duplicated for any one of the 11 members of the International Commission, and eight of them have taken up that offer. I think the only ones who have not are Italy, Greece, and I forgot who the third is, but everybody else.

3. 3. Under US pressure, Germany finally relented in 2006 and agreed for the 1955 Bonn Agreement to be altered and the Archives to be opened for research.
4. The entire archives have now been digitized and duplicated for any of the 11 members of the International Commission (8 have gotten them so far).

55:11 J.J. Surbeck: And here they are, uh, Israel, Yad Vashem of course, the Holocaust Museum in Washington [DC], the Archive National in Paris, the Bundesarchiv in Koblenz. Koblenz actually is not far from Arolsen, but the archives remain in Arolsen, but a copy, digital archives, are now part of the Bundesarchiv, even though the whole system runs also Arolsen. So they have sort of a duplicate if you want. Um, in in London there is the, I never know how to pronounce this, is it, Wiener? No, it doesn't sound good in English, does it? Wiener, Wiener, probably okay a Library for the Study of the Holocaust and Genocide in London. This picture is very deceiving. It looks like a little house. It's enormous. It's actually, goes way in the back and there's a tremendous amount of space and, and you, you, you would need a lot of space to have all these archives, even in digitized form. Archive location Brussels, the State Archives of the Kingdom of Belgium. Hey, did you remember that Belgium is a kingdom? We all forget about that, but it's true. And finally Luxembourg, the Documentation and Research Centre of the Resistance, and, uh, the uh Poland, Polish Institute of National Remembrance in Warsaw. So you have, you have now a lot of, you know, other options if you want to do research. You

Archives locations
Israel: Yad Vashem, Jerusalem
USA: Holocaust Museum, Washington
France: Archive National, Paris
Germany: Bundesarchiv, Koblenz
UK: The Wiener Library for the Study of the Holocaust & Genocide, London
Belgium: State Archives of the Kingdom, Brussels
Luxembourg: Documentation and Research Centre of the Resistance
Poland: Institute of National Remembrance, Warsaw

don't have to, oh to trek over to Arolsen. You can go to Washington and, uh, start doing research.

56:51 J.J. Surbeck: So finally, the ICRC ended in 2012. Why? It was the ICRC who requested to, not to have the responsibility of these archives anymore. The main reason is that with the, even though there's still a lot of research on tracing and trying to find, you know, lost relatives or documents of people who were in the camps, with the fact that so many are now either passed away or are dying out, there, there's less in that respect. And there's a lot more in terms of research and education. And in research in particular, it's very interesting because, over time, when you look at the history of the ITS, it's been entirely focused on solving individual cases because that's what the idea was, the reason for preserving it. But historians are getting extremely excited because it, they want to look at it from a different perspective, from a systemic perspective and from, you know, what happened in one group of, uh, inmates and how did they interact with each other. I mean from all sorts of different aspects which have not been analyzed until now. So there's a lot of room for additional research and, uh, the ICRC said, well this is not really our business anymore. Our job is to do, we have a humanitarian mission. We're not into research and we're not into education. Well to a degree, but not really. So, why don't we give this back to the Germans? Now the Germans is, of course, a, a government that everybody trusts. Wasn't the case right after the war, and the ICRC remains as a member of the International Commission for the ITS.

End of the ICRC's tutelage

1. Done at the ICRC's request.
2. With the shift in focus from tracing activities and solving individual cases to research and education, the ICRC withdrew from management of the ITS in December 2012 since these new activities are not part of its humanitarian mission.
3. ICRC remains a member of the International Commission for the ITS (made of 11 member-states).

58:35 J.J. Surbeck: So, if some of you are interested to start a search, there are two ways. You can go directly to the ITS website, which is its-arolsen.org, and fill out what. There are several forms that

Tracing requests

To start the tracing process in order to find someone or information about someone, either:

you can fill out. Or you can go to the Red Cross website which is redcross.org. And, I understand, that there are forms actually that the American Red Cross here gave us too if you want to pick them up. They're outside on the door. And what do you know, I'm done. All right, thank you.

