

Civilian internees, common criminals or dangerous communists?

The International Committee of the Red Cross, the United Nations Command and internment in South Korea, 1950–53

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June 2020 marked the seventieth anniversary of the start of the Korean War, and most of the conflict's social, military and political aspects have now been thoroughly analysed in a substantial scholarly corpus on the subject.¹ However, the internment of civilians in South Korea is still relatively unknown, especially among non-Korean-speaking academics. This is rather intriguing, considering the attention historians usually pay to the issue of prisoners-of-war (POWs).

The repatriation of POWs was a cornerstone of the armistice negotiations and also provoked violence in UN POW camps.² In addition to captured enemy soldiers, South Korean police and military forces – with the cooperation of US authorities – interned thousands of non-military captives who were blurrily categorised as “common criminals,” “refugees,” “internees” or “POWs.” In light of the United States’ and South Korea’s fiercely anti-communist stance at the time, and the fact that many of these civilians were considered communists, traitors, criminals, spies and/or guerrillas, their detention was especially harsh.³ Nevertheless, their plight remains largely unexplored. This paper aims to rectify this oversight, in part at least, by

- 1 Steven H. Lee, “The Korean War in History and Historiography,” *Journal of American–East Asian Relations* 21 (2014) 2: 185–206.
- 2 David C. Chang, *The Hijacked War: The Story of Chinese POWs in the Korean War* (Stanford, CA: Stanford University Press, 2019); Monica Kim, *The Interrogation Rooms of the Korean War: The Untold History* (Princeton, NJ: Princeton University Press, 2019), 174–216; Charles S. Young, *Name, Rank, and Serial Number: Exploiting Korean War POWs at Home and Abroad* (New York: Oxford University Press, 2014); and Susan Carruthers, *Cold War Captives: Imprisonment, Escape, and Brainwashing* (Berkeley: University of California Press, 2009).
- 3 Sahr Conway-Lanz, “The Struggle to Fight a Humane War: The United States, the Korean War, and the 1949 Geneva Conventions,” in *Do the Geneva Conventions Matter?*, edited by Matthew Evangelista and Nina Tannenwald (Oxford: Oxford University Press, 2017), 69–104.

analysing primary sources relating to the work of the International Committee of the Red Cross (ICRC), a humanitarian organisation that conducted inspections of South Korea's prisons and POW camps between 1950 and 1953.

It is my contention that internment operations in South Korea as well as the work of the ICRC need to be understood through the prism of the political warfare of the early Cold War. Violent anti-communist policy contributed to shaping a perception among US and South Korean authorities that the latter's civilian internees were highly "dangerous individuals." In turn, this perception motivated the South Korean authorities to tighten their internment practices and refuse to recognise the majority of civilian captives as internees or political prisoners, irrespective of the recent adoption of the 1949 Geneva Conventions. Moreover, it prompted the United Nations Command (UNC) to abrogate any responsibility for the prisoners' treatment on the grounds that their internment was a Korean "national" issue. For the ICRC, the complexity of the ideological struggle in Korea, coupled with the work of United Nations' civilian agencies, frustrated its efforts to ensure that all sides abided by international humanitarian law (IHL).⁴ By the end of the conflict, countless internees had become victims of international politics and the US and South Korean military and political authorities' deeply subjective, anti-communist interpretations of IHL. As a major consequence, although the ICRC's representatives undertook forty-seven visits to civilian sites between December 1950 and May 1953, they were able to offer only limited humanitarian assistance to individuals who were often in states of abject deprivation.⁵

A difficult humanitarian situation, autumn 1950

On 26 June 1950, a day after North Korean forces invaded the South and thereby started a three-year war, the ICRC in Geneva, in accordance with the 1949 Geneva Conventions, offered its services to all governments involved in military operations

4 Geoffrey Best, *War and Law since 1945* (Oxford: Oxford University Press, 1994), 350–54; and Suzannah Linton, "Deciphering the Landscape of International Humanitarian Law in the Asia-Pacific," *International Review of the Red Cross* 101 (2019) 911: 756–8.

