

## History of the International Tracing Service

The ITS in Bad Arolsen was established in order to help the former civilian persecutees of the Second World War in asserting their rights. From the very beginning, and still today, this humanitarian mandate has been in the foreground of all endeavours. Even though the name “Tracing Service”, as regards the work, is completely outdated – presently the proportion of tracing cases amounts to ca. 1 % of the processed cases –, the institution in Arolsen remains to be predominantly an operative service in the interest of the persons concerned. How, and why already this early, did the establishment of such an institution come about?

A large part of the European population was scattered to many parts of the world due to the turmoil of war, and a chaos that had to be coped with became apparent for the forthcoming end of World War II. In 1943, the foreign relations department at the British Red Cross in London was changed into a tracing bureau. The Central Tracing Agency (ACT) of the International Committee of the Red Cross (ICRC) in Geneva, that had already an index of names at its disposal from the most different previous conflicts and was therefore able to contribute its experiences, played a decisive part in the foundation of this tracing bureau.

The Allied Military Authorities had to register thousands upon thousands of displaced civilians in the liberated territories, in France, for example, as early as in 1944. The SHAEF (Supreme Headquarters of the Allied Expeditionary Forces) in Versailles gave orders – after assuming the direction of the tracing bureau – to register all displaced persons (DPs) on so-called “DP-cards”.

In addition to the registrations carried out after the war, the responsible offices also endeavoured to obtain the lists of names of the persons imprisoned in concentration camps. The UNRRA (United

Nations Relief and Rehabilitation Administration) that had been established by President Roosevelt in Washington in 1943 played a considerable part in this. It also placed the necessary personnel at disposal.

On 28<sup>th</sup> June 1945, the UNRRA and SHAEF were moved from Versailles to Frankfurt am Main, where the SHAEF was dissolved in July 1945. Successor of the tracing bureau became the "Combined Displaced Persons Executive".

In September 1945, the Allied Control Council charged the UNRRA with the task to establish a "Central Tracing Bureau" (CTB) with the objectives to take up the search for missing military and civilian persons from those countries that belong to the United Nations and to start the collection and preservation of all documents referring to this group of persons as well as the reunion of families torn apart<sup>6</sup>.

On 16<sup>th</sup> November 1945, Sir Frederick E. Morgan, Lieutenant-General, Chief of Operations Germany, proposed to the UNRRA to transfer the Central Tracing Bureau from Frankfurt to Arolsen. Colonel J. R. Bowring was appointed director.

Why Arolsen of all places? Arolsen was not destroyed and had larger buildings as well as intact telegraph and telephone facilities at its disposal and was situated in the middle of the four occupation zones. The transfer itself took place between 3<sup>rd</sup> and 6<sup>th</sup> January 1946. From then on, the name of the tracing bureau was: UNRRA Central Tracing Bureau, Arolsen.

On the basis of the order to all German offices, issued by the Allies on 6<sup>th</sup> December 1945, the former had to compile, with several copies, lists of names of nationals of the countries represented in the United Nations who had their residence in Germany during World War II or at the time of the registration. These registration records

were to be handed over to regional collecting points, the Central Tracing Bureau in Arolsen was supposed to receive a copy.

The UNRRA that had chiefly been entrusted with the repatriation matters of the persons displaced during the war stopped its work in 1947.

The PCIRO (Preparatory Commission of the International Refugee Organization) took over the institution in Arolsen in July 1947. Briefly afterwards, the PCIRO Headquarters in Geneva decided on the official name “International Tracing Service” (ITS / Service International de Recherches – SIR / Internationaler Suchdienst – ISD) that is still valid today. Until March 1951, the ITS was subordinate to the IRO (International Refugee Organization) which discontinued its work at that time, because it was predominantly responsible for the emigration of displaced persons who had not returned to their home countries for the most various reasons.

While it was directed by the IRO, far more than 1,000 employees worked for the ITS, in addition to personnel of the Allied Forces also former persecutees themselves and German citizens. After the dissolution of the IRO, the staff at the ITS diminished to a number of ca. 300.

On 1<sup>st</sup> April 1951, the Allied High Commission for Germany (HICOG) took charge of the ITS and directed it until the Occupation Statute ended on 5<sup>th</sup> May 1955 and the HICOG was dissolved.

During its work in Arolsen, the ITS has changed its location several times. One of its seats were the former SS-barracks, which were completely intact after the end of the war and had enough room for the enormous masses of records and for the large number of employees.

During the time of the HICOG, a decision was taken about the construction of an own building for the ITS. On 20<sup>th</sup> August 1952, the ITS celebrated the topping-out ceremony in the presence of the

Minister for Expellees, Dr. Hans Lukaschek, and at the end of 1952, the employees took up their work in the new building on the Große Allee 5-9. Still today, this house is the main building besides five additional annexes in the immediate vicinity and one small branch office in Berlin.

In 1954, the Allied Western Powers prepared the revocation of the Occupation Statute within the scope of the so-called "Paris Agreements". This also entailed the necessity of finding a solution for the continued existence of the ITS that had not nearly finished its work yet.

The "Deutschlandvertrag" concluded on 26<sup>th</sup> May 1952 regulated the relations between the Federal Republic of Germany on the one hand and the three Western Occupying Powers on the other hand. With the termination of the Occupation Statute, it came into force on 5<sup>th</sup> May 1955.