1. Go directly to the ITS website at its-arolsen.org and fill out the relevant form online
   Or
2. Go directly to the American Red Cross site and redcross.org or visit your local ARC chapter.

59:22 Susanne Hillman: Mr. Surbeck will now take questions. Please wait until my colleague or I hand you the microphone.

59:30 Speaker 1: Hello my name is Huddy Howler, um, really interesting talk. Thank you very much, really enjoyed it. Um, I do volunteer work at the United States Holocaust Memorial Museum, so that really is another option for people if you want to, uh, ask for a search to be done in the ITS collection.

59:51 J.J. Surbeck: I'm sorry I should have mentioned that. You're absolutely correct. It goes without saying.

59:56 Speaker 1: We get a lot, but we certainly don't get 12,000 a month like Arolsen. So the US, the DC site is really, I think, you're a better, better option.

1:00:07 J.J. Surbeck: And I think it's important to add that to do this through both, uh, you and the American Red Cross, is important because there are so many people, in this country already, you do double check in America first, before even going to, um, Arolsen. Sorry.

1:00:24 Speaker 1: No, that's okay. And I had one question though, I thought you brought up a really interesting point about, you had mentioned in 1949 the Red Cross the Geneva Convention

changed to address sort of the occupying forces against civilians. And I just had a question, what about, uh, people within the country? What about genocide? Is that covered at all in the Geneva convention? So, so governments that are attacking their own people. And so, this also happened, as you mentioned, the Einsatzgruppen in, uh, World War II. Thank you.

1:01:01 J.J. Surbeck: Sure, um, very briefly - because this is a complicated question - um, international law up until then was entirely based on relationship between sovereign nations, states. Individuals don't count. Anything that happened to the nationals, is a national issue. So, uh, and if another state wanted, objected to that, that was considered meddling in the internal affairs of another state. However, the Geneva Conventions went a little bit away from that and did something rather remarkable for the time, much to the chagrin of many sovereign states who didn't like it because they saw it as a threat to their in, uh, national sovereignty. And it's something called Common Article 3. In all four of the Geneva Conventions - it's like horizontal - you have a couple of Common Articles. Article 3 is hugely important because it was the only provision, until the adoption of the protocols in 1977, from 1949 to 1977 it was the only provision that gave a minimal of guarantees against, uh, abuse of against anybody, including inside of a country by a government. So, uh, it was really, really limited, uh, and it hasn't been really respected that much. But it gave the ICRC a legal base to intervene on many, in many instances.

1:02:28 Speaker 2: During the Second World War many Americans sent packages, as you mentioned, to the PoWs. Did the Germans or the Italians send packages through the Red Cross to their PoWs?

1:02:50 J.J. Surbeck: You know, I don't know. That is a very good question. My hunch would be to say no. I don't think they did. They were taken care of, you know, there were PoW camps of Germans and Italians in this country, and they were taken care of by, by, uh, by us. I don't believe they, you know, I have to, to look that one up. I don't know. Very interesting question, thank you.

1:03:16 Speaker 3: I, I was very, very, enjoyed very much your review, your review of the rules about treatments of the prisoners and other consequences of war and, and the review of the laws and agreements that were agreed to and accomplished. And, I think, it was a very, very naive question, but what, if you have any thoughts about laws, failure to come to a to agreement of laws that prevent the wars in the first place?

1:03:46 J.J. Surbeck: Ah, the question was any thoughts on, uh, the failure of laws that prevent war in the first place. Excellent question. It's not naive. It's very, very valid. That was the whole impetus behind the creation of the League of Nations after World War I. You know where that went. Yeah, that was the idea, let's make law illegal. So the best they have achieved is, after World War II, saying that the conquest of someone else's territory by force is prohibited by the UN Charter. That was in 1945, a little late. That's the extent of it. It's been, it's been a miserable failure in that respect. I think it's, there's no other way to to call it. We still have a long way to go before we get there.

