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In 1975, the ITS received 207,809 inquiries from 45 countries and provided 225,559 replies, which break down as follows:

- 114,896 items of information to authors of works in memory of the victims of deportation;
- 28,952 items of information to attorneys general;
- 26,175 incarceration certificates;
- 12,324 personal searches;
- 7,565 items of information for record offices or relating to publications;
- 6,191 work certificates;
- 5,397 photocopies;
- 5,386 residence certificates;
- 3,690 death certificates;
- 2,631 medical documents;
- 1,183 items of information of a historical or statistical nature.
- 11,169 miscellaneous.

In 1975, 1,918,531 new reference cards were made out. By the end of the year, therefore, the Central File—which is an alphabetical index as well as the key to each of the documents—contained a total of 41,600,000 entries.

As in previous years, the ITS managed to acquire a mass of documentation during 1975. This concerned mainly the concentration camps and contained information of considerable importance to victims and their families. These accumulated acquisitions have made Arolsen the most important centre of documentation dealing with the concentration camp period despite the fact that this documentation is still fragmentary, with many gaps.

Most of this documentation has been used to augment a *Catalogue of Places of Detention*, adding seven camps for the first period (1933-39), as well as 73 outside work squads and 8 work squads from concentration camps in the war years.

A new, revised edition of this *Catalogue* was to have appeared in 1975, but publication was delayed by the need to include in it all the information contained in the documents recently acquired. The ITS expects to publish the revised *Catalogue* in 1976.

Scrutiny of the new documentation has brought to light another 2,518 deaths. These were notified to the Special Registrar of Births, Marriages and Deaths, to be officially registered.

Since its creation, the ITS has received more than 4 million inquiries and has provided 5.6 million replies, the difference between these two figures being explained by the fact that replies to certain inquiries are sent to several services.

### III. DEPARTMENT OF PRINCIPLES AND LAW

The activities of the Department of Principles and Law do not often feature in news of current events. During the past several years there has been an exception, constituted by the *Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law applicable in Armed Conflicts*. The ICRC takes part in this Conference as a privileged expert and as author of the texts under discussion.

An account of the second session of the Diplomatic Conference and a general outline of other work done by the Department in 1975 is given below.

The Department is composed of three Divisions:

- Legal
- National Societies and Principles
- Documentation and Dissemination

These Divisions have been working in ever-closer co-operation with the Operations Department, as suggested by the Tansley Report. The main objective of both Departments in this respect is to harmonize their respective activities, so that legal and doctrinal considerations may benefit from practical experience and that activities may be guided by principles and law.

### REAFFIRMATION AND DEVELOPMENT OF HUMANITARIAN LAW

#### Diplomatic Conference— second session

The second session of the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law applicable in Armed Conflicts took place in Geneva from 3 February to 18 April 1975.

Readers wishing to study the proceedings of the Conference in detail are referred to the text published in July 1975 by the *International Review of the Red Cross* (No. 172, pages 323-358), so that we need not go into details here, but merely cover the essentials of this great undertaking, which is a special concern of the Legal Division.

## What is the “Tansley Report”?

This report mentions several times a study which was published in the summer of 1975. It is often spoken of as the *Tansley Report*; its official title is *Reappraisal of the role of the Red Cross*.

What is this publication?

The final volume of the seven-volume report is entitled *An Agenda for the Red Cross*. The whole report is the product of two-and-a-half years of study by experts from outside the Red Cross movement, with a twofold purpose:

- to report on the “state of health” of the Red Cross,
- to provide a prognosis.

Most commentators, quick to point out the defects discovered by Donald Tansley, who headed the study, failed to observe that the reappraisal had been ordered by the Red Cross itself, which showed at least that the organization did not fear criticism, or even reconsideration of its role.

It remains to be seen whether the Red Cross as a whole or its individual components—National Societies, League and ICRC—recognize themselves in the portrait presented. The suggestions for the future must also be examined to determine whether they are sound and realistic.

The ICRC, like the League and the National Societies, has been examining the *Tansley Report* in this light.

The Diplomatic Conference held its first session in 1974, having been convened to discuss and approve two draft *Protocols additional to the Geneva Conventions of 1949*, prepared by the ICRC with the help of Red Cross and government experts. These texts contain a total of 122 basic provisions aimed at improving protection for the victims of international armed conflicts (Protocol I) and non-international armed conflicts (Protocol II).

In the second session, due to a remarkable degree of concord—the majority of the articles adopted in committee were approved unanimously—a great deal of work was accomplished. The three main Committees, the working groups and the drafting committees held no fewer than 500 meetings. More than half the area has now been covered, since 70 provisions have been adopted in committee by the delegations of the 121 countries represented, meeting under the chairmanship of Mr. Pierre Graber, President of the Swiss Confederation.