5 Catherine Rey-Schyr, *De Yalta à Dien Bien Phu: Histoire du Comité International de la Croix-Rouge 1945–1955* (Geneva: CICR, 2007), 518–87; Jeanne Briand, "Le Travail humanitaire et la guerre de Corée: La Croix Rouge Internationale dans le camp de Kojedo," in *La Guerre de Corée et ses enjeux stratégiques de 1950 à de nos jours*, edited by Pierre Journaud (Paris: L'Harmattan, 2015), 139–56; Tessa Morris-Suzuki, "Unconventional Warfare: The International Committee of the Red Cross and Humanitarian Dilemmas in Korea 1950–53," *History Australia* 10 (2013) 2: 15–34; and Caroline Moorehead, *Dunant's Dream: War, Switzerland and the History of the Red Cross* (New York: Carroll & Graf, 1999), 569–79.

on the Korean peninsula. However, while the US-led UN forces, deployed to support the South Korean regime, accepted the offer, North Korea and China refused to allow any ICRC representatives on their territory. Moreover, while US General Douglas MacArthur, commander-in-chief of the UNC, and South Korean president Syngman Rhee declared that UN forces would respect the 1949 Geneva Conventions, they referred only to the third Convention, which relates to recognised combatant prisoners-of-war, and therefore implicitly excluded civilians.⁶

The plight of civilians was an issue for the ICRC as early as October 1950. Although two of the organisation's delegates in Korea, Frédéric Bieri and Jacques de Reynier, had no official accreditation to visit civilian sites of detention, they witnessed first hand the harsh treatment meted out to civilians arrested on the streets of Seoul for political reasons. For instance, in one report, de Reynier described "lamentable processions of men and women" identified as communists and guards hitting "these unfortunate people with sticks anywhere and for nothing."⁷ Two months later, he raised the issue during a personal meeting with South Korea's acting minister of foreign affairs, Chung W. Cho: "[We] witnessed a group of civilian prisoners all tied to a rope, marching towards Westgate Prison. We followed them until they entered the prison, where, by the way, we saw a number of female prisoners (some with infants on their backs) kneeling on the ground with bowed heads."⁸ In response, the minister admitted that conditions inside the prison were bad, but claimed that, "contrary to rumours," these individuals were "criminals, suspects, traitors or collaborators" and that "no civilians were ever arrested because of their ideology or belief."⁹

The ICRC in Geneva decided to press the South Korean authorities on this matter, so it requested a meeting between de Reynier and President Rhee. This strategy succeeded, as he eventually obtained official permission to visit two prisons for civilians in Seoul and Taegu. On arrival, he was shocked by the brutal conditions: nearly twenty deaths each day, extra-judicial executions and incarcerated women and children; no medical or washing facilities; more than twenty captives in cells designed for three; no special care for nursing mothers; endemic dysentery and tuberculosis; and, finally, obvious signs of malnutrition, torture and physical mistreatment. According to de Reynier, notwithstanding further South Korean denials, these captives

6 Rey-Schyr, *De Yalta à Dien Bien Phu*, 526–7.

7 Report by J. de Reynier, 25 September–5 October 1950, cited in *ibid.*, 573.

8 ICRC Delegation to South Korea to President of South Korea, 18 December 1950, in *Le Comité International de la Croix-Rouge et le Conflit de Corée: Recueil de documents du CICR I*, 26 juin 1950–31 décembre 1951 [*Recueil de documents du CICR I*] (Geneva: CICR, 1952), 165.