1:04:36 Speaker 4: I got a little confused, um, maybe I misunderstood. You said something about the archives being opened in 1985. What was open then? Um, what happened in 1985?

1:04:52 J.J. Surbeck: Did I say that? I don't remember. They were open in 2007. That, that's when they were open to, uh, historical research for the first time. Until then, uh, the only way to access them - and still is the case to a large degree - it was to go through your National Red Cross, and they would refer to the ICRC, and the ICRC would refer to Arolsen. And, it was, by the way, an extremely slow and painstaking process. When I worked for the American Red Cross for a few years after I left the ICRC, I went to Tucson, Arizona. So I gave classes, I was - you were told before by Susanne - uh, I gave a course at the University of Arizona on international humanitarian law. But the thing, I also helped relatives from concentration camp victims to fill out and do research, or fill out their forms. You know how long it took before it came back? Two years. It was absurd, but they had so many requests and not enough people to handle these archives. They have improved now. Now they promise eight weeks which, I think, is extremely doubtful, but maybe they have improved their procedures.

1:06:11 Speaker 4: So presumably these, uh, depositors receive regular updates from all the additions.

1:06:18 J.J. Surbeck: Yes, yes I'm pretty confident that the answer is yes.

1:06:23 Speaker 5: Monasteries around Europe took in children throughout Europe, and the church took records they converted all the children to Catholicism. Did the Vatican release those records?

1:06:39 J.J. Surbeck: Not to my knowledge. That's a good question. Not to my knowledge. There, I, I know, I know of several cases, and this is a kind of personal question. Any of you know, uh, professor Saul Friedlander? He's written this incredible two-volume history of uh,

of the Shoah. Well, it turns out, he was my director of thesis when I was in Geneva at the Institute of Higher Studies. I didn't know how famous he was at the time. You know, I was a young idiot student, uh, trying to understand what he was talking about there. He was so brilliant. But anyway, he was one of these kids who was put into an orphanage and was turned into a little Catholic boy. And it's only much later, he knew that his parents had tried to go through Switzerland, and it was found out recently that he tried to cross, they tried to cross the border into Switzerland from France, right next to Geneva. I did some research on the spot for him. And they were caught by an overzealous Swiss guard and sent back and they ended up in a concentration camp. If the little boy, Saul, had been with them, he would have let them in. It's, it's just so many heartbreaking stories.

1:07:59 Speaker 6: Yes, I have a question.

1:08:00 J.J. Surbeck: Where, where are you? Oh, thank you.

1:08:03 Speaker 6: Given what's happened now, what's going on in Europe, what happened in France, what's going on in, in Germany with the anti-Israeli sentiment and things like that, is there any concern about Germany not anti-ing up its share with the, uh, with the money to pay for what you've been talking about? For, I mean, the IR, the ICRC had the Swiss director and now there's no Swiss director. Is there any concern about Germany not paying for the archives? Is there any concern about the buildings where the records are? Is there anything of concern about that?

1:08:46 J.J. Surbeck: I don't think so. I think Germany is a very solid democracy. It has a very good, it's a, it's a one of the models of,

uh, countries of law that, that you have around. So I would not be worried about that at all. What I'm more worried about is the general increase in antisemitism in Europe because you do, you compare notes between what was happening between, uh, around 1930-33. That's, you know, this, that doesn't happen overnight. It becomes popular. You start in repeating these antisemitic statements and, and the popular feeling becomes this collective anger. And so, when they start doing things to one group, it can be the Jews, it can be any other, then it's accepted. It's considered well, you know, they deserve it. Uh, that, that's, that's what the process, the progression of antisemitism and the acceptance of antisemitism is something that needs to be watched and studied when it happened there because they are disturbing signs that we're going through some similar process. So, that is what I would be more worried about.

1:09:58 Speaker 7: Yeah, I want to thank you for a really wonderful talk.