On 14<sup>th</sup> December 1955, the announcement, dated 10<sup>th</sup> December 1955, regarding the agreement about the establishment of an IC/ITS that came into force on 5<sup>th</sup> May 1955 – like the "Deutschlandvertrag" – appeared in the Federal Law Gazette, issued by the Federal Minister of Justice. In addition to the agreement itself, the announcement also includes the arrangements concerning the relations between the International Commission for the International Tracing Service and the International Committee of the Red Cross. Likewise published therein is the exchange of Notes between Federal Chancellor Adenauer and the Ambassadors of the United States, of the French Republic and of the United Kingdom of Great Britain and Northern Ireland, in which Chancellor Adenauer states, among other things, on 6<sup>th</sup> June 1955: "The Government of the Federal Republic of Germany is prepared to accede to the agreement added in the enclosure, by which an International Commission is appointed, with the task to guarantee the cooperation between the governments in-

volved in questions regarding the ITS and to set up guidelines for the work of the ITS”<sup>7</sup>.

Federal Chancellor Adenauer wrote in a further exchange of Notes to the President of the ICRC, Dr. Paul Ruegger: “The Governments of the Federal Republic of Germany, of the French Republic, of the United Kingdom of Great Britain and Northern Ireland and of the United States of America have, according to the exchange of Notes about the continuation of the work of the ITS and in the spirit of the Geneva Conventions of 1949, agreed to ask the ICRC to assume, at the time when the above-mentioned agreement on the settlement of matters arising out of war and occupation comes into force, the responsibility for the direction and administration of the ITS for the purpose of continuing the work presently done by the ITS,..... first of all for the duration of five years.” ICRC-President Ruegger answered: “The International Committee of the Red Cross is going to fulfil the task assigned to it true to its tradition and to the principles of impartiality and neutrality”<sup>8</sup>.

After a prolongation by another 5 years, the IC/ITS decided in 1973 that the activity of the International Tracing Service should continue for an unlimited period of time. For the employees, who had again and again been confronted with an impending closure of the International Tracing Service, this meant an enormous relief. Until 1955, the employees had been classified in different categories and had received different salaries for the same work. As of 1955, the collective agreement for the civilian employees of the Allied Armed Forces in the Federal Republic of Germany has been applied to the ITS-staff. Today, this collective agreement is still valid for ca. 30,000 employed persons in the Federal Republic of Germany. In the last years, the ITS-personnel has almost doubled. Since the middle of the 1980s, the number of incoming inquiries has increased to such an extent that an orderly processing of the requests was doomed to fail

without an augmentation of the staff. The Federal Ministry of the Interior has approved several limited measures beyond plan. Today, almost 450 employees are working for the ITS.

On 12<sup>th</sup> September 1990, the "Two+Four Agreement" about the final regulation in respect of Germany was signed in Moscow. This invalidates the agreement of 26<sup>th</sup> May 1952 about the relations between the Federal Republic of Germany and the three Western Powers. By means of the suspension of the rights and responsibility of the four Powers in respect of Berlin and Germany as a whole, the sovereignty of Germany is established. In an exchange of Notes between the Foreign Office and the Ambassadors of the French Republic, of the United States of America and of the United Kingdom of Great Britain and Northern Ireland of 27<sup>th</sup> September 1990, however, it is determined that, among other things, the provision of the Seventh Part Article 1 in the Transition Agreement continues to be effective: "The Federal Republic of Germany assumes the obligation to guarantee the continuation of the work that is presently being carried out by the International Tracing Service."<sup>9</sup>

Only very late, the ITS was assigned a legal status: Today, the ITS is an institution that has received its legal capacity by means of an act under international law of the signatory states (*sui generis*). The latter was transferred into German Law by the German Legislator in 1993 (Law about the Agreement of 15<sup>th</sup> July 1993 concerning the Legal Status of the International Tracing Service in Arolsen)<sup>10</sup>. A legal capacity that is thus valid in civil law at least.

The IC/ITS consists of 11 member states today. To date, it has assigned first priority to the humanitarian work of all activities at the ITS.

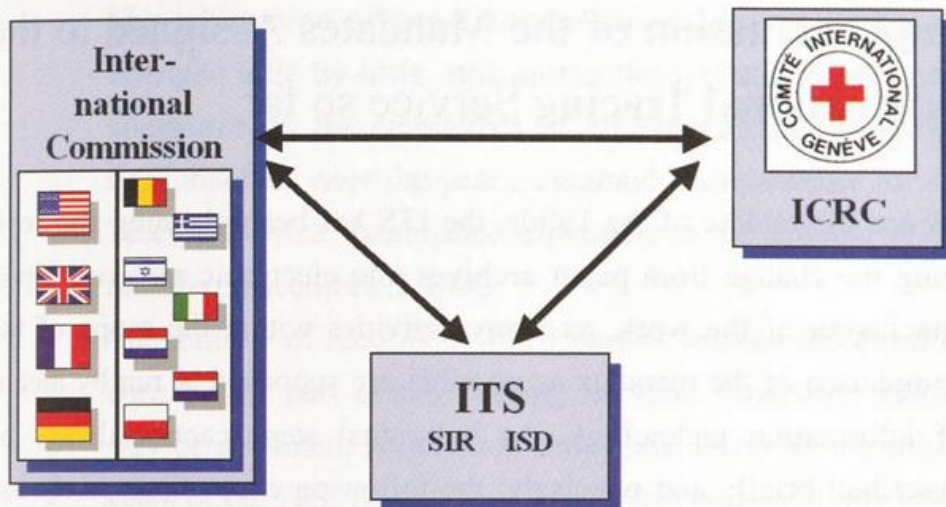


Illustration 1: Organs of the International Tracing Service

The direction and administration is still incumbent on the ICRC today, which has confirmed again and again that – as long as the humanitarian mandate has priority – it will perform its neutral and impartial function. In connection with the issuing of information to the persons concerned, the seal of the ICRC warrants the neutral quotation of the information from the documents preserved at the ITS. Without certification by a lawyer, the confirmations are acknowledged worldwide by the pension authorities, the numerous foundations, funds, associations and organizations.