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II. GENERAL AND PERMANENT ACTIVITIES

1. THE XXIst INTERNATIONAL CONFERENCE OF THE RED CROSS

The International Red Cross held its meeting in Istanbul from 6 to 13 September 1969. No less than 610 delegates representing 77 States and 83 National Societies of the Red Cross, Red Crescent and Red Lion and Sun, as well as 51 observers, gathered in the fine new Culture Palace. Generously welcomed by the country's high authorities and organized by the Turkish Red Crescent with the assistance of the international institutions of the Red Cross, the XXIst Conference was presided over by Mr. Riza Cerçel, President of the Turkish Red Crescent. He asked Lady Limerick, Chairman of the Standing Commission, to assume the actual direction of most of the proceedings. Both acquitted themselves of their delicate task with distinction.

The Istanbul Conference will certainly be a landmark in the annals of the Red Cross in view of the importance of the subjects dealt with and the results achieved. A common horror of the evils of war and determination to remedy them were predominant throughout the proceedings. At the opening session, Mr. Marcel A. Naville, President of the ICRC, mentioned the role and responsibilities of the ICRC vis-à-vis governments and other charitable organizations in the following words:

The ICRC has not, and in no way claims to have, a world monopoly of respect for the human person and of relief for victims. It is only one instrument of the Red Cross, in the service of a cause, and it is not the only one.

Circumstances—indifference or passivity on the part of governments or charitable institutions—have too often compelled the ICRC to act alone in the field. The outcome has been that such actions have come to be regarded as part of its regular, quasi-mandatory functions. But they should only be transitory, either to take the place of National Societies when they are unable to act themselves, or to initiate action by setting an example and providing the first

emergency relief. By acting itself in the field, the ICRC accomplishes only a small part of Red Cross action. It would be betraying the very work which it initiated if it were to act as though in some way it were of necessity the "specialist" in direct relief to victims. It would then become, in effect, a pretext for governments to rest on their laurels, absolving them from respecting the commitments to which it has itself invited them to subscribe, and the National Societies from making, through their moral influence and material organization, a contribution for which it itself brought them into being. . . .

When circumstances require the ICRC itself to undertake practical action in the field, it should not be deduced that such action or type of action will henceforth become part of its normal sphere of activities. The ICRC should not lose sight either of its final goal, or of the unity of the Red Cross. Just as it should always be prepared to intervene, it should always be prepared to modify, to halt or to transfer the action once the compelling circumstances change.

The world lies under the threat of a universal nuclear conflict for which the great Powers are preparing themselves so as to be more certain of staving it off. But at the same time it is plunged into a series of conflicts and troubles which are shaking all the continents: conflicts resulting from national rivalries and aligning States against each other, civil wars which sometimes become internationalized, movements provoked by the desire for independence, liberation and secession, racial and tribal struggles, religious and social upheavals.

Although all such conflicts are of an international nature, in that the opposing parties seek and sometimes obtain foreign support, States take advantage of their sovereignty to protect themselves against intervention from outside. While denouncing foreign interference, they refuse to recognize the international nature of the conflict.

For this reason the ICRC finds itself in a delicate situation. The references made by the opposing parties to the international nature of certain internal troubles and the appeals to the ICRC on behalf of the victims should induce it to intervene. But its overtures constantly come up against the obstacle of sovereignty. Rightly or wrongly, governments consider that its intervention, which has for them the disadvantage of transforming the refractory into victims, threatens to make the international nature of the conflict official.

Thus, the ICRC runs the risk of seeing itself gradually rejected from the field in which its action should take place and confined, alongside its undisputed role of guardian of the Conventions, to activities which are undoubtedly valid but marginal. . . .

What attitude should be adopted when faced with all these obstacles?

First, the validity of the Conventions and the value of their application to all forms of war must be reaffirmed. In this connection, the ICRC's role is capital. There is little doubt that the value of the work undertaken by its legal section has conferred on it an indisputable authority.....

It is not due to the inadequacy of humanitarian law that its application encounters difficulties. Nevertheless, during the 20 years which have elapsed since the 1949 Geneva Conventions were drawn up, new experience has been acquired, and new forms of conflict and warfare have made their appearance. A number of the States which have been founded in the meantime did not have the opportunity to share in the drafting of the Conventions, but they have disseminated them, thereby showing that they recognize the need for the Conventions.

The 1949 Conventions have lost nothing of their value and they deserve to remain valid. On the other hand, they could be examined for shortcomings and to see whether they could be supplemented by new provisions with a view to the strengthening of humanitarian law, and to ensure and broaden its application. As it did preparatory to the 1949 Conference, the ICRC would willingly draft texts and proposals for submission to a further international conference at which it would be desirable for all States to attend.

Pending such an event, the Committee must recognize that, faced with the generalization of internal conflicts of an international character, it must place a wide construction on the provisions of Article 3 of the Conventions. The world's decline to a state of belligerent co-existence which circumvents the law of war nevertheless causes victims everywhere which it is the ICRC's duty to take care of, whatever arguments governments may adduce to qualify the kind of war in which they are involved. Prisoners of war, suspected persons, those who submit to re-education, rebels, political detainees, and even populations seeking refuge in conflict areas which no other humanitarian institution is able to assist; all are victims within the purview of the ICRC.