1:10:00 J.J. Surbeck: Thank you.

1:10:02 Speaker 7: I wanted to mention a book that I read this winter that might interest you and other people, and also ask you a question after I mentioned the book. The book is by a French guy called [Ivan] Jablonka who did a study of his grandfather. He discovered people who keep incredible archives, French archives. His grandfather was a Polish Jew who was also a communist who fled in the [19]30s, went to France, was constantly in trouble with the French police who want to throw them out, et cetera, et cetera. And discovered, not so long ago, that there are records on his grandfather and grandmother, all in incredible detail. He found those archives, an incredible history reconstruction of, on that kind

of, you know, a tiny person - an unknown person. And he has incredible reconstruction, so that if anybody has French relatives, people who were in France, and wanted to find that - those archives all exist. Anybody can go look at them.

1:10:53 J.J. Surbeck: What's the title of the book?

1:10:55 Speaker 7: It's called *Histoire des grands-parents que je n'ai pas eus.*

1:10:58 J.J. Surbeck: *The Story of the Grandparents I Never Had*.

1:11:01 Speaker 7: Yeah, it's kind of a play on that. And it's actually being translated, and it's going to come out at Stanford next year. And I hope, I'm trying to persuade Susanne to bring this guy here and have him give a talk.

1:11:11 J.J. Surbeck: That would be awesome.

1:11:12 Speaker 7: Yeah, it's a very fascinating book, and people might, it might - and you would love it - but, but people who read French can read it now. But uh -

1:11:21 J.J. Surbeck: I'll look it up, thank you very much.

1:11:22 Speaker 7: It's a fantastic book. It got prizes and all that kind of thing. His name is Jablonka, Ivan Jablonka.

1:11:26 J.J. Surbeck: A very French name.

1:11:28 Speaker 7: Very French name, yeah. And I had a question actually. So the question I had was, do you know much about the

interaction of the Red Cross group with other groups that were working at the time and other places? For example the, the Joint [Distribution Committee], the, the Jewish committee that was working. What do we know about the interaction of the Red Cross with other groups that we're trying to provide aid?

1:11:53 J.J. Surbeck: Well let me put it this way, the Red Cross family is like any family. Do I need to tell you more? Uh, you have people who work well together and you have people who don't. Uh, there's competition, there's interest, and so forth. So it, it was not always perfect but by and large the Red Cross of Allied countries were tremendously helpful. Uh, the Joint was after the war. Well, the Joint tried during the war to alert, in particular, the ICRC. There's a very strong, uh, history in that respect. If you get this book, you'll see there's a whole chapter on that. Now with, uh, what's his name? Wernau? Now I forgot his name, they're the representative of, of the Joint in Geneva. I actually met him when I was a young lawyer. I was introduced to him, not realizing at all that he was such a historical figure. Um, but uh, anyway. Where was I going with this? Sorry, what was your question?

1:12:53 Speaker 7: Working together.

1:12:54 J.J. Surbeck: Oh yeah, thank you. Um, that actually needs, uh, I wanted to say something about this so I'm really glad you you asked it. I think the cooperation was really good, again as far as the Allies are concerned. The American Red Cross, the Canadian Red Cross, the British Red Cross, and the Australian Red Cross were huge providers. They were the main providers of the Red Cross packages, as a matter of fact. It was all done in those countries, shipped, uh, and then distributed by the ICRC when it

could, or others. But, on the other hand, the Red Cross - the National Red Cross societies - if you, if, if it was, and still is the case today, in a totalitarian system don't count on them. You can't, they cannot put their life on the line opposing their dictator. So the principle of neutrality, of impartiality, of what have you, all these beautiful Red Cross principles - when you're dealing with with totalitarian systems, they go out the window, and you can't count on them. And that was a big problem that the ICRC had with the German Red Cross, of course, because it was Nazified. Although they tried some people tried to, to, to hold, hold back, but they could not. You know, it's impossible. Yes?