9 South Korean Ministry of Foreign Affairs to ICRC Delegation to South Korea, 18 December 1950, in *ibid.*

were clearly political prisoners. The jailers treated the prisoners so brutally solely because they were deemed “communist criminals and traitors.” None of the captives had faced trial or been found guilty of any common law or other crime.¹⁰

De Reynier had worked with POWs in the Second World War and during the 1948 Arab–Israeli War, but the conditions in South Korea were the worst he had seen. He counted some fifty dead bodies, and even witnessed with horror a woman giving birth on the floor of a crowded cell:

We are facing a typical case of abuse of power. 9,200 people are dying slowly just because they are communists. They are dying like dogs, without care, without news, without medication, handcuffed for more than a month [...] all this immense silent suffering and without relief is due exclusively to the wickedness of men. I am sorry, I cannot give an objective report, I myself am sick of it, I have never seen anything worse in my life and I have visited hundreds of camps.¹¹

Although de Reynier’s reports – including alarming photographs – were sent to the UNC, the United Nations and the South Korean and US governments, the ICRC was in a complex legal position that hampered its efforts to provide humanitarian aid and relief to the internees. Although the US military authorities expressed concern for the prisoners, they refused to accept any responsibility for their welfare because of their civilian status; instead, they simply referred the matter to the South Korean government. Similarly, the UNC did not intervene, even after an internal memorandum had stated that the situation may adversely affect the war effort by demoralising the troops and discrediting the organisation’s military operations.¹²

Perhaps because he had seen the deplorable state of the prisons for himself during a series of personal visits, President Rhee was rather more receptive to the ICRC’s concerns. He announced his intention to improve living conditions, provide better medical care, reduce the number of captives per cell and the number of death sentences, and release 11,000 of the 27,000 prisoners who were currently in detention. In addition, he granted the ICRC official authorisation to visit all of the prisons. Nevertheless, Chung W. Cho continued to refer to the prisoners as “dangerous criminals” and “common law offenders,” claimed that “communists only think of killing” and insisted that it was his duty “to kill them first, before they have an opportunity to kill others.”¹³ He also declared that, while the South Korean govern-

10 Ibid.

11 Report by J. de Reynier, 14 December 1950, C SC, Corée, Vol. 1409, Archives du CICR [ACICR], Geneva.

12 K. B. Bush to State Department, 19 December 1950; and Report by Colonel Chaplin, 22 December 1950, RG554, Entry 217, Box 1, National Archives and Records Administration [NARA], College Park, MD.

13 South Korean Ministry of Foreign Affairs to ICRC Delegation to South Korea, 18 December 1950, in *Recueil de documents du CICR I*, 166.

ment was doing everything in its power to help the prisoners, it was engaged in “a life and death struggle” against communism.¹⁴ Although the UNC reclassified thousands of individuals captured with North Korean troops as refugees, these captives were still detained in POW camps, albeit in separate compounds. Moreover, US officers concluded that they must be categorised “as persons dangerous to the aims of the United Nations in Korea [...] if left at large.”¹⁵

Visiting prisons in 1951

Although some modest improvements had been made by the spring of 1951, leading the ICRC delegates to describe the prison system as a “tolerable regime,” they noted that the guards were still violent towards the internees and all of the facilities were still overcrowded and poorly equipped. Similarly, after a visit to a hospital in Taegu, de Reynier described it as “the most awful possible hell: dirty, smelly, messy, people dying without care everywhere.”¹⁶ In another report, he turned his attention to the brutality of the South Korean criminal justice system and lamented that “it is difficult to change a culture of bullies” and that “changing the customs of a country takes centuries.”¹⁷ His conclusion was that the vast majority of detainees were actually political prisoners, but they were treated as common criminals under South Korean law even if they had not been charged with any offence.¹⁸ Also, the lack of official support from the US authorities meant that it was still difficult to deliver humanitarian aid to interned civilians. Towards the end of December 1950, the UNC had tacitly agreed that the ICRC could visit civilian internees in official POW camps by reasserting its commitment to respect the 1949 Geneva Convention on military prisoners.¹⁹ However, while some individual US officers agreed that steps should also be taken to release some of those held in South Korea’s prisons, or at least bring them under the protection of the Geneva Conventions, UNC memorandums recommended taking no action on this “domestic” issue in order to avoid any responsibility for the “inhuman treatment, atrocious conditions and brutal and arbitrary mass executions of political prisoners.”²⁰ The thinking was that any perceived UNC involvement in an international scandal could have a negative impact on public opinion and the morale of UN troops.