However they are interpreted, the Conventions are the basis of Red Cross action, and the Red Cross, in turn, as an instrument and a set of values, was founded by nations and governments for the safeguarding of the principles of humanity. It is a duty of the Red Cross to continue as that effective instrument and to live up to what is expected of it

Yet, in the final analysis, responsibility for the success or failure of humanitarian actions rests squarely on the shoulders of nations and governments, as it is for them to decide whether the

humanitarian principles shall prevail over other considerations. The Red Cross can and should be subject to criticism for its shortcomings. But only nations and governments can supply it with the means it requires for its action, or compel it to impotency.

As usual, the international Red Cross institutions had drawn up the appropriate documents as a basis for the discussions. The ICRC had issued no less than 19 reports, 4 of them jointly with the League of Red Cross Societies.

It was in the field of humanitarian law—entrusted to one of the two Commissions of the Conference—that the most significant progress was undoubtedly made. The application and dissemination of the Geneva Conventions was, as customary, one of the first items on the agenda. The ICRC had supplied considerable documentary material in this connection: the report on its activity in this field included inter alia two texts drawn up at its request by the *Commission médico-juridique de Monaco*, one on medical aviation and the other on standards of detention for non-delinquents. The ICRC also submitted a proposed system of standard telegram messages to and from prisoners of war. This was in compliance with a recommendation by the 1949 Diplomatic Conference in Geneva. The International Committee also produced a second compendium of laws passed in various countries to repress breaches of the Conventions and its illustrated school textbook intended for the teaching of the Red Cross and Geneva Conventions' principles to children in Africa and Asia met with considerable success, as did also the exhibition devoted to it in the Conference entrance hall.

But above all, for the first time, and following up a resolution adopted at the Vienna Conference in 1965, the ICRC conveyed to the meeting, in a copious report, the measures taken in many countries to disseminate knowledge of the Geneva Conventions. Efforts to that end, which States undertook when signing these treaties, are making progress throughout the world. They are however still very inadequate and must be actively continued.

As regards the development of humanitarian law¹, the ICRC

¹ The resolutions adopted by the XXIst International Conference of the Red Cross concerning the dissemination of the Geneva Conventions, the development of humanitarian law, and the Red Cross as a factor in world peace, are mentioned in the sections of this report dealing with these questions.

submitted to participants several substantial reports on this subject, the main one being entitled *The Reaffirmation and Development of Laws and Customs Applicable in Armed Conflicts*, which was introduced by the President of the ICRC.

The General Commission also put in fine work. The item entitled *The Red Cross as a Factor in World Peace*, whilst by now traditional, is more topical than ever. In this connection, the ICRC and the League submitted a lengthy report on the two Round Tables which the ICRC had organized.

The *Principles and Rules for Red Cross Disaster Relief* (XXIV) were approved by the Conference. They will no doubt prove to be a valuable guide to Societies which, with their usual generosity, participate in assistance work.

The organization of health teams (XXXI) was an item on the agenda made topical by recent events. The Conference recommended National Societies to establish in their respective countries a pool of health personnel who could be made available to the ICRC and the League for work in conflict or disaster stricken regions.

Other interesting questions which were with advantage examined included: The Red Cross and the Developing Countries, assistance from voluntary workers, Red Cross Youth, and International Disaster Relief Air Transport.

The Conference also had to elect the five members who, with the four ex-officio members representing the ICRC and the League, constitute the Standing Commission. The following were elected for a period of four years: General J. Collins (American Red Cross), Dr. A. Djebli-Elaydouni (Moroccan Red Crescent), the Countess of Limerick (British Red Cross), Professor G. Miterev (Alliance of Red Cross and Red Crescent Societies of the USSR), Sir Geoffrey Newman-Morris (Australian Red Cross). At its first session, the Standing Committee in Istanbul requested Lady Limerick to continue in office as Chairman, which she agreed to do.

It was at this Conference that the Standing Commission made the first awards of the Henry Dunant Medal—the highest Red Cross distinction, instituted on the initiative of the Australian Society. The Commission wished to honour those who had fallen in the service of the institution. Three of the first recipients of the medal were, alas, no longer living, namely Dr. Franticek Janouch,

former President of the Czechoslovak Red Cross Society, Dr. Dragan Herćog of the Yugoslav Society and Mr. Robert Carlsson of the Swedish Society. The latter two were killed in Nigeria where they were working as members of relief teams under ICRC responsibility. The fourth recipient, to whom the medal was presented by Lady Limerick, was Mr. Pierre Tacier, ICRC delegate; he was seriously wounded during the conflict in the Near East when on a refugee relief mission.

It should be mentioned, in conclusion, that the Conference was preceded on 29 August by the XXXth Session of the Board of Governors of the League, and that a ceremony commemorating the League's fiftieth anniversary took place on 5 September.

2. IMPLEMENTATION AND DEVELOPMENT OF HUMANITARIAN LAW

Geneva Conventions

New accessions.—In 1969, for the first time for many years, there were no new accessions to the Geneva Conventions on the part of countries which had newly appeared on the international scene. On the other hand, three States which had been Parties to the Conventions prior to 1949, had signified their participation in the 1949 Geneva Conventions. They were, first, the Republic of Uruguay (ratification, 5 March 1969) which previously had been bound only by the Geneva Convention of 1906. Next, Ethiopia, which had been bound only by the Convention of July 27, 1929, for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field, gave notification of its participation in the Geneva Conventions of 1949 (ratification, 2 October 1969). Finally, the Republic of Costa Rica, which had been a party to the Convention of July 6, 1906, for the Amelioration of the Condition of the Wounded and Sick in Armies in the Field, also became a party to the new Geneva Conventions (accession, 15 October 1969).

The number of States formally bound by the Geneva Conventions of 1949 was thus, at the end of 1969, 125.