1:14:16 Speaker 8: We are Holocaust survivors. We were in Arolsen. We have visited Arolsen in 2000.

1:14:29 J.J. Surbeck: Oh, you went to Arolsen?

1:14:30 Speaker 8: Yes. That's where my -

1:14:33 J.J. Surbeck: Okay oh, that's what you gave me, your documents, right?

1:14:37 Speaker 8: They know more about me than I do.

1:14:40 J.J. Surbeck: Did you hear what he said? They know in Arolsen more than, about himself that, than he does [laughter]. You're a survivor?

1:14:49 Speaker 8: Yes.

1:14:50 J.J. Surbeck: You were in a camp, right?

1:14:51 Speaker 8: I was in Auschwitz.

1:14:52 J.J. Surbeck: That's right.

1:14:53 Speaker 8: But the, the Red Cross was in Theresienstadt inspecting in 1944. My parents were there, and my wife's, my wife was there during that time. In fact, my father-in-law was sitting in the restaurant - so-called restaurant.

1:15:19 J.J. Surbeck: Yeah, it's a fake.

1:15:21 Speaker 8: To show the Red Cross how nice the Fuhrer -

1:15:29 J.J. Surbeck: The food was -

1:15:31 Speaker 8: In the Juden eine Stadt [City of Jews]. Hitler is building the Jews -

1:15:36 J.J. Surbeck: The Jewish town. Right, right, exactly.

1:15:41 Speaker 8: With a, pharmacies and restaurants and libraries, it never goes.

1:15:46 J.J. Surbeck: I'll tell you something about Theresienstadt, I saw the report that these delegate, that's drafted. It's, it's a shame. How many of you have seen the movie *Defiance*? I've assumed a lot of you. I, yes uh, *Defiant Requiem* thank you. Yes uh, I, I felt so ashamed when I watched this movie. I was so embarrassed because the whole visit by the Red Cross was a complete sham. Uh, the name of the delegate, he was a young doctor. His name was Maurice Rossel and he was an ICRC doctor. And you can't

believe he, he just swallowed it all. He was, I can't, can you be that naive or stupid? To this day I can't believe it.

1:16:40 Speaker 8: He never asked to interview the inmates.

1:16:45 J.J. Surbeck: No.

1:16:46 Speaker 8: The, the camp was cleaned out to 9,000 people. The rest of them went to Auschwitz.

1:16:51 J.J. Surbeck: That's right.

1:16:53 Speaker 8: So, but he never bothered. Whether he could have done it or not, is a different story. He never bothered.

1:17:01 J.J. Surbeck: Since, since then, it has become a rule, when the ICRC when they visit a camp or a - because there's a lot of activities also - I did some of them in Colombia and in Ecuador. Oh no, not Ecuador, um, what's the other state? I forgot, uh, Guatemala, I think. Um, when you visit prisoners, you have to have a guarantee from the authorities that you can talk to them, without witnesses. Otherwise, it's not worth it. We know it's a sham. It's going to be a sham. Or they're threatened and so they're not going to tell you the truth. So better no, no visit than, than a sham. The sad thing about Maurice Rossel is that, um, so many years after this shameful page for the ICRC he was interviewed. He was an old man. He still didn't get it. I saw the interview in French. I could not believe my ears. He said, no it was fine, it was real. And, and this is kind of really embarrassing, it's beyond embarrassing. So, I'm sorry.

1:18:07 Speaker 8: I'd like to add one thing, the UNRRA [United Nations Relief and Rehabilitation Administration] and the Joint and the HIAS [Hebrew Immigrant Aid Society] have worked together to get us out of Germany in 1946-[19]47-[19]48.

1:18:20 J.J. Surbeck: UNRRA was really crucial. That answers the question, I think, maybe he left - the gentleman who asked. But that's, that answers a very important question because UNRRA filled a gap because the Allies, the armies, were only interested in repatriating the PoWs. That was really their entire focus. They were emptying the PoW camps as fast as possible, and it happened actually in, in just a few months that was. The civilians, they were entirely left on to their own, and it was - had not been for UNRRA and other agencies to help - many of them would have starved to death and, and would not have been able to, to leave the, the hell that Europe had become for the most part.