14 South Korean Ministry of Foreign Affairs to ICRC, 25 January 1951, in *ibid.*, 169.

15 K. B. Bush to Commanding General, 12 January 1951, RG6, Box 3, Folder 5, MacArthur Memorial Archives and Library, Norfolk, VA.

16 Report by J. de Reynier, 2 April 1951, B AG 210 056–001, ACICR.

17 Report by J. de Reynier, 19 January 1951, C SC, Corée, Vol. 1410, ACICR.

18 Report by J. de Reynier, 2 March 1951, B AG 210 056–001, ACICR.

19 Colonel Chaplin to UNC, 22 December 1950, RG554, Entry 217, Box 1, NARA.

20 K. B. Bush to State Department, 19 December 1950, RG554, Entry 217, Box 1, NARA.

Although ICRC delegates were allowed to conduct nine prison visits in 1951, an early resolution of the problem of civilian captives remained highly unlikely not only because the issue was inseparable from South Korean domestic politics but also because Washington and the United Nations had called for an official commission on the treatment of all internees. In addition, the delegates' travel and security throughout Korea and the distribution of relief both depended on the cooperation of the UNC, as humanitarian aid came under the auspices of the United Nations Civil Assistance Corps and the United Nations Korean Reconstruction Agency. In light of the UN forces' advance into North Korea in April 1951, de Reynier suggested that the UNC should open some camps strictly for civilians. He argued that such an approach would clarify the status of the internees and help to solve the problem of South Korea's overcrowded prisons. In addition, any civilians captured in North Korea by UN forces clearly could not be classified as South Korean citizens, so they should remain the legal responsibility of the UNC until their release. De Reynier also noted that prison directors in Taegu and Pusan had disclosed that 80 per cent of their detainees were political prisoners and several individuals claimed to be North Korean citizens. He urged Geneva to make a formal approach to the South Korean government and the UNC to clarify the ICRC's position, discuss these issues, promote the organisation's role and facilitate the delivery of humanitarian aid to the internees.²¹

De Reynier was far from popular with the military authorities in South Korea. For instance, his insistence that US General William Beiderlinden and his deputies must provide aid to the civilian internees prompted the UNC to threaten an official complaint against him for repeated violations of his accreditation. De Reynier responded that he welcomed such a complaint as it would demonstrate both the ICRC's concern for Korean civilians and the deplorable attitude of the UNC.²² Henry Meyer, a physician with the Danish Red Cross, experienced similar hostility from US officers during his visits to camps in 1951, when he was routinely ordered to "close [his] eyes, mouth and ears, [and told] that it was not [his] business to interfere with political prisoners."²³

Despite further improvements in the summer of 1951, conditions inside South Korea's prisons remained appalling, with an occupancy rate of 300 per cent on some sites. According to de Reynier, a "dead silence" hung over these institutions. Most importantly, the vast majority of the captives had been detained for political reasons. For example, de Reynier cited the case of a fifteen-year-old girl who had been sentenced to life imprisonment for espionage. He remained understandably pessimistic about such prisoners' prospects and suggested that "only death [is] certain

21 Report by J. de Reynier, 2 April 1951, B AG 210 056–001, ACIRC.

22 Ibid.

23 H. Meyer to David de Traz, 2 November 1951, B AG 225 056–003, ACIRC.

in the short term.”²⁴ Meanwhile, Henry Meyer reported that South Korea’s treatment of political prisoners “constitute[d] one of the most distressing chapters of the war in Korea,” not least because of the “disgusting conditions” in which they were held. While he acknowledged that some of these internees were suspected members of the Communist Party or so-called “leftists,” he stressed that others were POWs awaiting transfer to other camps, common criminals, victims of personal revenge or simply relatives – including the wives and children – of captives.²⁵

