

CR 189
G. 20

NORGES RØDE KORS



INTER ARMA CARITAS

GENERALSEKRETÆREN

OSLO, DEN October 23rd 1947
BANKPLASSEN 1
TELEFON CENTRALBORD 42 69 70
TELEGRAMADR.: 'RØDEKORS'

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Miss L. Odier,
International Red Cross Committee,

Palais du Conseil General,
Geneva



Re: Service of medical personnel with an enemy power.
(Your reference CR 189 G 85 CJW/MRt)

In reply to your letter of August 13th we should like to inform you that the question of the juridical position of medical personnel who have voluntarily entered into the medical service of an enemy power, has been the object of careful study also in Norway.

The point of view of the Norwegian Red Cross is as follows, and we may add that our standpoint has been confirmed by the Norwegian Supreme Court of Justice.

As long as medical personnel is in active service, they are protected by the provisions of the Geneva-Conventions, irrespective of whether they serve in their own or in the enemy armed forces. The Geneva Conventions, however, do not contain any provisions which can be invoked to justify the fact that personnel voluntarily have entered into the medical corps of an enemy power, and do not in any way leave a free choice for nurses or other personnel as to which armed forces they want to join, and in our opinion this is a good thing.

It must be clear that it is the duty of medical personnel, as well as of other members of the armed forces, to serve their own country, and that they can only join the medical corps of an enemy power if they are taken prisoner, or if they are forced to do so, or in a critical situation.

In our opinion, therefore, personnel who voluntarily join the service of an enemy power, commit an act of treason, although of a less serious degree.

Having received your letter, we have, as you suggested, submitted the case to the Norwegian Minister of Justice, Mr. O. C. Gundersen, and we are happy to state that

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he entirely agrees with the Norwegian Red Cross on this point.

From a Norwegian lawyer, Mr. Einar Grimsö, we have received a detailed documentation on this question, among which we see a letter of August 19th signed by you. In this letter the International Red Cross Committee seem to disagree with the Norwegian Red Cross as to the position of medical personnel in enemy service. Under these circumstances we should have been grateful if this said letter had been sent through us, or at any rate, if the Norwegian Red Cross had been informed of the contents of the letter.

As the matter now stands, the letter has been invoked against the Norwegian Red Cross by Mr. Grimsö, and this has placed us in a somewhat embarrassing position.

We should be grateful to you for submitting this question to the Juridical Section of the International Red Cross Committee.

Very truly yours
For the NORWEGIAN RED CROSS



Arnold Rörholt
Secretary General