1:19:02 Speaker 9: Yeah, I want, I want to thank you. It’s just been very informative to listen to you. And I also want to thank you because I did use your service, and I wrote about a family member. And it was amazing, the material that I got back very quickly, and it was beautifully uh -

1:19:19 J.J. Surbeck: Quickly? From Arolsen?

1:19:23 Speaker 9: Yes, it was, really. At least, I don't remember being bothered by the length of time.

1:19:27 J.J. Surbeck: That's good to hear. Never happens.

1:19:29 Speaker 9: But I also wrote at the same time, and on advice of people too - I'm from the Netherlands - and I was doing research

on family members from the Netherlands. And I was advised to also write to the Dutch Red Cross and I never, never, never heard from them. Do you have any, should I pursue this or, uh -

1:19:49 J.J. Surbeck: You know, if you look at the list of countries the Netherlands is not there. They were not involved. Netherlands did not really get involved as far as I'm aware. No. No. I don't know. Uh, you would think. They did suffer a lot too.

1:20:05 Speaker 9: So, the place that I wrote to is then the only place?

1:20:07 J.J. Surbeck: Was that Arolsen? Yeah, absolutely.

1:20:09 Speaker 9: So that's it?

1:20:11 J.J. Surbeck: That that should be. Well, if you didn't get an answer from the Dutch Red Cross, is that the who you wrote to? Is it still stuck there or you got an answer from Arolsen directly? Is that what you're telling me?

1:20:21 Speaker 9: No. I got an answer from Arolsen because I wrote to them, but I also wrote to the Dutch Red Cross and they did not answer. [crosstalk] Actually, I did get an answer that said that I would hear within six weeks, or two years, or some length of time - but that's years ago and I haven’t heard.

1:20:38 J.J. Surbeck: Alright, thank you. Thanks for your testimonial.

1:20:39 Susanne Hillman: Are there any final questions?

1:20:42 Speaker 10: The UNRRA built displaced persons camps.

1:20:49 J.J. Surbeck: UNRRA built displaced persons camps. Very good piece of information because, uh, if you remember the number that I mentioned - 40 million people were on the roads in Europe at the time trying to either go home, or find a country of asylum, and they had no facilities. They had no food. So, had it not been for UNRRA building some of these - the famous DP[displaced persons] camps. I will add one more piece of information which is also very controversial but I'm sure you'll like to hear about. It is that, along the DPs, among the DPs and the displaced people, you had millions of people who had no ID [identification]. All the papers were lost, burned, destroyed, what have you. So they had no identification paper whatsoever. They turned to the ICRC. The ICRC created a special document called a, um, traveling document. It was good for one-time passage somewhere. It was the equivalent of a passport. All the countries accepted to recognize it. Well, who do you think got in there? The SS, the Nazis, a lot, and the ICRC was tremendously criticized for that because it was not cautious enough. It could not, I mean, I don't think it was possible. You had millions of people. They were giving away these desperate people their travel documents. I was involved, again not realizing at the time how important it was, Geneva. I was in New York at the time. Geneva sends me a document and tells me take this personally to the Department of Justice um, that that takes care of, uh follow, war criminals from from the World War II in Washington. I flew to Washington with this document in my hand. You know what it was, the travel document for, um, yeah. But not any Nazi, [Josef] Mengele. So I had the document that allowed Mengele to escape and I forgot where he went, Uruguay or Paraguay? Either one, or two, or maybe Brazil. But so, ah, that's nice, but it happened. I, what can I say? Thank you very much for your time and attention.

1:23:12 Susanne Hillman: Thank you. Thank you everyone for coming. Um, I hope to see you again in October when we will have our first event of the new academic year. Have a good night.