Internees and POWs, 1952

The line between POWs and internees was often blurred. In addition to captives held in South Korea’s prison system, thousands of internees found themselves in POW camps, especially the most important one at Koje-do, about sixty kilometres from Busan.²⁶ In the autumn of 1951, the UNC reclassified 37,500 individuals – including 368 refugees – from prisoner-of-war to civilian status on the grounds that they were South Korean citizens who had been forcibly conscripted into the North Korean army.²⁷ Although the UNC expressed its intention to uphold the Geneva Conventions with regard to these internees, it refused to build specific camps for them; instead, they were held in compounds controlled by the South Korean authorities.²⁸ In accordance with US policy on non-forcible repatriation, POWs and civilian internees were asked if they wished to be repatriated to North Korea after the armistice. This triggered violence in the compounds as many captives had no faith in the proposed screening process and demanded recategorisation.²⁹

The complexity of this issue was especially evident in Koje-do’s Section 62. The camp contained some 6,000 internees who unexpectedly requested repatriation to North Korea and recategorisation as POWs, boldly refused any screening and eventually launched a violent revolt. De Reynier’s colleague Frédéric Bieri expressed his puzzlement over these captives’ “change of heart.” During his last visit to the camp in August 1951, the three leaders of Section 62 had been openly anti-communist, yet now they seemed to be ardent communists. For Otto Lehner, newly appointed head of the ICRC in Korea, the main challenge was how to provide aid to these internees

24 Report by J. de Reynier, 5 August 1951, C SC, Corée, Vol. 1411, ACICR.

25 H. Meyer to D. de Traz, 2 November 1951, B AG 225 056–003, ACICR.

26 Report by F. Bieri, 5–11 December 1951, C SC, Corée, Vol. 1411, ACICR. The camp contained 156,652 captives, including 32,213 civilians.

27 American Consulate General, Geneva, to ICRC, 27 December 1951, B AG 210 056–004, ACICR.

28 General Ridgway to Commanding General, 3 November 1951, RG554, Entry A-1, Box 29, NARA.

29 Rosemary Foot, *A Substitute for Victory: The Politics of Peacemaking at the Korean Armistice Talks* (Ithaca, NY: Cornell University Press, 1990), 108–29; and Allan R. Millett, “War behind the Wire,” *Quarterly Journal of Military History* 21 (2009) 2: 52.

within the limits of the Geneva Conventions while avoiding instrumentalisation by either pro-communist elements or US officers.³⁰ Commenting on a violent riot in Section 62 in February 1952 that had left 69 internees dead and 142 injured, the UNC criticised the ICRC for sending its report on the incident³¹ to North Korea. According to the UNC, “the ICRC have no legal or moral obligation to supply them [the North Korean authorities] with any information of the incident [...] North Korea have no further interest in them [the internees] and, consequently, have no right to any report concerning them” because the rioters had been classified as civilians.³²

Elsewhere, the ICRC was still seeking permission to visit many sites, which obviously hindered its attempts to provide humanitarian relief or indeed exert pressure on the authorities to improve conditions. Moreover, the UNC had reclassified some civilians as guerrillas and transferred them to designated camps. After gaining access to these camps, the ICRC delegates noted arbitrary trials and executions as well as the now familiar atrocious living conditions. In response, the South Korean authorities declared their intention to improve the situation in the camps in accordance with the “spirit” of the Geneva Conventions. They also promised impartial trials for captives who had been sentenced to death, even if these “criminals” had already been tried under the Korean penal code, “one of the best in the world.”³³ Nevertheless, Lehner remained sceptical and concerned that the plight of the internees would harm the ICRC’s reputation as one of the world’s leading humanitarian organisations. In the hope of securing better access to the detainees, he and the other delegates decided to refrain from any open criticism of the authorities’ treatment of the “guerrillas.”