A few examples will show the progress already made in humanitarian law, although the provisions adopted in the Committees have not yet been submitted to the Plenary Assembly of the Conference.

### International armed conflicts

The major new element in Protocol I establishes the general obligation to make a distinction at all times between the civilian population and combatants, also between civilian objects and military objectives. This means that civilians must have genuine protection from the dangers arising from military operations which would be prohibited whenever they may present a danger to non-combatants and their goods. The protection of objects of

a civilian nature will be extended to cover cultural objects and places of worship.

Objects indispensable to the survival of the civilian population—crops and livestock for instance—will be protected, as the starvation of civilians to compel them to submit will be forbidden.

The new provisions adopted will provide special protection for the natural environment “against widespread, long-term and severe damage”, and for works and installations containing dangerous forces. In the last-named case, an attack would be legitimate only if these works were being used to provide “regular, significant and direct support” to military operations and if their destruction was the only way to terminate such support.

The immunity hitherto enjoyed by *medical personnel of the armed forces* and of *recognized civilian hospitals* will be extended to all *organized civilian medical personnel, medical structures and medical transport*.

There is also better protection for the individual and for medical activities. The new provisions explicitly prohibit pseudo-medical experiments on protected persons. Doctors will have the right to work in conformity with their professional ethics and must not be punished for having treated anyone. The relief of suffering is thus recognized as virtually sacred and set above all antagonisms.

The representatives of the governments taking part in the Diplomatic Conference demonstrated once more the confidence they have in the Red Cross in general and the ICRC in particular, especially in adopting Article 70 bis of Protocol I. This article requires the parties to a conflict to grant the International Committee of the Red Cross all the facilities in their power to enable it to carry out the humanitarian role assigned to it by

the Geneva Conventions and the future annexed provisions, in order to ensure *protection* and *assistance* to the victims. The other Red Cross organizations (the National Societies and their federation, the League) have also been given additional support for their activities.

### **Non-international armed conflicts**

Protocol II is concerned with civil war. It contains the rules regarded as essential to ensure effective protection for victims against arbitrary conduct by the parties to the conflict and against the dangers arising from the hostilities. The Conference has already made considerable progress in codification in this relatively undeveloped field of international humanitarian law.

Protocol II reiterates the provisions of Protocol I, simplified and adapted to the special conditions of non-international conflicts. This applies in particular to protection of medical and religious personnel, the general safeguarding of medical activities, the civilian population, the natural environment, and works and installations containing dangerous forces.

For the first time, rules have been formulated which are designed to ensure decent conditions of internment or detention for persons deprived of their liberty for reasons related to such armed conflicts: Article 8 of Protocol II, already adopted in committee, asks the parties to a conflict to facilitate visits to interned or detained persons by representatives of an impartial humanitarian organization.

The fundamental guarantees in the new text include respect for individuals, for their honour, for their religious convictions and practices, prohibit any attempt on life, health and physical and mental wellbeing, and forbid torture, mutilation, corporal punishment, the taking of hostages, acts of terrorism, humiliating and degrading treatment, slavery, looting, and even the threat of committing such acts.

The third session of the Diplomatic Conference was convened for 21 April to 11 June 1976 in Geneva.

## **Colloquium and round table**

Subjects dealt with by the Diplomatic Conference were also discussed at the International Colloquium organized in Turin, Italy, on 21 and 22 June by the International Institute of Humanitarian Law of San Remo and at a "round table" convened by the same organization from 3 to 6 September in San Remo. The ICRC took an active part in both meetings.

In Turin, the discussions dealt mainly with problems of state sovereignty, international relief operations, and the protection of refugees, particularly in relation to the draft Protocols.

In San Remo, the principal subjects discussed were the banning of reprisals, repression of violations of the Geneva Conventions and of Protocol I, the role and activities of the Red Cross and of other humanitarian organizations, the

categories of prisoners of war and protection of the victims of non-international armed conflicts.

These meetings provided opportunities for fruitful exchanges of views prior to the third session of the Diplomatic Conference.

## **Conference on weapons: preparation for the second session**

The second session of the Conference of Government Experts on the Use of Certain Conventional Weapons was scheduled in Lugano from 28 January to 26 February 1976.

For the ICRC, organizer of the Conference, 1975 was a year of preparation. Invitations were sent, starting in June. Various working sessions were held in Geneva and Lugano to arrange this important meeting. It should be noted that the report of the first session (September-October 1974) was published at the beginning of 1975.

### **NEW ACCESSION TO THE GENEVA CONVENTIONS**

**The Swiss Federal Council on 11 July 1975 received a declaration of continuity confirming the accession of the Commonwealth of the Bahamas to the Geneva Conventions.**

## **DOCUMENTATION AND DISSEMINATION DIVISION**

One of the other components of the Department of Principles and Law, the Documentation and Dissemination Division, has a great variety of activities. It issues publications, runs the ICRC library, sends out documents, acts as host to researchers, and makes a significant contribution to the general task of disseminating the Red Cross principles and the Geneva Conventions.

To demonstrate the Division's activities, here are a few figures:

- 1,165 written replies to requests for general information on the ICRC,
- 1,137 parcels of documentation dispatched,

- a score of researchers and authors of theses welcomed,
- ten publications produced,
- more than 45,000 *Soldier's Manuals* sent out,
- 370,000 school manuals printed, 200,000 of them in Switzerland.

The *Soldier's Manual* is one of the methods used by the ICRC to spread knowledge of the Geneva Conventions among armed forces. In most cases, National Societies assist in this. In 1975, efforts were directed to the following countries: Afghanistan, Angola, Belize, Cameroon, Colombia, Dahomey, Ethiopia, Guinea Bissau, Mali, Mauritania, Morocco, Mozambique, Niger, Paraguay, Portugal, São Tomé, Sudan. A Swahili edition was prepared for Tanzania, Uganda and Kenya. Other countries have said that they are interested.

The school manual, "The Red Cross and My Country", of which several versions exist, adapted to national customs and translated into the languages of the countries, constitutes another aspect of the work of dissemination carried on by the ICRC.

In 1975, 150,000 copies in Swahili were printed in Switzerland, for use by schoolchildren in Tanzania, Kenya and Uganda. A Portuguese edition of 50,000 copies was produced; and for use in Pakistan, 100,000 school manuals and 10,000 *Teacher's Manuals* (the latter being a guide for school staff) were printed in Lahore. In Ethiopia, 20,000 copies were printed in Amharic.

Thanks to a new credit of 200,000 Swiss francs granted to the ICRC by the Swiss Confederation at the end of 1975, this work can be continued through 1977.

An ICRC delegate visited Poland from 19 September to 10 October where she took part in a seminar on dissemination of the Geneva Conventions, organized by the Polish Junior Red Cross. She discussed with the Polish Government and the National Society a proposed European seminar on the subject.

Naturally, the ICRC supports all efforts to promulgate the contents of the Conventions, and regional delegates add their contributions by giving lectures in the countries they visit. Seminars are also organized in Geneva for members of National Societies and for armed forces.

When the Council of Delegates of the International Red Cross, composed of representatives of the National Societies, the League and the ICRC, met in Geneva in October, a memorandum was presented to the National Societies suggesting that they should:

- appoint a person within their own organization to be responsible for dissemination,
- work for the establishment in their country of a permanent interministerial committee for promulgating the Conventions,
- organize seminars,
- create methods of spreading information.

At the end of 1975, 47 National Societies had already sent replies to the memorandum. These replies will constitute the subject of a report in the course of 1976.

As the result of a Unesco resolution on dissemination of the Geneva Conventions, it was decided to organize a meeting of

experts on the teaching of international humanitarian law in universities in March 1976 at the Henry Dunant Institute in Geneva.

## INTERNATIONAL REVIEW OF THE RED CROSS

The International Review of the Red Cross, which is published by the ICRC under the authority of the Department of Principles and Law, is the main vehicle for expressing the thought and doctrine of the Red Cross movement.

It appears monthly and in it an effort is made to throw light on the history and current activities of the movement throughout the world.

It is published in French and English and provides Spanish and German translations of the most important articles which appear in pamphlet form. Starting in 1976, the Spanish pamphlet will be replaced by a complete Spanish edition.

Let us take a look at the annual table of contents published in the December edition. The main historical articles which have appeared during the year are:

- "Henry Dunant, Promotor of the 1874 Brussels Conference, Pioneer of Diplomatic Protection for Prisoners of War" (Y. de Pourtalès and R.-H. Durand, February);
- "The Swing of the Pendulum. A Hundred Years in the Development of Humanitarian Law—1874-1973" (Jean Pictet, March);
- "The Protection of War Victims under Polish Legislation, up to the end of the 18th Century" (Andrzej Gorbiel, June).

Readers interested in the work of the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law should refer to the February, April, May and July issues, the last of which gives a very full account.

Also in the legal sphere, there was an article by Claude Pilloud in the January issue under the title "The Concept of International Armed Conflict: Further Outlook".

"Miscellaneous" section contained many interesting articles such as:

"Centenary of the Brussels Declaration and the International Symposium on Humanitarian Law" (January); "National Sovereignty and the Reuniting of Families" (May); "Development of Humanitarian Law in the Medico-Military Field" (June); "Humanitarian Action and National Sovereignty" (November); "Spiritual Assistance and International Humanitarian Law" (November).

Finally, the Review devoted much space to the activities of the ICRC in the field and to the numerous events organized by the Red Cross throughout the world during 1975.