Meanwhile, ICRC delegates Jean Courvoisier and Maurice Piot visited a total of fifteen prisons holding some 15,000 prisoners and noted that 530 of the captives were minors and only 20 per cent were genuine “common criminals.” Some of the sites that were housing women and children under the age of twelve had serious structural, sanitation and medical problems. In their reports,³⁴ Courvoisier and Piot criticised the UN’s handling of the official civilian aid and relief operations as well as its apparent lack of interest in South Korea’s prisons, despite the urgent need to improve conditions. Moreover, they suggested that the ICRC might face similar accusations of indifference, given its knowledge of the situation and lack of progress in rectifying it. Around the time that he and Piot were compiling their reports, a US judge-advocate whom the UNC had appointed to assess conditions in South Korea’s prisons and camps informally admitted to Courvoisier that the Americans had

30 Reports by F. Bieri, 4–16 January 1952, C SC, Corée, Vol. 1412, ACICR.

31 Report by Jean F. Munier and G. Hoffmann, 26 February 1952, B AG 210 056–012, ACICR.

32 Major General Bryan Milburn to O. Lehner, 15 March 1952, B AG 210 056–001, ACICR.

33 O. Lehner to Eugène de Weck, 25 March 1952, B AG 210 056–001, ACICR.

34 Reports by J. Courvoisier and M. Piot, 26 February–31 March 1952, C SC, Corée, Vol. 1412, ACICR.

a moral, if not a legal, responsibility towards the internees. He even suggested that it might be worth contacting high-ranking US officers to discuss the situation as the UNC was keen to avoid an international scandal.

After reading Courvoisier and Piot's reports, Lehner pressed the South Korean Under-Minister of Justice to increase the prisons' food rations and medical supplies. He also noted that although the South Korean authorities had pardoned and released a number of detainees (10 per cent of the total, according to President Rhee), further arrests had then been made. Consequently, prison overcrowding was still a serious issue, and it would remain so until at least half of the detainees had been released.³⁵ In response, the South Korean Ministry of Foreign Affairs stated that "Operation Ratkiller," which aimed to root out North Korean communists and guerrillas among the civilian population, would soon be over, at which point a large number of internees would be released.³⁶

The end of internment

In Kojé-do, which was still housing 37,390 internees as late as February 1953, civilian detainees' living conditions were similar to those of official POWs, although ICRC delegates noted that they endured especially strict enforcement of security rules because they were considered "fanatics and communists."³⁷ Nevertheless, according to one UNC officer, tensions between guards and captives eventually eased, due in part to the presence of the ICRC, which had helped to calm the atmosphere in the camp.³⁸ In South Korea's prisons, by contrast, the internees' living conditions were still appalling due to the lack of relief and the brutal and arbitrary treatment they received at the hands of their captors.

Otto Lehner remained sceptical about the ICRC's capacity to improve the situation throughout much of his tenure in South Korea. For example, in January 1952, he wrote: "[T]he problem of political prisoners is almost unsolvable. It is not enough to visit inmates to see how they perish if we cannot help them. However, as you know, we are not allowed to take any kind of relief action."³⁹ Six months later, as he re-

35 ICRC Delegation to South Korea to South Korean Ministry of Foreign Affairs, 6 March 1952, in *Le Comité International de la Croix-Rouge et le Conflit de Corée: Recueil de documents du CICR II*, 1 janvier–30 juin 1952 [Recueil de documents du CICR II] (Geneva: CICR, 1952), 57.

36 South Korean Ministry of Foreign Affairs to ICRC Delegation to South Korea, 13 May 1952, in *Recueil de documents du CICR II*, 50.

37 As reported by Colonel Claudius O. Wolfe to Commanding General, 2 February 1953, RG554, Entry UD-UP 127-C, Box 509, NARA.

38 Report Lieutenant Colonel Alanson T. Leland, 21 February 1953, RG554, Entry A-1 1332, Box 141, NARA.

39 O. Lehner to ICRC, 31 January 1952, cited in Rey-Schyr, *De Yalta à Dien Bien Phu*, 575.

flected on sixteen inspections the ICRC had conducted between February and May 1952, he concluded that further visits could be justified only if they resulted in concrete aid and relief for the internees. With a view to securing that relief, he advised the South Korean government to submit an official request for medical supplies and nutritional supplements to ICRC headquarters in Geneva. Moreover, according to Lehner, such an approach might have the added benefit of persuading the UNC to change its position on civilian aid. In the meantime, he and the delegates decided to suspend their prison visits in order to preserve the international reputation of the ICRC, exert pressure on the UN authorities and forestall accusations that the delegates always returned “empty-handed.”⁴⁰

Although the South Korean government acted on Lehner’s advice and accepted the ICRC’s offer of aid, it was months before the UNC altered its position, which delayed the delivery of vital supplies to thousands of imprisoned Koreans. In October 1952, Geneva asked Lehner to remind UN authorities in Tokyo and South Korea of the importance of the ICRC’s mission, as there had been no prison visits for five months.⁴¹ The visits resumed at the end of the month after the UN’s civilian agencies belatedly authorised the distribution of the ICRC’s material and medical aid packages. In the months that followed, the organisation’s delegates persuaded the South Koreans to isolate all captives with tuberculous in a single camp and commute all death sentences. However, the purchase, transport and distribution of medicinal and food relief remained sluggish because of poor coordination between the ICRC, the UN and local authorities.⁴² Lehner made two final visits to South Korea’s prisons after the signing of the armistice in July 1953. He noted some medical, dietary and accommodation improvements, especially in relation to the treatment of minors and tuberculous patients.⁴³

Although a large majority of South Korea’s civilian internees were released during the summer of 1953, those identified as communists remained in prison, sometimes for decades. Moreover, their situation was not helped by the fact that the ICRC ceased operations on the peninsula at the end of the year.⁴⁴

40 List of visits, February–May 1952, and O. Lehner to South Korean Ministry of Foreign Affairs, 24 June 1952, in *Recueil de documents du CICR II*, 53 and 55, respectively.

41 E. de Weck to O. Lehner, 30 October 1952, B AG 210 056–004, ACICR.

42 Report by ICRC Delegation to Korea, May 1953, B AG 210 056–001, ACICR.

43 Rey-Schirr, p. 576.

44 Amnesty International, *South Korea: Prisoners of Conscience Held for over 40 Years* (London: Amnesty International, 1993) <<https://www.amnesty.org/en/wp-content/uploads/2021/06/asaz250411993en.pdf>> (14 November 2021).

Conclusion

In the context of the early Cold War, the ICRC's efforts to provide relief to non-military captives in South Korea were frustrated by deep-rooted hostility towards the detainees' alleged political ideology as well as the complexity of an internment system in which the South Korean government, the UNC and UN aid agencies all played significant and often overlapping roles. Throughout the conflict, the organisation's attempts to deliver assistance to internees, refugees, political prisoners and guerrillas were hampered by the UNC's and South Koreans' fiercely anti-communist policies, many captives' violent refusal to accept their officially designated status and the UN authorities' unwillingness to adhere to the Geneva Convention on the treatment of civilians. The lack of any clear recognition of the internees' legal status under the terms of that Convention was reflected in the UNC's and South Koreans' determination to label them "common criminals." Finally, the ICRC was reluctant to exert pressure on the UN authorities after the spring of 1953 because, by then, negotiations for an armistice between the UNC and the North Koreans had reached a critical and very delicate stage. These factors meant that civilians were held captive in South Korea's prisons and POW camps – and remained prisoners of the Cold War – until the very end of the Korean War and sometimes far beyond.

